CHRYSLER

September 3, 2009

Mr. Scott Yon, Chief
Vehicle Integrity Division (VID), NVS-212
U.S. Department of Transportation
National Highway Traffic Safety Administration (NHTSA)
Office of Defects Investigation (ODI)
Room W48-314
1200 New Jersey Avenue SE
Washington, D.C. 20590

Reference: NVS-212mjl; RQ09-003

Dear Mr. Yon:

Attached is Chrysler Group LLC's ("Chrysler") response to the referenced inquiry regarding "allegations of frame rail-mounted front air bag crash sensor failures due to corrosion on certain model year (MY) 2005 and 2006 Chrysler Minivans". In performing the analysis and reaching conclusions, and by providing the information contained herein, Chrysler is not waiving its claim to attorney work product and attorney-client privileged communications.

Chrysler acknowledges some similarity between this inquiry and PE05-061 / EA06-003 in terms of similar components and subject vehicles, but highlights some crucial differences, as detailed in the response to Question 13, in scope and consequence that warrant a different resolution.

Chrysler believes the alleged condition does not create an unreasonable risk to motor vehicle safety and will continue to assess this issue to determine what future actions, if any, are appropriate.

Sincerely,

David R. Bernier

Attachment and Enclosures

Preliminary Statement

On April 30, 2009 Chrysler LLC, the entity that manufactured and sold the vehicles that are the subject of this Information Request, filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code.

On June 10, 2009, Chrysler LLC sold substantially all of its assets to a newly formed company now known as Chrysler Group LLC. Pursuant to the sales transaction, Chrysler Group LLC assumed responsibility for safety recalls pursuant to the 49 U.S.C. Chapter 301 for vehicles that were manufactured and sold by Chrysler LLC prior to the June 10, 2009 asset sale.

On June 11, 2009, Chrysler LLC changed its name to Old Carco LLC. The assets of Old Carco LLC that were not purchased by Chrysler Group LLC, as well as the liabilities of Old Carco that were not assumed, remain under the jurisdiction of the United States Bankruptcy Court – Southern District of New York (*In re Old Carco LLC, et al.*, Case No. 09-50002).

Note: Unless indicated otherwise in the response to a question, this document contains information through July 10, 2009, the date the information request was received.

Please repeat the applicable request verbatim above each response. After Chrysler'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 vehicles Chrysler has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Chrysler, state the following:**
   a. **Vehicle identification number (VIN);**
   b. **Make;**
   c. **Model;**
   d. **Model year;**
   e. **Date of manufacture;**
   f. **Date warranty coverage commenced; and**
   g. **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."

A1. The 2005, 2006 and 2007 model year Chrysler Town & Country, Dodge Caravan and Dodge Grand Caravan for the US market are all referred to as the RS model and were all built in two assembly plants, Windsor Assembly Plant (WAP) and St. Louis South Assembly Plant (SLSAP). All of these vehicles were built with the subject components except for the vehicles manufactured in the first part of the 2005 model year which were built with a previous version of up front crash sensors (UFS) that utilize brass bushings. These vehicles were addressed in PE05-061 / EA06-003 (referred to hereafter as "previous investigation") and are not included in this response. Thus, the subject vehicles are defined as the RS minivans built starting on February 3, 2005 in WAP and on January 19, 2005 in SLSAP and ending at the end of production of 2007 model year. The total number of subject vehicles manufactured by Chrysler for sale or lease for the US market was 914,698. The subject components (UFSs and their connectors) are standard equipment on all subject vehicles.

Though all of the subject vehicles were built with UFSs utilizing steel bushings, there are two distinctly different UFS designs: those with an Ultradur plastic UFS housing ("Ultradur" UFS), and those with a redesigned Crastin plastic UFS housing ("Crastin" UFS). ENCLOSURE 1A – SUBJECT VEHICLE BREAKDOWN contains a timeline showing a breakdown of the MY 2005-2007 RS minivans by sensor bushing and housing type at each of the two assembly plants.

The detailed response that lists the production data is provided in ENCLOSURE 1B as a Microsoft Access 2000 table titled "PRODUCTION DATA."

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

For subparts "a" through "f," 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 Chrysler'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.

A2. The following summarizes the non-privileged reports identified by Chrysler that relate to, or may relate to, the alleged condition in the subject vehicles. Chrysler has conducted a reasonable and diligent search of the normal repositories of such information.

a. There are 1,037 consumer complaints (Customer Assistance Inquiry Request or CAIR) that may relate to the alleged condition which represent 922 unique VINs. Note that 31 of these complaints were identified in the previous investigation.

b. There are 233 field reports responsive to the alleged condition, which represent 230 unique VINs. Note that 65 of these field reports were identified in the previous investigation.

c. There are 0 reports alleging crash, 0 reports of injury, and 0 reports of fatality that are responsive to this inquiry.

d. There are 0 reports that allege property damage that are responsive to this inquiry.

e. There are 0 third-party arbitration proceedings involving Chrysler that are responsive to this inquiry (included in the legal matters total in the table below).

f. There are 8 legal matters, claims, or lawsuits involving Chrysler, or notices received by Chrysler, that are responsive to one or more of the conditions alleged in this investigation ("alleged failure or malfunction of the subject components, unexpected illumination of the air bag warning lamp ..., and allegation of reduced occupant protection by the frontal air bags during crashes (due to delayed deployment and/or improperly reduced level of air bag inflation)") that involve 8 unique VINs. None of these matters were identified in the previous investigation.

To further summarize the requested data, see the table below for breakdown of involved VIN by report type. Each box within the shaded area represents the number of unique VINs that were the subject of the listed report type(s). For example, the cell in the table that lies in the CAIR column and the Field (Report) row indicates that 5 VINs had both a CAIR report and a field report claim that may be related to the alleged condition. The "Duplicates" column indicates additional reports of the same incident for one of the VINs already accounted for in the shaded box. For instance, if a specific VIN had 2 CAIRS and 1 field report for the same incident, 1 CAIR and 1 field report would be accounted for in the shaded region (CAIR column – Field row), while an additional CAIR would show up under the Duplicates column in the CAIR row.

Totaling a single row across the columns yields the total number of that type of report. The number of unique VINs is established by summing the total of cells within the shaded area. In total, there are 1,278 reports involving 1,160 unique subject vehicles as indicated in the shaded area of the table below. Note that 96 of these matters were identified in the previous investigation.

	CAIR	FIELD	LEGAL	DUPLICATES	TOTALS
CAIR	922	5	1	109	1,037
FIELD	5	225	0	3	233
LEGAL	1	0	7	0	8
	Unique VINs = 1,160			total	1,278

Chrysler has determined that the majority of the complaints and related items identified above refer to the air bag light coming on resulting in one or both UFSs requiring replacement. A significant number of the customer complaints, approximately 30%, pertain to or refer to the cost of the repair. There are no claims of crash, injury or property damage.

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. **Chrysler'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 a crash is alleged;**
   j. **Whether property damage is alleged;**
   k. **Number of alleged injuries, if any; and**
   l. **Number of alleged fatalities, if any.**

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

A3. The detailed response that lists the customer complaints, field reports, and legal claims and lawsuits from Request No. 2, as requested in Items a. through l. is provided in two separate enclosures. ENCLOSURE 3A is a Microsoft Access 2000 table, titled "REQUEST NUMBER TWO DATA PART 1" that contains the data requested that were not provided under the previous investigation. The data that were previously submitted are provided in ENCLOSURE 3B as a Microsoft Access 2000 table titled "REQUEST NUMBER TWO DATA PART 2."

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 Chrysler used for organizing the documents.**

A4. Copies of all documents within the scope of Request 2 are provided in two separate enclosures. ENCLOSURE 4A – FIELD DATA PART 1 contains the requested documents that were not provided to ODI in the previous investigation. ENCLOSURE 4B – FIELD DATA PART 2 contains the requested documents that were previously provided. In both enclosures, the documents are organized by report type: CAIR, Field Report, or Legal Claim/Lawsuit. For the customer complaints, the CAIR summaries are submitted in one .pdf file and the related documents are arranged in folders by CAIR number. The field reports are submitted in one .pdf file and the legal claims/lawsuits are arranged by claimant name.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Chrysler to date that relate to, or may relate to, the alleged defect in the subject 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. Chrysler's claim number;**
- **b. Vehicle owner or fleet name (and fleet contact person) and telephone number;**
- **c. Vehicle's 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; and**
- **k. 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."

A5. The warranty claims have been broken down into two groups. The first table provides the number of claims that were not provided in the previous investigation. The second table lists the number of claims that were provided previously. Thus, to get the total number of claims, the totals for each labor operation are added together in the third table below.

New Claims:

Labor Operation (LOP) Code	2005 MY Claims	2006 MY Claims	2007 MY Claims
08142500 - Sensor, airbag front impact	172	392	74
08142502 - Sensor, airbag impact front right replace	0	0	0
08142503 - Sensor, airbag impact front left replace	4303	6862	392
0893BE - Steering column wire harness, airbag	0	0	0
0894BE - Engine wire harness, airbag	180	577	226

Previously Provided Claims:

Labor Operation (LOP) Code	2005 MY Claims	2006 MY Claims
08142500 - Sensor, airbag front impact	13	8
08142502 - Sensor, airbag impact front right replace	0	0
08142503 - Sensor, airbag impact front left replace	76	37
0893BE - Steering column wire harness, airbag	0	0
0894BE - Engine wire harness, airbag	65	16

Total Claims:

Labor Operation (LOP) Code	2005 MY Claims	2006 MY Claims	2007 MY Claims
08142500 - Sensor, airbag front impact	185	400	74
08142502 - Sensor, airbag impact front right replace	0	0	0
08142503 - Sensor, airbag impact front left replace	4379	6899	392
0893BE - Steering column wire harness, airbag	0	0	0
0894BE - Engine wire harness, airbag	245	593	226

These tables include all paid claims that could be reasonably binned as related to the UFS or sensor wiring connectors in the subject vehicles. It is often not possible to determine whether each particular warranty claim is in any way related to the alleged condition. There are other random issues, not related to this alleged condition, that require replacement of subject components under warranty. Thus, Chrysler cautions against drawing conclusions regarding trends for the alleged condition in the subject vehicles based on warranty data alone.

The detailed response that lists the warranty claims is provided in two separate enclosures. ENCLOSURE 5A - WARRANTY DATA PART 1 lists the warranty claims not provided in the previous investigation and ENCLOSURE 5B - WARRANTY DATA PART 2 lists the warranty claims previously provided.

6. **Describe in detail the search criteria used by Chrysler 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 make and model year, the terms of the new vehicle warranty coverage offered by Chrysler 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 Chrysler 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.**

A6. The search criteria used by Chrysler to identify claims identified in the response to Request No. 5 can be found in the chart below:

Description of Repair	Labor Operation
08142500 - Sensor, airbag front impact	08142500
08142502 - Sensor, airbag impact front right replace	08142502
08142503 - Sensor, airbag impact front left replace	08142503
0893BE - Steering column wire harness, airbag	0893BE
0894BE - Engine wire harness, airbag	0894BE

Failure Code	Description
18	Circuit Open
48	Grounded or Shorted
UC	Uncodable
83	Connection Loose
51	Improperly Installed
UR	Containment Repair
11	Broken or Cracked
14	Short or open
23	Contact corroded
3T	Terminals corroded
58	Internal Defect
61	Intermittent Operation
BX	Broken Component
MX	Fault Code Set

The standard warranty offered on the subject vehicles was 36 months / 36,000 miles. There was no extended warranty coverage for the subject components, but there were service contract coverage options available for purchase through Chrysler's authorized dealers which extend coverage on the subject components. Beyond standard warranty coverage, UFS claims (LOPs 08142500 / 08142502 / 08142503) are covered by the Mopar Maximum Care Option and the UFS wiring connector claims (LOPs 0893BE / 0894BE) are covered by any Added Care Plus Option, new vehicle Added Care Option or any of the Maximum Care Options. The coverage choices available within these plans range from 3 years / 50,000 miles to 7 years / 100,000 miles of vehicle life. The total number of subject vehicles that have or have had the service contract plans outlined above are 135,913. This includes 107,000 active plans, 24,018 cancelled plans, 767 reinstated plans and 4,128 expired plans.

Any service contract claims for the applicable labor operation codes are included in the warranty data being provided. Chrysler notes that owners may also have the opportunity to purchase additional service contract coverage through other third-party providers, but Chrysler does not have access to that data.

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 Chrysler 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 Chrysler is planning to issue within the next 120 days.**

A7. There are no service, warranty, and/or other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Chrysler has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. There are no related dealer communications planned to be released in 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, Chrysler. 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. If an action is not complete, provide a detailed schedule for the work to be done, tentative findings and/or conclusions, and provide an update within 10 days of completion of the action.

A8. Many of the requested assessments were provided in the previous investigation. For ODI's reference, a chart is being provided in ENCLOSURE 8A – PREVIOUS ASSESSMENTS that identifies each previously submitted assessment with an item number along with the assessment description and submission information (ODI investigation identifier, submission date, enclosure number, etc.). This

chart also lists whether an update of that particular assessment is being provided in this response.

A summary of the updated assessments, along with the additional assessments that have been conducted since the previous investigation, is being provided in ENCLOSURE 8B – ASSESSMENTS SUMMARY - CONF BUS INFO. The documents associated with these assessments are provided in ENCLOSURES 8C through 8G which are being submitted to the Office of the Chief Counsel, under separate cover with a request for confidential treatment.

9. Describe all modifications or changes made by, or on behalf of, Chrysler in the design, material composition, manufacture, quality control, supply, or installation of the subject components, 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 Chrysler is aware of which may be incorporated into vehicle production within the next 120 days.

A9. A detailed summary of change information for the subject components that has occurred since the May 17, 2006 submission in the previous investigation is being submitted in ENCLOSURE 9 – SUBJECT COMPONENT CHANGES - CONF BUS INFO to the Office of the Chief Counsel, under separate cover with a request for confidential treatment. Chrysler refers to Enclosure 28 – CONFIDENTIAL submitted in EA06-003 on August 11, 2006, for the remainder of the change information requested. The previously submitted documents detail the two distinctly different UFS designs within the subject vehicle population: Ultradur UFS and Crastin UFS. Chrysler began installation of Crastin UFSs in the SLSAP Assembly Plant on March 22, 2006 and in the WAP Assembly Plant on April 6, 2006.

10. Furnish the compositions and properties for the materials of the subject components (bushings, sensor housing, connector housing, connector pins, wires, etc.) and the frame rails that the front crash sensors are mounted to.

A10. The requested information is being submitted in two separate enclosures. A summary of the requested information, along with the associated public documents, is being submitted as ENCLOSURE 10A – SUBJECT COMPONENT MATERIALS. ENCLOSURE 10B – MATERIALS - CONF BUS INFO is being submitted to the Office of the Chief Counsel, under separate cover with a request for confidential treatment. This enclosure will be supplemented with a Robert Bosch Corporation (UFS supplier) drawing of the steel bushings used in the UFS, but is not being submitted at this time because it is in German. Chrysler is awaiting an English translation from Bosch, which is currently on a corporate wide shutdown, and will forward the translated information by September 18, 2009 as verbally agreed to with NHTSA ODI on August 31, 2009.

11. State the number of the subject components that Chrysler 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). Include any kits that have been released, or developed, by Chrysler for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.

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

A11. Part sales information is included in ENCLOSURE 11 – PART SALES. It is difficult to determine whether the alleged condition prompted these part sales for several reasons. As listed in the enclosure, the subject components are used on other Chrysler makes and models, as well as for side impact sensors, all of which experience normal warranty replacements. Furthermore, the replacement of brass bushing UFSs under the extended warranty from the previous investigation influences, and unduly inflates, the number of parts sold. Finally, there are various circumstances that are not related to the alleged condition that generate part sales of the subject components. For instance, a frontal collision damaging the UFSs or frame rails could generate part replacement purchases that have no relationship to the alleged condition. Chrysler has concluded that these and other factors preclude the use of part sales data to assess any trend related to the alleged condition.

12. Produce two of each of the following:
- **a. Exemplar samples of each design version of the subject components used in the subject vehicles;**
- **b. Field-returned samples of the subject components exhibiting the subject failure mode; and**
- **c. Any kits that have been released or developed by Chrysler for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.**

A12. Chrysler is providing NHTSA ODI with the following:

a. Exemplar samples of the requested UFSs are being provided in the kits identified in part c.

b. Samples of field returned Ultradur UFSs and Crastin UFSs.

c. Samples of the Ultradur UFS kit (UFS plus two attaching bolts), the Crastin UFS kit and a wiring pigtail replacement kit.

13. Furnish Chrysler's assessment of the alleged defect in the subject vehicles, including:
- **a. The causal or contributory factor(s);**
- **b. The failure mechanism(s);**
- **c. The failure mode(s);**
- **d. The risk to motor vehicle safety that it poses;**
- **e. What warnings, if any, the operator would have that the alleged defect was occurring or has occurred, or subject component was malfunctioning or has malfunctioned; and**
- **f. The reports included with this inquiry.**

A13. As described in ODI's closing resume and attached report for EA06-003 dated May 22, 2007, and in the May 1, 2007 Information Report submitted by Chrysler to NHTSA, the previous investigation was resolved by Chrysler's agreement to implement a Customer Satisfaction Notification (or CSN, which is not a safety recall) to replace UFSs with brass bushings at no charge in vehicles that were sold in or registered in 27 states and Washington D.C., where the use of road salt significantly increased the number of reported incidents of the alleged condition. The remaining vehicles with brass bushing UFSs received a lifetime warranty on the subject components.

Chrysler believes that there are several significant differences with regard to the current investigation that warrant a different resolution from the actions taken to resolve the previous investigation.

First, as shown by the warranty claims data and the analyses of that data provided in Chrysler's confidential enclosures, it is clear that there is no problem with the performance and durability of the Crastin UFSs. Thus, all subject vehicles built on or after March 22, 2006 in SLSAP and on or after April 6, 2006 in WAP should be eliminated from this inquiry.

Second, the data shows that the warranty claims rates for the steel bushing Ultradur UFSs in the non-salt belt states are also very low, and represent normal warranty returns and should continue to be treated as such.

Chrysler acknowledges the reports of inoperative UFSs returned from the field, primarily from salt belt states, that have been provided in this response. (Chrysler references ENCLOSURE 8E – SHAININ BLACK BELT STUDY – CONF BUS INFO for details on the causes of the alleged condition.) However, Chrysler also highlights the significantly reduced rate of occurrence of the alleged condition as compared to the previous investigation. ENCLOSURE 8G – Warranty Study shows that the warranty claims rate for the steel bushing Ultradur UFSs in the salt belt is nearly 80% lower than the rate for the brass bushing UFSs.

Finally, it is even clearer now than it was during the previous investigation that the failure of a UFS in a subject vehicle does not create a safety-related defect. In the previous investigation, ODI was concerned about the results of a 25 mph left 40% offset deformable barrier (ODB) crash test that it conducted on September 13, 2006, in which the left UFS was disconnected. In that test the driver dummy experienced a neck tension of 3349 N, which exceeded the 2620 N maximum allowed under FMVSS No. 208. ODI believed that this was due to a late air bag firing time that was caused by the absence of a signal from the inoperative (disconnected) left UFS.

Regardless of the merits of that belief, Chrysler emphasizes that the vehicle used in that ODI crash test was built in January 2004 (very early in MY 2005), and it utilized a different occupant restraint controller (ORC) calibration than the calibration in any of the subject vehicles in the current investigation. As Chrysler explained to ODI in the previous investigation, in a supplemental submission on February 7, 2007:

"... there was an additional change to the air bag system in the subject vehicles involving the calibration of the ORC module that may affect frontal air bag performance, particularly in a 25 mph ODB crash, which is one of the crash tests specified in FMVSS No. 208. Beginning with vehicles produced in mid-April 2004, the calibration was changed from the "9246" calibration to the "924B" calibration. The revised calibration reduces the likelihood of relatively late air bag deployments in a 25 mph ODB crash, with or without up front sensors ("UFS")

(i.e., it essentially eliminates the likelihood that the air bag will deploy later than 90 ms after impact). This calibration change did not affect the compliance of the subject vehicles with FMVSS No. 208, since the vehicles fully comply with either calibration."

For more details on the differences between the 9246 and 924B ORC calibrations, Chrysler refers ODI to the previously submitted assessments listed as items 11 and 35 in ENCLOSURE 8A. These assessments, conducted by Robert Bosch Corporation and based on crash test data from Chrysler, are air bag fire time simulations, both with and without UFSs present, for the two different ORC calibrations. These simulations clearly show that the 924B ORC calibration, even with the alleged condition present, virtually eliminates the possibility of the delay in air bag fire time that occurred in the ODI crash test. Therefore, the results of that test have no relevance to the performance of the subject vehicles in this investigation.

A second NHTSA crash test, a 25 mph left 30 degree oblique rigid barrier test, with the left UFS disconnected, conducted on September 12, 2006, supports the safety of the subject vehicles in the current investigation. The vehicle used for this test was built in June 2004, and it has the identical 924B ORC calibration as the calibration in the subject vehicles. Therefore, it represents the expected crash performance of a subject vehicle with an inoperative UFS. The results from that test show that the vehicle satisfied all of the FMVSS No. 208 injury criteria, despite the absence of any signal from the UFS.

Finally, despite nearly one million subject vehicles on the road for a period of time ranging from two to four years, Chrysler has ***no*** reports of crashes, injuries, or property damage associated with the alleged condition. As NHTSA acknowledged in its closing report for EA06-003, "*There are no known real world incidents of late air bag deployment or improperly reduced levels of air bag inflation in the subject vehicles.*" This remains true today and conclusively demonstrates that the failure of a UFS in a subject vehicle does not create a safety problem.

Chrysler will continue to assess this issue to determine what future actions, if any, are appropriate.