



**INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)**

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August 2, 2010

Mr. Richard P. Boyd, Acting Director
Office of Defects Investigation
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE, Room W45-302
Washington, DC 20590

Dear Mr. Boyd:

Subject: PE10-019:NVS-214jry

The Ford Motor Company (Ford) response to the agency's June 25, 2010, letter concerning reports of alleged accelerator pedal entrapment by out-of-position Ford all-weather floor mats in 2006 through 2010 Ford Fusion, Mercury Milan, Lincoln Zephyr and Lincoln MKZ vehicles is attached.

Although there have been recent highly publicized recalls related to the potential for floor mat entrapment of the accelerator pedal on certain vehicles, which has undoubtedly raised awareness of the potential for such events, there is no evidence to suggest that the subject vehicles behave in any way like those that have been the subject of the those recent recalls, even when Ford all-weather floor mats are "out-of-position", i.e., improperly installed, such as by stacking them on top of the existing carpeted accessory mat and not securing them by the provided retention hooks or pins in the vehicle carpet and corresponding hole(s) in the mat.

Based on our understanding of the basis for those recent recalls, the following are reasons that out-of-position mats in the subject vehicles do not present the same risk they appear to have presented in the recalled vehicles. First, even when out-of-position, the Ford all-weather mat does not easily "entrap" the accelerator pedal, and even if it is made to do so, it typically releases easily - most often on its own or with a slight tap on the accelerator pedal. Second, even in the unlikely event the pedal's return to idle is inhibited by an out-of-position all-weather mat, it is not likely to occur at wide open throttle (WOT), which results in less engine power output and less affect on braking assist than if it were to occur at WOT. Third, the subject vehicles have a traditional ignition key. In the unlikely event that the accelerator pedal return to idle is inhibited by an out-of-position Ford all-weather mat, an operator can easily shut the engine off using the same method employed to shut the vehicle off after every drive. Fourth, the transmission shift lever in the subject vehicles is very intuitive, making it possible to easily shift the transmission into neutral in the unlikely event that the accelerator pedal return to idle is inhibited. We believe that the above reasons explain why there are very few reports alleging that an accelerator's return to idle in a subject vehicle has been inhibited, much less "entrapped", by an out-of-position Ford all-weather mat.



August 2, 2010

On September 26, 2007 the agency issued a Consumer Advisory warning that stated:

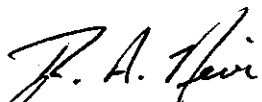
... depending on vehicle design, it is possible for unsecured floor mats to interfere with accelerator or brake pedals in a wide range of vehicles. Therefore, NHTSA reminds all drivers of all makes and models to check the driver-side floor mats for secure installation and to follow manufacturer instructions for installing the mats.

Ford agrees with the agency, which is why Ford began installing floor mat retention systems many years ago to hold floor mats in place to minimize the potential for floor mat interference with an accelerator pedal, even in the absence of any Federal or industry standards. All-weather floor mats sold by Ford for use in the subject vehicles also contain a warning embossed on the top surface of the floor mat, warning operators not to place an all-weather floor mat on top of an existing mat.

Ford believes that consideration of all of the factors relating to this subject support a conclusion that contact between an improperly installed all-weather floor mat and the accelerator pedal does not present an unreasonable risk to safety in the subject vehicles. In light of the agency's recent Consumer Advisories, Ford's confirmatory benchmarking study, and the fact that Ford and the industry already provide adequate means for the proper installation and use of floor mats, Ford believes that the motoring public may be best served if the subject of improper floor mat installation (whether OEM or aftermarket mats) is addressed at the industry level.

If you have any questions concerning this response, please feel free to contact me.

Sincerely,



James P. Vondale

Attachment

FORD MOTOR COMPANY (FORD) RESPONSE TO PE10-019

Ford's response to this Preliminary Evaluation information request was prepared pursuant to a diligent search for the information requested. While we have employed our best efforts to provide responsive information, the breadth of the agency's request and the requirement that information be provided on an expedited basis make this a difficult task. We nevertheless have made substantial effort to provide thorough and accurate information, and we would be pleased to meet with agency personnel to discuss any aspect of this Preliminary Evaluation.

The scope of Ford's investigation conducted to locate responsive information focused on Ford employees most likely to be knowledgeable about the subject matter of this inquiry and on review of Ford files in which responsive information ordinarily would be expected to be found and to which Ford ordinarily would refer. Ford notes that although electronic information was included within the scope of its search, Ford has not attempted to retrieve from computer storage electronic files that were overwritten or deleted. As the agency is aware, such files generally are unavailable to the computer user even if they still exist and are retrievable through expert means. To the extent that the agency's definition of Ford includes suppliers, contractors, and affiliated enterprises for which Ford does not exercise day-to-day operational control, we note that information belonging to such entities ordinarily is not in Ford's possession, custody or control.

On June 29, 2010, Mr. Robert Young, of the agency, provided clarification of the alleged defect. We understand that allegations of unwanted acceleration in which there is no accelerator pedal driver input preceding the reported event, such as "vehicle accelerates on its own," do not meet the definition of the "alleged defect." We also understand that allegations of unwanted engine speed and/or power output failing to decrease as a result of driver inputs other than the accelerator pedal, such as "vehicle sped up when the brake pedal was depressed," or "... when the gear shift selector was placed in reverse" do not meet the definition of the "alleged defect."

Ford notes that some of the information being produced pursuant to this inquiry may contain personal information such as customer names, addresses, telephone numbers, and complete Vehicle Identification Numbers (VINs). Ford is producing such personal information in an unredacted form to facilitate the agency's investigation with the understanding that the agency will not make such personal information available to the public under FOIA Exemption 6, 5 U.S.C. 552(b)(6).

Answers to your specific questions are set forth below. As requested, after each numeric designation, we have set forth verbatim the request for information, followed by our response. Unless otherwise stated, Ford has undertaken to provide responsive documents dated up to and including June 25, 2010, the date of your inquiry. Ford has searched within the following offices for responsive documents: Sustainability, Environment and Safety Engineering, Ford Customer Service Division, Office of the General Counsel, and North American Product Development.

Request 1

State, by model and model year, the number of subject vehicles Ford has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date state the following:

- a. Vehicle identification number (VIN);
- b. Model;
- c. Model Year;
- d. Date of manufacture;
- e. Date warranty coverage commenced;
- f. Whether the vehicle was delivered by Ford with a subject component; and
- g. Selling dealer name and location.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA." We have sent to Ray Nevi, by E-mail, a pre-formatted template, titled "PE10-019 IR Attachments," illustrating the requested information format.

Answer

The agency defined the subject vehicles for this information request as all 1996 through 2010 model year Ford Fusion, Mercury Milan and Lincoln MKZ vehicles produced by Ford for sale or lease in the United States. Ford notes that the Ford Fusion and Mercury Milan vehicles have only been available since the 2006 model year. Also, the Lincoln Zephyr was available only during the 2006 model year and was renamed the Lincoln MKZ beginning with the 2007 model year. Based on this information, Ford understands the subject vehicles in this information request are 2006 through 2010 model year Ford Fusion, Mercury Milan, Lincoln Zephyr and Lincoln MKZ vehicles manufactured for sale in the United States, its protectorates, and territories.

Accordingly, Ford records indicate that the approximate total number of subject vehicles sold in the United States, (the 50 states and the District of Columbia) protectorates, and territories (American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and Virgin Islands) through June 25, 2010, the date of this request, is 1,049,003.

The number of subject vehicles sold in the United States by model and model year is shown below:

Model	2006 MY	2007 MY	2008 MY	2009 MY	2010 MY
Ford Fusion	125,230	146,300	137,584	103,092	245,448
Mercury Milan	34,521	35,348	32,601	18,544	33,959
Lincoln Zephyr	31,326	0	0	0	0
Lincoln MKZ	0	32,954	32,452	16,648	22,996

The requested data for each subject vehicle is provided in Appendix A.

Ford notes that this population represents the total number of subject vehicles sold. Some of these vehicles were delivered by Ford with the subject all-weather floor mats, and they have been identified in Appendix A as requested. Other vehicles may have been equipped with subject all-weather mats purchased from a dealer as an accessory item, with non-Ford aftermarket floor mats, or may not have been equipped with any all-weather floor mats.

Request 2

State the number of each of the following, received by Ford, or of which Ford is otherwise aware, where the subject vehicle was alleged to have experienced the alleged defect:

- 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 Ford is or was a party to the arbitration; and,
- f. Lawsuits, both pending and closed, in which Ford 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 for each model and model year. 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 Ford'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.

Answer

For purposes of identifying reports of incidents that may be related to the alleged defect and any related documents, Ford has gathered "owner reports" and "field reports" maintained by Ford Customer Service Division (FCSD), and claim and lawsuit information maintained by Ford's Office of the General Counsel (OGC).

Descriptions of the FCSD owner and field report systems and the criteria used to search each of these are provided in Appendix B.

The following categorizations were used in the review of reports located in each of these searches:

Category	Allegation
A1	Allegation of engine speed or power output failing to decrease when the accelerator pedal was no longer depressed because of interference with an all-weather Ford floor mat
A2	Allegation of engine speed or power output failing to decrease when the accelerator pedal was no longer depressed
A3	(Warranty Claims only) Ford all-weather floor mat replacement not related to accelerator pedal interference (e.g., floor mat quality)
B1	Allegation of engine speed or power output failing to decrease – ambiguous if it occurred after accelerator pedal was no longer depressed
B2	Ambiguous allegation of engine speed or power output failing to decrease

Ford notes that, for purposes of clarification, if Ford records did not indicate that the vehicle was sold with a Ford all-weather floor mat, reports that are unclear whether a Ford all-weather floor mat was involved in the allegation of floor mat interference with the accelerator pedal have been categorized as "A2". Conversely, category "A1" includes reports of alleged mat and pedal interference where it was unclear whether a Ford all-weather floor mat was involved, but Ford records indicate that the vehicle was sold with Ford all-weather floor mats.

We are providing electronic copies of reports categorized as "B1" and "B2" as "non-specific allegations" for your review because of the broad scope of the request. Based on our engineering judgment, the information in these reports is insufficient to support a determination that they pertain to the alleged defect.

Owner Reports: Records identified in a search of the Master Owner Relations Systems (MORS) database, as described in Appendix B, were reviewed for relevance and sorted in accordance with the categories described above. The number and copies of relevant owner reports identified in this search that may relate to the agency's investigation are provided in the MORS III portion of the database contained in Appendix C. The categorization of each report is identified in the "Category" field.

When we were able to identify that responsive (i.e., not ambiguous) duplicate owner reports for an alleged incident were received, each of these duplicate reports was marked accordingly, and the group counted as one report. In other cases, certain vehicles may have experienced more than one incident and have more than one report associated with their VINs. These reports have been counted separately.

Legal Contacts: Ford is providing, in Appendix B, a description of Legal Contacts and the activity that is responsible for this information. To the extent that responsive (i.e., not ambiguous) owner reports indicate that they are Legal Contacts, Ford has gathered the related files from the Office of General Counsel (OGC). Non-privileged documents for files that were located that are related to the responsive owner reports are provided in Appendix D. Ford notes that it was unable to locate one file.

Field Reports: Records identified in a search of the Common Quality Indicator System (CQIS) database, as described in Appendix B, were reviewed for relevance and sorted in accordance with the categories described above. The number and copies of relevant field reports identified in this search that may relate to the agency's investigation are provided in the CQIS portion of the database contained in Appendix C. The categorization of each report is identified in the "Category" field.

When we were able to identify that responsive duplicate field reports for an alleged incident were received, each of these duplicate reports was marked accordingly, and the group counted as one report. In other cases, certain vehicles may have experienced more than one incident and have more than one report associated with their VINs. These reports have been counted separately. In addition, field reports that are duplicative of owner reports are provided in Appendix C but are not included in the field report count

VOQ Data: This information request had an attachment that included seven Vehicle Owner Questionnaires (VOQs). Ford made inquiries of its MORS database for customer contacts, and its CQIS database for field reports regarding the vehicles identified on the VOQs. Any reports located on a vehicle identified in the VOQs related to the alleged defect are included in the MORS portion of the database provided in Appendix C. Although some VOQs do not contain a specific reference to all-weather floor mat interference with the accelerator pedal, Ford understands that the agency's determination that these VOQs pertain to the subject component may be based on additional information obtained from the customers that is not included in the respective VOQs. To the extent that Ford located reports identified in its databases that pertain to vehicles identified in the VOQs, these reports were categorized based specifically on the information contained within those reports, not based on information contained either within the corresponding VOQ or based on information obtained by the agency directly from the customer which would not be known to Ford.

Crash/Injury Incident Claims: For purposes of identifying allegations of accidents or injuries that may have resulted from the alleged defect, Ford has reviewed responsive owner and field reports, and lawsuits and claims. No accident or injury allegations that are categorized as "A1" reports were located. Ford located thirteen reports categorized as "A2" that contain allegations of accidents, including three injuries and one fatality. Based on our engineering judgment, the available information is insufficient to support a determination that they pertain to accelerator pedal interference with a Ford all-weather mat. The majority of these accident allegations are reports of low speed incidents such as in parking lots and driveways. These reports are not unlike the types of reports occasionally received on any vehicle, and may relate to a variety of causes including driver error, such as pedal misapplication, or may simply be false allegations.

On June 1, 2010, four days after the date of the agency's opening resume, Ford received notice of a fatal accident involving a 2009 Ford Fusion (VIN #3FAHP08ZX9F[REDACTED]) that occurred in September 2009, where the deceased's vehicle rear ended another vehicle that had stopped for traffic on a freeway entrance ramp. In a subsequent letter received from the deceased's son, he stated that he contacted Ford after hearing a news story regarding the agency's alert concerning possible accelerator pedal entrapment on 2010 Fusion vehicles. He acknowledges in his letter that he does not know what caused the accident, only that he felt it was the responsible thing to do to notify Ford of the incident so that it could be investigated further. No information is available regarding floor mat usage in the deceased's vehicle at the time of the incident and, according to Ford's records, the deceased's vehicle was not ordered with the factory installed all-weather floor mats.

Copies of the reports corresponding to these alleged incidents are provided in the MORS and CQIS portions of the database provided in Appendix C, and to the extent available, copies of complaints, first notices, or MORS reports relating to lawsuits associated with these matters are provided in Appendix E. Ford notes that other reports that allege some type of roadway departure but provide no indication that the vehicle in fact struck another vehicle or object have not been coded as an alleged accident in Appendix C.

Claims, Lawsuits, and Arbitrations: For purposes of identifying incidents that may relate to the alleged defect, Ford has gathered claim and lawsuit information maintained by Ford's OGC. Ford's OGC is responsible for handling product liability lawsuits, claims, and consumer breach of warranty lawsuits and arbitrations against the Company.

Lawsuits and claims gathered in this manner were reviewed for relevance and sorted in accordance with the categories described above. Ford has also located other lawsuits, claims, or consumer breach of warranty lawsuits, each of which is ambiguous as to whether it meets the alleged defect criteria. We have included these lawsuits and claims as "non-specific allegations" for your review because of the broad scope of the request. Based on our engineering judgment, the information in these lawsuits and claims is insufficient to support a determination that they pertain to the alleged defect.

We are providing the requested detailed information, where available, on the responsive and ambiguous lawsuits and claims in our Log of Lawsuits and Claims, provided in Appendix C in the Legal Claim/Lawsuits tab. The number of relevant lawsuits and claims identified is also provided in this log. To the extent available, copies of complaints, first notices, or MORS reports relating to matters shown on the log are provided in Appendix E. With regard to these lawsuits and claims, Ford has not undertaken to contact outside law firms to obtain additional documentation.

Request 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. Ford'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 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;
- l. Number of alleged fatalities, if any; and
- m. A brief summary of the complaint.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "COMPLAINT DATA." We have sent to Ray Nevi, by E-mail, a pre-formatted template, titled "PE10-019 IR Attachments," illustrating the requested information format.

Answer

Ford is providing owner and field reports in the database contained in Appendix C in response to Request 2. To the extent information sought in Request 3 is available for owner and field reports, it is provided in the database. To the extent information sought in

Request 3 is available for lawsuits and claims, it is provided in the Log of Lawsuits and Claims provided in Appendix C in the Legal Claim/Lawsuits tab.

Request 4

Produce electronic 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 Ford used for organizing the documents.

Answer

Ford is providing owner and field reports in the database contained in Appendix C in response to Request 2. Copies of complaints, first notices, or MORs reports relating to matters shown on the Log of Lawsuits and Claims provided in Appendix C in the Legal Claim/Lawsuits tab are provided in Appendix E. To the extent information sought in Request 4 is available, it is provided in the referenced appendices.

Request 5

State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Ford to date where either the subject component was replaced in the subject vehicles or a subject vehicle was repaired for the alleged defect: 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. Ford'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. Causal part (if identified);
- j. Replacement part number(s) and description(s);
- k. Concern stated by customer; and
- l. Comments, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA." We have sent to Ray Nevi, by E-mail, a pre-formatted template, titled "PE10-019 IR Attachments," illustrating the requested information format.

Answer

Records identified in a search of the AWS database, as described in Appendix B, were reviewed for relevance and sorted in accordance with the categories described in the

response to Request 2. The number and copies of relevant warranty claims identified in this search that may relate to the agency's investigation are provided in the AWS portion of the database contained in Appendix C. The categorization of each report is identified in the "Category" field.

When we were able to identify that duplicate claims for an alleged incident were received, each of these duplicate claims was marked accordingly and the group counted as one report. In other cases, certain vehicles may have experienced more than one incident and have more than one claim associated with their VINs. These claims have been counted separately. Warranty claims that are duplicative of owner and field reports are provided in Appendix C but are not included in the report count.

Requests for "goodwill, field, or zone adjustments" received by Ford to date that relate to the alleged defect that were not honored, if any, would be included in the MORS reports identified above in response to Request 2. Such claims that were honored are included in the warranty data provided.

Ford notes that Technical Service Bulletins (TSB) 07-2-3 and 07-10-1 were issued, in part, to address complaints of high idle at start up or when the clutch pedal is depressed on 2006 and 2007 model year Ford Fusion, Mercury Milan and Lincoln Zephyr vehicles. Based on our engineering judgment, Ford believes that complaints of high idle at start up or when the clutch pedal is depressed do not pertain to the alleged defect and are not within the scope or intent of the agency's request. Accordingly, Ford is not providing warranty claims for reports of high idle at start up or when the clutch pedal is depressed, or reports of high idle or high engine RPMs where the stated corrective action was to perform one of the above referenced TSB's, or a TSB superseded by one of the referenced TSBs. Although not responsive to this information request, Ford is providing copies of the above referenced TSBs in Appendix F1 for the agency's review and will provide the related warranty claims if the agency so desires.

Request 6

Describe in detail the search criteria used by Ford to identify the claims identified in response to Request No. 6, 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.

Answer

Detailed descriptions of the search criteria, including all pertinent parameters, used to identify the claims provided in response to Request 5 are described in Appendix B.

Request 7

Produce electronic copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject components, that Ford 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 Ford is planning to issue within the next 120 days.

Answer

For purposes of identifying communications to dealers, zone offices, or field offices pertaining, at least in part, to the alleged defect, Ford has reviewed the following FCSD databases and files: The On-Line Automotive Service Information System (OASIS) containing Technical Service Bulletins (TSBs) and Special Service Messages (SSMs); Internal Service Messages (ISMs) contained in CQIS; and Field Review Committee (FRC) files. We assume this request does not seek information related to electronic communications between Ford and its dealers regarding the order, delivery, or payment for replacement parts, so we have not included these kinds of information in our answer.

A description of Ford's OASIS messages, ISMs, and the Field Review Committee files and the search criteria used are provided in Appendix B.

OASIS Messages: Ford has identified no SSMs, no TSBs and one Electronic Field Communication (EFC) that may relate to the agency's request and is providing a copy of the EFC in Appendix F2. Additionally, we are providing a draft copy of an EFC that Ford is planning to issue within the next 120 days in Appendix F3 with a request for confidentiality under separate cover to the agency's Office of the Chief Counsel pursuant to 49 CFR, Part 512.

Internal Service Messages: Ford has identified no ISMs that may relate to the agency's request.

Field Review Committee: Ford has identified no field service action communications that may relate to the agency's request.

Request 8

Provide a count, by manufacturer, part number, and year/month of sale, of the subject components sold by Ford for use in the subject vehicles.

Answer

As the agency is aware, Ford service parts are sold in the U.S. to authorized Ford and Lincoln-Mercury dealers. Ford has no means to determine how many of the parts were actually installed on vehicles, the vehicle model or model year on which a particular part was installed, the reason for any given installation, or the purchaser's intended use of the components sold.

Ford is providing the total number of Ford all-weather floor mats sold as service parts by dealers as an accessory item by part number and year/month of sale, where available, in Appendix G. Subject vehicles that were delivered by Ford with the optional all-weather floor mat are identified in Appendix A in response to Request 1.

Request 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 subject components that have been conducted, are being conducted, are

planned, or are being planned by, or for, Ford. 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 electronic 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.

Answer

In a July 1, 2010, letter Mr. Bruce York, of the agency, clarified the scope of Request 9 as follows:

When responding to this item, please include any and all activities related to any evaluation of floor mats, floor mat retention devices, and/or potential floor mat/accelerator interference in other Ford vehicles and/or those produced by competitor vehicle manufacturers.

Ford understands this July 1, 2010, clarification to pertain specifically to recent benchmarking studies that have been conducted by Ford pertaining to incorrectly installed floor mats in both non-subject Ford vehicles and competitive vehicles.

Ford is construing this request broadly and is providing not only studies, surveys, and investigations related to the alleged defect, but also notes, correspondence, and other communications that were located pursuant to a diligent search for the requested information. Ford is providing the responsive non-confidential Ford documentation in Appendix H.

To the extent that the information requested is available, it is included in the documents provided. If the agency should have questions concerning any of the documents, please advise.

Ford is submitting additional responsive documentation in Appendix I with a request for confidentiality under separate cover to the agency's Office of the Chief Counsel pursuant to 49 CFR, Part 512.

In the interest of ensuring a timely and meaningful submission, Ford is not producing non-responsive materials or items containing little substantive information. Examples of the types of materials not being produced are meeting notices, raw data lists (such as part numbers or VINs) without any analytical content, duplicate copies, non-responsive elements of responsive materials, and draft electronic files for which later versions of the materials are being submitted. Through this method, Ford is seeking to provide the agency with substantive responsive materials in our possession in the timing set forth for our response. We believe our response meets this goal. Should the agency request additional materials, Ford will cooperate with the request.

Request 10

Identify and describe all modifications or changes made by, or on behalf of Ford in the design, material composition, manufacture, quality control, supply, or installation of the subject component from the start of production to date. For each such modification or change, provide the following information:

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

Answer

A table of the requested changes is provided in Appendix J.

Request 11

If not addressed in responding to item 10, please describe the apparent change in mat retention method in the later MY 2010 subject vehicles and explain its rationale.

Answer

Ford understands the agency's reference to "apparent change in mat retention method in the later MY 2010 subject vehicles" relates to Ford's incorporation of a dual attachment design for the driver's side floor mat. Ford is incorporating the dual attachment design across all of its products to address customer feedback and satisfaction. Customer surveys have shown that driver's side floor mat rotation with a single floor mat retention hook is sometimes a source of appearance related dissatisfaction for both the subject vehicles and non-subject vehicles.

Request 12

Produce a copy of the installation instruction and any other documentation (including packing materials if pertinent) provided when the subject component is purchased as a service part. Also produce copies of any documents discussing the proper installation of floor mats in general (of any type, for subject and non-subject vehicles) especially any which include precautions or warnings regarding improper installation, and/or any hazards or detrimental results that may occur if the mat(s) are improperly installed. State the intended recipient of each document and how it is made available.

Answer

When all-weather floor mats are purchased from a dealer as an accessory item for the subject vehicles, an installation instruction sheet for the customer is included with the floor mats.

When the subject vehicles are delivered by Ford with all-weather floor mats, the installation instructions are available online. Copies of the installation instruction sheet for both the single hook mat and double clip mat are provided in Appendix K. The website link to access these installation instructions is <http://www.fordaccessoriesstore.com/GfaWeb/techSpecs.do>.

Certain owner's manuals for both subject and non-subject Ford vehicles from 2006 through 2010 model years contain information pertaining to floor mat installation. A chart detailing which owner's manuals contain floor mat installation instructions is provided in Appendix K. Ford is providing a copy of the pertinent section of the most recent owner's manual for each model in Appendix K. Ford believes the information we are providing to the agency from the most recent owner's manual for each model is representative of information contained in prior owner's manuals, however, we will provide copies of older versions of owner's manuals if the agency desires. Ford notes that all car and light truck owner's manuals are planned to contain floor mat installation instructions for the 2011 model year.

Request 13

Provide Ford's rationale for the size and location of any warning permanently embossed on a driver's side subject floor mat and, if not addressed in responding to item 9, please identify any actions undertaken by Ford to assess the warnings' effectiveness and their finding(s).

Answer

The size of the embossed warning on an all-weather floor mat is typically the largest size that will fit within the floor mat pattern. The location of the embossed warning is typically in a visible location that will fit the warning text and is as close as possible to the retention device. Ford has not located any information pertaining to any assessments of the effectiveness of the embossed warnings on the all-weather floor mats.

Request 14

The following relate to the "Tibia Block" in the subject vehicles:

- a. What is its purpose?
- b. What prompted Ford to install it in the subject vehicles?
- c. Provide a sample "block" for both the 2006 MY Milan and MY 2010 Fusion.

Answer

The purpose of the tibia block is to facilitate better engagement between the knee and the knee bolster in a frontal impact. For example, in a severe frontal impact mode like FMVSS 208 in the subject vehicles, lower leg and femur loading, and kinematics of the occupant can be improved by limiting heel travel into the toe pan area.

The tibia block was released for use in the subject vehicles based on test results using the 50th percentile dummy in the IIHS offset mode test, which showed improved lower leg performance with this type of device. For the 2006 model year, the tibia block was installed on top of the carpet in the subject vehicles. Beginning with the 2007 model year, the tibia block was installed underneath the carpet in the subject vehicles. To accommodate installation of the tibia block under the carpet, the overall size of the tibia block was slightly reduced, and the material was changed from polycarbonate to nylon.

A sample of a tibia block used in 2006 model year subject vehicles was provided to Mr. Robert Young, of the agency, on June 29, 2010. A sample of the tibia block used in 2007 through 2010 model year vehicles is provided with this response.

Request 15

The following relate to the subject component(s):

- a. What is the rationale for increasing the subject component footprint vs. the OE carpeted mat?
- b. If not included in responding to item 9, please describe any and all actions related to evaluating subject mat/accelerator pedal clearance including those where the driver's side AWM is double-stacked (i.e, installed on top of an existing OE floor mat) and/or *not* "pinned."
- c. Please explain the rationale for the AWM driver's side prominent leading edge "rib" in the accelerator pedal area (note, this photo shows an out-of-position, un-pinned, double stacked mat that has been moved forward 58.2mm in a MY 2010 Fusion).

Answer

The footprint design of the all-weather floor mat attempts to maximize the amount of carpet area protected from the elements while still meeting Ford's accelerator pedal packaging requirements for properly installed floor mats.

Ford has not located any information pertaining to any evaluation of floor mat to accelerator pedal clearance on the subject vehicles where the driver's side all-weather floor mat was incorrectly installed--such as not hooked on the retention device or stacked on top of an existing mat.

The outer wall of the subject component was designed to ensure that liquids, snow, and dirt stayed contained within the perimeter of the floor mat in order to protect underlying carpet. The leading edge rib was a standard design feature at the time that ensured the retention of liquids, snow, and dirt. After the original design of the subject component, alternative leading edge wall designs have been created that still help to ensure the retention of liquids, snow, and dirt while improving flexibility of the floor mat and allowing the floor mat to better conform to the underlying floor. In fact, the leading edge rib on the subject component was revised to improve flexibility and fit of the floor mat at the same time the all-weather floor mat was redesigned to incorporate the dual attachment feature for the 2010 model year.

Request 16

State the number of subject components sold by Ford, either through service parts or as a new-car accessory when the new vehicle is sold to the final customer. Please include the following information for each AWM identified:

- a. Service part no.;
- b. Vehicle model and model year;
- c. Selling dealer name/address; and
- d. Year/month of sale.

Answer

In a July 1, 2010, letter Mr. Bruce York, of the agency, stated that Request 8 and Request 16 are requests for essentially identical information, and that a response to Request 8 would be sufficient. The requested information in response to Request 8 is provided in Appendix G.

Request 17

Provide Ford's engineering standards, criteria, and/or directives related to accelerator pedal clearance(s) and state whether any of these consider the existence of a tibia block.

Answer

The requested information is provided in the "Engineering Specifications" folder in Appendix I with a request for confidentiality under separate cover to the agency's Office of the Chief Counsel pursuant to 49 CFR, Part 512. Ford's accelerator pedal clearance requirements must be met irrespective of whether or not a tibia block is installed in the vehicle.

Request 18

Please provide a listing, by model/model year, of those Ford-produced vehicles having Event Data Recorders (EDR's) that record pre-crash data. For each vehicle identified, please state the quantity (in seconds) of pre-crash data recorded.

Answer

The requested information is provided in Appendix L.

Request 19

Furnish Ford's assessment of the alleged defect in the subject vehicles, including:

- a. All causal and contributory factors;
- b. The adequacy of the warnings provided to the subject component installer regarding the installation of the subject component and the potential resulting hazards;
- c. The risk to motor vehicle safety if the mats are improperly installed;
- d. The potential for future occurrences of the alleged defect;
- e. The likelihood of improper mat installation by Ford dealers vs. retail customers; and,
- f. The VOQs included with this inquiry, including for each whether Ford has determined whether the vehicle had improperly installed AWMs and, if so, whether Ford has determined who installed the mats incorrectly (where it may have been a dealer, dealer name and address will suffice).

Answer

At the time of some recent highly publicized recalls and at the opening of this Preliminary Evaluation, the agency issued several Consumer Advisories and Safety Alerts concerning accelerator pedal entrapment by out-of-position floor mats. In two of those advisories (September 26, 2007, and May 28, 2010), the agency alerted drivers of all vehicles of

the risk of floor mat to accelerator pedal interference. Specifically, in the agency's September 26, 2007 Consumer Advisory, the agency warned:

... depending on vehicle design, it is possible for unsecured floor mats to interfere with accelerator or brake pedals in a wide range of vehicles. Therefore, NHTSA reminds all drivers of all makes and models to check the driver-side floor mats for secure installation and to follow manufacturer instructions for installing the mats.

Ford agrees with the agency, which is why Ford (and most of the automotive industry) began installing floor mat retention systems many years ago to hold floor mats in place to minimize the potential for floor mat interference with an accelerator pedal, even in the absence of any Federal or industry standards. Today, a driver's side floor mat retention device can be found on virtually all vehicle models sold in the United States that have standard or optional floor mats. Ford provides a simple means of properly installing driver's side floor mats in all of its vehicles with either a single hook or, more recently, dual clips, either of which provide a secure method of installing mats and properly locating them to provide adequate clearance between the mat and all foot operated pedals. Either the carpeted floor mat or an available Ford all-weather mat can be secured in this manner. All-weather floor mats sold by Ford for use in the subject vehicles also contain a warning embossed on the top surface of the floor mat, warning operators not to place an all-weather floor mat on top of an existing mat. If mats are stacked, despite Ford's instructions not to do so, only one mat can be secured on the retention hook/clips.

There is no evidence to suggest that the subject vehicles behave in any way like those that have been the subject of the prior recalls conducted by Toyota, even when the Ford all-weather floor mats are "out-of-position", i.e., improperly installed, such as by stacking them on top of the existing carpeted accessory mat and not securing them by the provided retention hooks or pins in the vehicle carpet and corresponding hole(s) in the mat:

1. Ford's evaluation of mat and pedal contact in the subject vehicles found that contact from an out-of-position Ford all-weather floor mat is not likely to inhibit the pedal's return to idle for more than a few seconds. Available reports of pedal interference with an out-of-position all-weather floor mat indicate that the pedal may be momentarily restrained, but that the accelerator pedal has the propensity to return to the idle position on its own, often within a few seconds or less, as the accelerator pedal return spring has sufficient force to overcome the resistance of the all-weather mat. Further, the nature of the mat and pedal interference is tenuous. Even if an out-of-position mat makes contact with the accelerator pedal and consequently inhibits the pedal's return to idle, Ford's evaluations have found that the mat typically releases easily by simply tapping the pedal or mat with the driver's foot, eliminating any interference and allowing the pedal to immediately return to idle. This is in contrast with the nature of mat and pedal interference in vehicles recalled by Toyota in which, we understand, Vehicle Research Technical Center (VRTC) found that the pedal had a propensity to remain stuck;
2. Ford's evaluation of mat and pedal contact indicates that the pedal tends to be temporarily restrained in a position that results in only a part-throttle opening, where engine power output is less than full and braking effectiveness is minimally affected. This is in contrast with Ford's understanding of the nature of mat and pedal interference in vehicles recalled by Toyota in which the mat had a propensity to entrap the accelerator pedal at wide open throttle (WOT) where braking effectiveness could be significantly diminished because of the loss of vacuum assist;

3. The vehicles that are the subject of this information request have a traditional ignition key and cylinder, making it intuitively straightforward for the customer to shut the engine off while the vehicle is in motion, using the same method employed to shut the vehicle off after every drive. Based on our review of the reports responsive to this information request, customers are in fact able to turn off the engine while the vehicle is in motion, in contrast to reports associated with vehicles that were the subject of Toyota's recall where, we understand, VRTC found that drivers were unable to turn off the engine in an emergency situation when the vehicle was in motion;
4. Ford is not aware of any complaints of customer's inability to shift the subject vehicles into neutral, even on vehicles with the six-speed automatic transmission with the sequential shift feature. Based on our understanding of VRTC's findings, again, this is in contrast to reports of unsuccessful attempts to disengage the engine from the drive wheels during an emergency situation in vehicles that were the subject of the Toyota recall; and,
5. Ford understands that, according to the agency's closing resume for EA07-010, accelerator pedal entrapment with an all-weather floor mat in vehicles that were the subject of the Toyota recall could "... happen regardless of whether or not another mat (carpet) is underneath." Ford is not aware of any reports on the subject vehicles of an unstacked, out-of-position, all-weather floor mat inhibiting an accelerator pedal's return to idle.

Ford believes all of these factors must be considered when evaluating the potential risk associated with out-of-position all-weather floor mats. Consistent with this viewpoint, the agency has previously closed investigations, without action, where vehicle controllability has not been adversely and/or significantly affected. For example, Engineering Analysis EA98-018, regarding accelerator pedal entrapment due to out-of-position driver's side floor mats on certain 1997 and 1998 model year Ford F-150 vehicles, was closed without action in September 1999 based in part, because "... the analysis of reported occurrences shows that when incidents have occurred in which the floor mat has contacted the throttle pedal, vehicle controllability of the subject vehicles as a class has not been adversely and/or significantly affected." More recently, in Ford's response to Preliminary Evaluation PE05-037, which was also closed by the agency, regarding alleged stuck throttle concerns on certain 2002 model year Ford Explorer and Mercury Mountaineer vehicles, Ford's investigation found that the majority of reports pertained to complaints of high idle or stuck throttle without allegation that the condition presented any type of concern with vehicle control.

Based on the results of our search for responsive records, Ford believes that accelerator pedal interference is not possible with a properly installed all-weather mat and is an extremely uncommon occurrence with an out-of-position all-weather floor mat in the subject vehicles. Ford has sold approximately 65,000 sets of all-weather floor mats for the subject vehicles and has received only nine customer complaints and field reports alleging accelerator pedal contact with a Ford all-weather floor mat. None of these reports include an allegation of accident or injury. Ford also notes that all but one of these allegations occurred within the first 10 months/12,000 miles of vehicle service, possibly indicating that improper floor mat installation may be characterized as a short-term condition where customers are adjusting to and becoming familiar with their new vehicle and accessories. Because of the broad scope of the agency's request for consumer complaints and field reports, certain records provided in this response do not specifically mention or pertain to the Ford all-weather floor mat. For example, some records indicate that an aftermarket floor mat, the use of which is beyond Ford's control, was the alleged cause of accelerator pedal interference, or that the specific floor mat that is alleged to have interfered with the pedal is unclear. Others simply relate to

more generic allegations that the vehicle did not decelerate as expected by the driver without specific allegation of pedal interference with a floor mat.

Ford notes that five of the reports on 2010 model year subject vehicles alleging mat and pedal interference are on vehicles with the hybrid gas/electric powertrain, which is new technology for the 2010 model year Ford Fusion and Mercury Milan vehicles. As part of the hybrid powertrain design, these vehicles are equipped with a brake override system. This brake override system monitors both the brake and accelerator pedal position. If the system detects an input from both pedals at the same time, the brake pedal input will override the accelerator pedal input. Therefore, even if the accelerator pedal does not return to idle for any reason, engine torque is reduced and full braking function is maintained. The vehicle can easily be slowed down or stopped by simply depressing the brake pedal with normal braking effort. Any allegation that the brakes become ineffective and will not slow or stop a hybrid gas/electric vehicle when the accelerator pedal is stuck in any position is not consistent with vehicle design. For example, the customer in VOQ #10316620 stated that, in their hybrid vehicle with the brake override system, "... I couldn't stop the car until a couple miles later. Brakes did not stop the car until the gas pedal just came back up from the floor." This allegation is simply inconsistent with how this powertrain brake override feature functions.

The complainant in VOQ #10332233, also a hybrid gas/electric vehicle with the brake override system, alleges several occurrences of pedal interference with an out-of-position all-weather floor mat. Notably, months prior to this report to the agency of mat and pedal interference, this same complainant had written an article noting that his deliberate attempts to entrap the accelerator pedal in this same 2010 Fusion with the subject Ford all-weather mat were unsuccessful. Nevertheless, when this complainant later alleged that pedal interference with the all-weather mat occurred during a normal driving situation, the complainant stated that the accelerator pedal returned to normal within three to four seconds. The complainant did not report whether he attempted to slow the vehicle, or had any difficulty doing so if he tried. On one occasion, while the vehicle was parked, the complainant apparently attempted to create scenarios other than had occurred while he was driving the vehicle. Under those conditions the complainant alleged that the accelerator pedal remained depressed by the floor mat for over 30 seconds, though it is not indicated at what throttle position the pedal was restrained. Even in this artificially created condition, the complainant makes no allegation that the hybrid vehicle's braking effectiveness was diminished in any way.

Ford is not aware of any allegations of accelerator pedal interference with properly installed floor mats in the subject vehicles. Historically, Ford has taken swift action in response to allegations of pedal interference due to a properly positioned floor mat. In June 2001, Ford conducted a voluntary safety recall on certain 2000 and 2001 model year Windstar vehicles. This action was prompted by a single customer report, identified through Ford's internal safety review process, of adjustable accelerator pedal interference with a floor mat that was properly installed on the retaining hook. More recently, in May 2010, Ford of Australia conducted a voluntary safety recall on certain accessory floor mats sold by dealers for use in Ford Territory vehicles that also, when properly installed on the retaining hook, could interfere with an adjustable accelerator pedal. This action was prompted by only two reports of floor mat interference with the accelerator pedal.

It is reasonable to expect that heightened awareness due to recent, highly publicized recalls by Toyota is responsible for the nature of some of the reports and complaints associated with this information request. However, the conclusions from VRTC's past study, Ford's recent benchmarking study, and a review of the information contained in our response to this information request make it clear that the conditions associated with accelerator pedal contact

with an out-of-position all-weather floor mat in the subject vehicles are very different from those associated with Toyota's recent recalls. The nature of pedal entrapment, the ability of the driver to control the vehicle via braking, turning off the engine, and/or shifting into neutral all combine to distinguish the vehicles that are the subject of this investigation from those recently recalled. Furthermore, Ford is not aware of any complaints related to properly installed floor mats in the subject vehicles. These factors, combined with the few number of reports of mat and pedal contact combine to support the conclusion that vehicles are able to be safely controlled even in the unlikely event that the pedal's return to idle is inhibited by an out-of-position all-weather mat. In addition, several reports of mat and pedal contact, including four VOQs that formed the basis of this inquiry, relate to hybrid vehicles that are equipped with a brake override system. Contrary to some of these reports that alleged inability of the brake system to slow the vehicle, these vehicles can easily be slowed down or stopped by simply depressing the brake pedal with normal braking effort. Any allegation that the brakes become ineffective and will not slow or stop a hybrid gas/electric vehicle when the accelerator pedal is stuck in any position is not consistent with vehicle design.

As previously stated in the agency's September 26, 2007, Consumer Advisory, "... depending on vehicle design, it is possible for unsecured floor mats to interfere with accelerator or brake pedals in a wide range of vehicles." Ford recently conducted a benchmarking study on a variety of non-subject Ford and competitive vehicles. Observations from the benchmarking study were consistent with the agency's statement. Importantly, this benchmarking study found that the nature of such contact, and the resulting effect on vehicle operation, can vary greatly from model-to-model and from manufacturer-to-manufacturer. For example, mat contact with the accelerator pedal on some vehicles resulted in little to no pedal movement restriction because the pedal would push the mat aside. In other vehicles, the mat could contact the pedal well short of the WOT position, resulting in some type of momentary, restricted pedal movement that might delay the pedal's return to idle for a very brief time to a few seconds, similar to the type of contact observed on vehicles that are the subject of this investigation. Mat and pedal contact in other vehicles was found to occasionally restrain the pedal's return to idle for a longer period of time: some at a throttle opening again well short of WOT where minimal increased braking effort would easily stop the vehicle, others at throttle openings closer to or even at WOT where braking effectiveness could be more significantly diminished because of the loss of vacuum assist. Information pertaining to Ford's benchmarking study is provided in Appendix H in response to Request 9.

Ford believes that consideration of all of the factors relating to this subject support a conclusion that contact between an out-of-position all-weather floor mat and the accelerator pedal does not present an unreasonable risk to safety in the subject vehicles. In light of the agency's recent Consumer Advisories, Ford's confirmatory benchmarking study, and the fact that Ford and the industry already provide adequate means for the proper installation and use of floor mats, Ford believes that the motoring public may be best served if the subject of improper floor mat installation (whether OEM or aftermarket mats) is addressed at the industry level.

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