



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

1200 New Jersey Avenue SE.
Washington, DC 20590

SEP 30 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Timothy J. Nalepka
Senior Vice President, General Counsel and Secretary
Motor Coach Industries International, Inc.
1700 E. Golf Road, Suite 300
Schaumburg, Illinois 60173

NVS214-sjm
PE09-043

Dear Mr. Nalepka:

As you are aware, on September 9, 2009, the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) opened a Preliminary Evaluation (PE09-043) to evaluate a service bulletin that Motor Coach Industries (MCI) had sent to the owners of D series motor coaches equipped with the Detroit Diesel S60 Pre-2007 engine. The bulletin, (No. 3014 copy enclosed) outlines procedures and supplies a kit for starter cable installation to reduce the potential for cable damage or chafing with engine brackets or movement within the cable clamps.

ODI reviews technical service bulletins and other communications submitted by manufacturers of motor vehicles and items of motor vehicle equipment for potential safety-related matters. During the process of evaluating the service bulletin, ODI contacted you to determine the rationale for not conducting a safety recall campaign to address this issue.

ODI believes that there is a high risk for a thermal event when starter cables chafe on components within the engine compartment. ODI places increased emphasis on preventing potential fires involving motor coaches. Historically, problems resulting from wires/cable chafing have been the subject of numerous safety recalls.

After re-evaluating this service bulletin, if MCI decides to convert this service bulletin action into a safety recall, please inform us and your response to this Information Request may be revised or rescinded.

The purpose of this letter is to obtain information to evaluate the problem and its consequences. Accordingly, certain information is requested.

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



- **Subject vehicles:** All MCI motor coaches equipped with a Detroit Diesel S60 Pre-2007 engine and manufactured for sale or lease in the United States and **any other model** bus equipped with this starter, starter cable, cable clamps, hardware and cable routing combination using essentially the same design and system components.

- **MCI: Motor Coach Industries International, Inc.,** 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 MCI (including all business units and persons previously referred to), who are or, in or after 2005, 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:** Any failure, malfunction, or otherwise unsatisfactory performance of the starter cable assembly and/or mounting hardware, that would contribute to or cause the cable to abrade or chafe at any point along its length thus compromising its protective covering and potentially resulting in a short.

- **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 MCI, 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 MCI 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 MCI has previously provided a document to ODI, MCI 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 MCI's response to each request, identify the source of the information and indicate the last date the information was gathered.

NHTSA requests that MCI provide two hard copies and also provide a copy of its response in Microsoft Word format on a CD or DVD.

1. State, by model year, and model, the number of subject vehicles MCI has manufactured for sale or lease in the United States and provide a complete listing of all the owners by Model year, owners name and address, Vehicle Identification Number (VIN), and any other contact information, such as individual email addresses.

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA."

2. State, by model year, and model, the total number of each of the following, received by MCI, or of which MCI is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles. Provide a copy of each such claim:
 - 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. Property damage claims;
 - e. Third-party arbitration proceedings where MCI is or was a party to the arbitration; and
 - f. Lawsuits, both pending and closed, in which MCI is or was a defendant or codefendant.

For subparts "a" through "d," 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 "f," provide a summary description of the alleged problem and causal and contributing factors and MCI's assessment of the problem, with a summary of the significant underlying facts and evidence. For items e and f, 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. MCI'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 make, model, and model year;
 - f. Vehicle's mileage at time of incident;
 - g. Incident date;
 - h. Report or claim date;
 - i. Whether there was a thermal event;
 - j. Number of alleged injuries, if any;
 - k. Number of alleged fatalities, if any;
 - l. Summary description of the complaints; and,

- m. MCI's opinion/assessment of the incidents. Provide a copy of the claim or repair order, any/all field reports and any documents related to or produced by MCI during their evaluation of this issue.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER THREE DATA."

4. State, by model year, and model, a total count for all of the following categories of claims, collectively, that have been paid by MCI to date that relate to, or may relate to, the alleged defect in the subject vehicles:
 - a. Warranty claims;
 - b. Extended warranty claims;
 - c. Claims for good will services that were provided;
 - d. Field, zone, or similar adjustments and reimbursements; and
 - e. Warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

5. Separately, for each such claim, state the following documentation/information:
 - a. MCI's claim number;
 - b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
 - c. VIN;
 - d. Repair date;
 - e. Vehicle mileage at time of repair;
 - f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
 - g. Labor operation number;
 - h. Problem code;
 - i. Replacement part number(s) and description(s);
 - j. Concern stated by customer;
 - k. Provide a copy of any related document including the claim or repair order;
 - l. Comment, if any, by dealer/technician relating to claim and/or repair; and
 - m. MCI's assessment.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA."

6. Describe in detail the search criteria used by MCI to identify the claims identified in response to Request No. 2 and 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 make and model year, the terms of the new vehicle warranty coverage offered by MCI 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 MCI offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

7. Describe how MCI first became aware of the alleged defect and state the date on which MCI first became aware of the possibility of the alleged defect. Provide a detailed **chronology** of all known wiring chafing incidents regarding the subject defect, starting from the time MCI first became aware of this issue to present. Include all information and provide a copy of any document used at any internal/external meeting(s), meetings with the part supplier, or other manufacturers.
8. Produce copies of any/all service bulletins, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that MCI 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 MCI is planning to issue within the next 120 days. For each such document provide in responding to question 7, provide a detail explanation as to what precipitated the issuance of the service bulletin/document and its relevancy to the alleged defect.
9. 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, MCI. For each such action, provide the following information:
 - a. Action title or identifier;
 - b. The actual or planned start and end date;
 - c. Brief summary of the subject and objective of the action;
 - d. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - e. 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.

10. Describe all modifications or changes made by, or on behalf of, MCI, 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 numbers (service and engineering) of the original component;
 - e. The part number (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 MCI is aware of which may be incorporated into vehicle production within the next 120 days.

11. State the number of each of the following that MCI has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model, model year of the vehicle, and month/year of sale (*including the cut-off date for sales, if applicable*):
- Replacement Alternator Cable Kit for the Pre-2007 Engine;
 - Replacement Alternator Cable Kit for 2007 EPA Engine
 - Any kits that have been released, or developed, by MCI for use in service repairs to the subject component/assembly; and
 - Any replacement part that have been released, or developed, by MCI 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 MCI 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. Furnish MCI's assessment of the alleged defect in the subject vehicle, including:
- Any causal or contributory factors;
 - The failure mechanism(s);
 - The failure mode(s);
 - The risk to motor vehicle safety that it poses;
 - What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring; and
 - The reports discussed with your staff and related to this inquiry.
13. Identify any action(s) MCI intends to take in this matter.

This letter is being sent to MCI 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. MCI's failure to respond promptly and fully to this letter could subject MCI 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.) 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 MCI 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, MCI does not submit one or more requested documents or items of information in response to this information request, MCI 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.

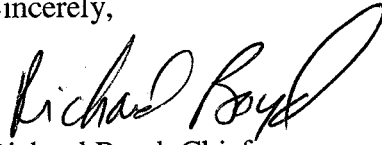
MCI's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by November 6, 2009. **All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraphs and should 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 PE09-0043 in MCI's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel. If MCI finds that it is unable to provide all of the information requested within the time allotted, MCI must request an extension from me at (202) 366-4933 no later than five business days before the response due date. If MCI 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 MCI then has available, even if an extension has been granted.

If MCI 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, MCI 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-113), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. MCI 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.(c)). See Federal Register, volume 72, page 59434 (October 19, 2007).

Please send email notification to Sonny Murianka (smurianka@dot.gov) and to ODI_IRresponse@dot.gov when MCI sends it's response to this office and indicate whether there is confidential information as part of MCI's response.

If you have any technical questions concerning this matter, please call Sonny Murianka of my staff, at (202) 366-5196.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Boyd". The signature is fluid and cursive, with a large loop at the end of the last name.

Richard Boyd, Chief
Medium and Heavy Duty Vehicle Division
Office of Defects Investigation

Enclosure



Service Bulletin No. 3014

MODEL D Series Coaches equipped w/ DDC S60 Pre-2007 Engine	TYPE Product Improvement	SECTION/GROUP 7-Electrical	DATE July 21, 2009
SUBJECT STARTER CABLE CHAFFING			
CONDITIONS Parts may be purchased from MCI Service Parts, Louisville, Kentucky or from MCI Service Parts, Newcastle, Ontario.			

Description:

Effective with unit number 57956, MCI made design changes to the starter cable installation on coaches equipped with a Detroit Diesel S60 Pre-2007 engine. The new starter cable installation will reduce the potential for cable damage or chaffing due to contact with brackets and / or movement within the cable clamps.

PREVENTATIVE MAINTENANCE NOTICE

MCI recommends that customers thoroughly inspect the starter cable for damage and chaffing every 6000 miles/9000 km or every engine oil change (whichever service interval occurs first).

Parts

<u>Qty.</u>	<u>New P/N</u>	<u>Description</u>
1	07-14-4611	Kit, S60 Starter Cable, Pre-2007 Engine <i>Kit Contents Are:</i>
1	07-09-1520	Cable, Starter
1	19-04-0419	Split clamp
2	19-1-1072	Capscrew
2	19-2-289	Washer, Flat
2	19-2-37	Washer, Lock
2	19-2-32	Nut

Service Information:

1. New parts will be available for service replacement.

Service Procedure:

General notes

Read this entire procedure before beginning work.

Use Safe Shop Practices At All Times.

1. Turn the main battery disconnect switch to the OFF position. Chock both sides of the tires.
2. Open the engine compartment and curbside, rear side service compartment doors.
3. Locate the starter. Disconnect the starter cable from the starter. Remove and retain the mounting bolts and nuts at the starter 24VDC battery stud.

4. Locate the cable terminal stud on the forward wall of the curbside, rear side service compartment (refer to Figure 1). Remove and retain the nut. Remove the starter cable from the bulkhead stud.

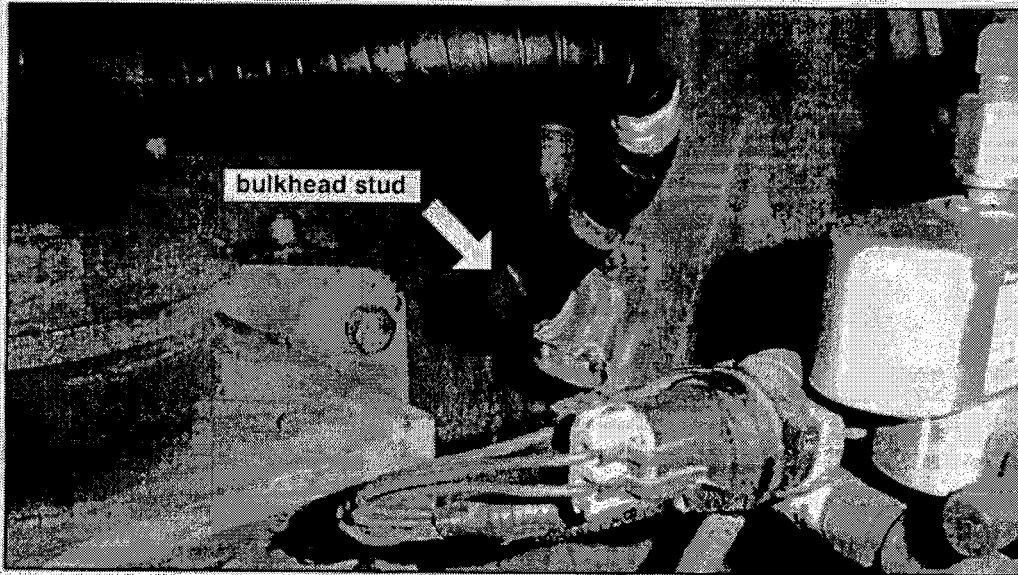


Figure 1.

5. Follow the routing of the starter cable along the curbside of the DDC S60 engine. Remove and discard the starter cable.
6. Using the mounting bolts removed in Step 3. , install the new starter cable, p/n 07-09-1520 onto the starter 24V DC battery stud. Torque to 20 to 25 ft. lbs.
7. Replace the existing split clamp with new split clamp, p/n 19-04-0419 (refer to Figure 2). Using bolts 19-1-1072, washers 19-2-289, lock washers 19-2-27 and nuts 19-3-32, secure the starter cable. Torque to 9 ft. lbs.

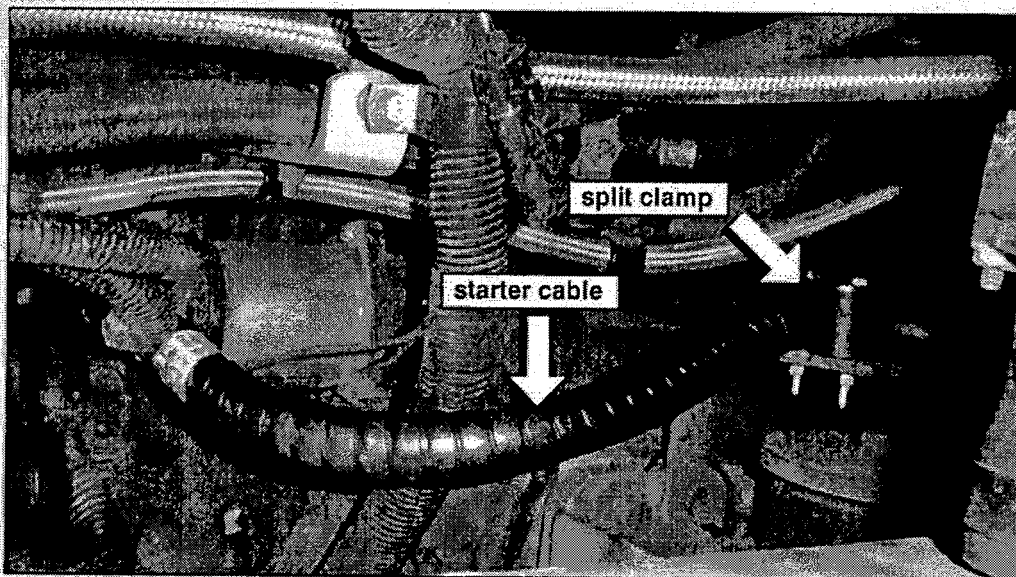


Figure 2.

8. Place the starter cable on the bulkhead stud. Secure the cable terminal stud using nut remove in Step 4 (refer to Figure 1). Torque to 20 to 25 ft. lbs.
9. Close the engine compartment and curbside, rear side service compartment doors.

Procedure complete.