



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

SEP 30 2008

1080300

1200 New Jersey Avenue SE
Washington, DC 20590

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Gay P. Kent, Director
General Motors Corporation
GM Product Investigations
Mail Code 480-210-G11
30001 Van Dyke
Warren, MI 48090

NVS-213swmc
PE08-056

*Original
w/ Disk
Received
10-6-08*

Dear Ms. Kent:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE08-056) to investigate allegations of inappropriate brake application of one or more wheels induced by an electronic stability control (ESC) system malfunction in model year (MY) 2005 through 2006 Chevrolet Corvette vehicles manufactured by General Motors Corporation, and to request certain information.

This office has received eight reports of inappropriate brake application of one or more wheels induced by an ESC system malfunction in MY 2005 through 2006 Chevrolet Corvette vehicles. Five of these complaints allege that the uncommanded vehicle braking caused the vehicle to veer left or right. ODI also identified field reports related to the alleged defect in Early Warning information submitted by GM. GM issued a technical service bulletin in January 2006 and later revised in October 2007 (Bulletin No. 06-02-35-002B), concerning stability control system problems in MY 2005-06 Chevrolet Corvette; MY 2004-08 Cadillac XLR; MY 2006-08 Cadillac DTS and MY 2008 Buick Lucerne vehicles equipped with telescoping/tilt steering wheels. The bulletin provides repair instructions for customer complaints of "a Stabilitrak or active handling system light being illuminated" with a "service Stabilitrak or service active hndlg message on the DIC." According to the bulletin, should diagnosis with a scan tool reveal a DTC C0710 fault code, the most likely cause on a vehicle equipped with a telescoping/tilt steering wheel is high resistance in steering wheel position sensor (SWPS) connector C202. The high resistance is attributed to fretting corrosion of the SWPS connector terminal due to the telescoping motion of the steering column. The bulletin repair procedure involves installing a clip onto the connector to "act as a terminal positive assurance (TPA) and prevent any movement of the terminals." At least one of the ODI complaints indicates that the bulletin repair was performed to correct the condition. A copy of each of the reports has already been forwarded to your office.

Unless otherwise stated in the text, the following definitions apply to these information requests:



- **Subject vehicles:** all MY 2005 through 2006 Chevrolet Corvette vehicles manufactured for sale or lease in the United States.
- **Peer vehicles:** MY 2004-08 Cadillac XLR; MY 2006-08 Cadillac DTS and MY 2008 Buick Lucerne vehicles.
- **Subject bulletin:** the original and subsequent revisions to GM Bulletin No. 06-02-35-002.
- **Subject component:** the steering wheel position sensor and the steering wheel position sensor connector C202 manufactured for use as original equipment or service part on the subject vehicles.
- **Electronic stability control (ESC) system:** the Stabilitrak or active handling system used in the subject and peer vehicles.
- **GM:** General Motors Corporation, all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of GM (including all business units and persons previously referred to), who are or, in or after January 1, 2000, were involved in any way with any of the following related to the alleged defect in the subject vehicles:
 - a. Design, engineering, analysis, modification or production (e.g. quality control);
 - b. Testing, assessment or evaluation;
 - c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
 - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
- **Alleged defect:** inappropriate brake application of one or more wheels induced by an ESC system malfunction.
- **Document:** “Document(s)” is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual

displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by GM, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by GM or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as GM has previously provided a document to ODI, GM may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After GM's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model and model year, the number of subject and peer vehicles GM has manufactured for sale or lease in the United States. Separately, for each subject and peer vehicle manufactured to date by GM, state the following:
 - a. Vehicle identification number (VIN);
 - b. Model Year;
 - c. Date of manufacture;
 - d. Date warranty coverage commenced;
 - e. If the vehicle is equipped with the telescoping/tilt steering wheel option: and
 - f. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

2. State the number of each of the following, received by GM, or of which GM is otherwise aware, which relate to, or may relate to, the alleged defect (including but not limited to DTC code C0710 and its sub codes; Stabilitrak; and the Active Handling System) in the subject and peer vehicles:
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
 - d. Reports involving a fire, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
 - e. Property damage claims; and
 - f. Third-party arbitration proceedings where GM is or was a party to the arbitration; and
 - g. Lawsuits, both pending and closed, in which GM is or was a defendant or codefendant.

For subparts "a" through "e" state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "g," provide a summary description of the alleged problem and causal and contributing factors and GM's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "f" and "g," identify the parties to

the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
 - a. GM's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
 - d. Vehicle's VIN;
 - e. Vehicle's model year;
 - f. Vehicle's mileage at time of incident;
 - g. Incident date;
 - h. Report or claim date;
 - i. Whether a crash is alleged;
 - j. Whether a fire is alleged;
 - k. Whether property damage is alleged;
 - l. Number of alleged injuries, if any; and
 - m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method GM used for organizing the documents.
5. State, by model year, a total count for all of the following categories of claims, collectively, that have been paid by GM to date that relate to, or may relate to, the alleged defect (including but not limited to DTC code C0710 and its sub codes; Stabilitrak; the Active Handling System; and all versions of the subject bulletin) in the subject and peer vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. GM's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Vehicle's model year;
- e. Repair date;
- f. Vehicle mileage at time of repair;
- g. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- h. Labor operation number;

- i. Problem code;
- j. Replacement part number(s) and description(s);
- k. Concern stated by customer;
- l. Cause and correction as stated by repairing dealer; and
- m. Additional comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

6. Describe in detail the search criteria used by GM to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by model year, the terms of the new vehicle warranty coverage offered by GM on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that GM offered for the subject vehicles and state by option and model year, the number of vehicles that are covered under each such extended warranty.
7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that GM has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that GM is planning to issue within the next 120 days.
8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, GM. For each such action, provide the following information:
 - a. Action title or identifier;
 - b. The actual or planned start date;
 - c. The actual or expected end date;
 - d. Brief summary of the subject and objective of the action;
 - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

9. Describe all modifications or changes made by, or on behalf of, GM in the design, material composition, manufacture, quality control, supply, or installation of the subject component,

from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:

- a. The date or approximate date on which the modification or change was incorporated into vehicle production;
- b. A detailed description of the modification or change;
- c. The reason(s) for the modification or change;
- d. The part number(s) (service and engineering) of the original component;
- e. The part number(s) (service and engineering) of the modified component;
- f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
- g. When the modified component was made available as a service component; and
- h. Whether the modified component can be interchanged with earlier production components.

Also, provide the above information for any modification or change that GM is aware of which may be incorporated into vehicle production within the next 120 days.

10. Produce one of each of the following:

- a. Exemplar samples of each design version of the subject component;
- b. Field return samples of the subject component exhibiting the subject failure mode; and
- c. Any kits that have been released, or developed, by GM for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.

11. State the number of each of the following that GM has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable):

- a. Subject component; and
- b. Any kits that have been released, or developed, by GM for use in service repairs to the subject component/assembly.

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number). Also identify by make, model and model year, any other vehicles of which GM is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

12. Provide the following information regarding the subject bulletin:

- a. A chronology of events related to the issuance of the bulletin, including a detailed description of when and how GM first recognized the concern described in the bulletin, what actions were taken to investigate the concern and all meetings conducted to review the concern and make the decision to issue the bulletin and each revision thereof;
- b. Copies of all documents related to investigation and review of the concern addressed by the subject bulletin, including all material presented at all meetings conducted to review

the investigation and analysis of field data (e.g., complaints, field reports, and warranty data), the development of the correction, predicted failure rates, and the potential safety consequences; and

- c. An explanation of why GM decided to address the steering wheel position sensor connector failures with the subject bulletin rather than a safety recall.

13. Provide a detailed description of the ESC system used in the subject vehicles, including:
 - a. A description of system operation;
 - b. Copies of all electrical schematics and circuit diagrams;
 - c. Copies of all failure modes and effects analyses;
 - d. A detailed description of the full range of braking and throttle control authorities of the ESC system during a stability control event;
 - e. Describe and provide copies of all documents related to any tests or other analyses by, or for, GM regarding the effects of inappropriate ESC activation on vehicle control in various driving conditions;
 - f. A description of all visual and audible indicators available to the vehicle operator to signal ESC activation or a fault in the ESC system;
 - g. A listing of all trouble/fault codes associated with the ESC system and a description of how each is detected;
 - h. A detailed description of the ESC system self diagnostics and all faults/conditions that will cause the system to deactivate;
 - i. The maximum time duration of an ESC activation event in the subject vehicles; and
 - j. All differences in ESC system hardware or control algorithms between the subject and peer vehicles.
14. Furnish GM's assessment of the alleged defect in the subject vehicle, including:
 - a. The causal or contributory factor(s);
 - b. The failure mechanism(s);
 - c. The failure mode(s);
 - d. Using statistical modeling of warranty data or other analytical methods give GM's assessment of the rates of subject component failure/malfunction at 1, 3, and 6 years in service – include a detailed description of the statistical method used and a copy of the input data and the results (e.g., if Weibull analysis is used, give the output shape and scale parameters);
 - e. The risk to motor vehicle safety that it poses;
 - f. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and
 - g. The reports included with this inquiry.

This letter is being sent to GM pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information. GM's failure to respond promptly and fully to this letter could subject GM to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) Please note that maximum civil penalties

under 49 U.S.C. § 30165 have increased as a result of the recent enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Public Law No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$6,000 per day, with a maximum of \$16,375,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6 (as amended by 71 Fed. Reg. 28279 (May 16, 2006)). This includes failing to respond to ODI information requests.

If GM cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, GM does not submit one or more requested documents or items of information in response to this information request, GM must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

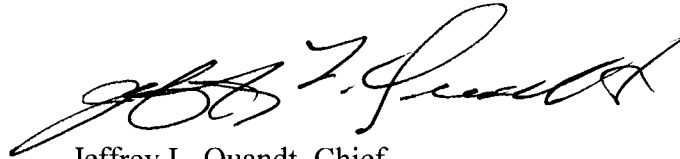
GM's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by November 12, 2008. **All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office.** In addition, do not submit any business confidential information in the body of the letter submitted to this office. Please refer to PE08-056 in GM's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel. If GM finds that it is unable to provide all of the information requested within the time allotted, GM must request an extension from me at (202) 366-5207 no later than five business days before the response due date. If GM is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information GM then has available, even if an extension has been granted.

If GM claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, GM must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended, to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. GM is required to **submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.** Please remember that the word "CONFIDENTIAL BUSINESS INFORMATION" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 5 U.S.C. § 512.6. If you submit a request for confidentiality for all or part of your response to this IR, that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the new requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats (49 CFR 512.6(c)). *See* Federal Register, volume 72, page 59434 (October 19, 2007).

Please send email notification to Stephen McHenry (stephen.mchenry@dot.gov) and to ODI_IRresponse@dot.gov when GM sends its response to this office and indicate whether there is confidential information as part of GM response.

If you have any technical questions concerning this matter, please call Stephen McHenry of my staff at (202) 366-4883.

Sincerely,

A handwritten signature in black ink, appearing to read "J. L. Quandt", written in a cursive style.

Jeffrey L. Quandt, Chief
Vehicle Control Division
Office of Defects Investigation

Enclosure 1, one CD ROM titled Data Collection Disc containing three files.

VOQs: 10241957, 10236953, 10221546, 10229328, 10130013, 10233639, 10229399,
10157553.