



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, DC 20590

JUN 30 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Reginald Modlin, Director
Regulatory Affairs
Chrysler Group LLC
800 Chrysler Drive, CIMS 482-00-91
Auburn Hills, MI 48326-2757

NVS-212pco
RQ14-002

Dear Mr. Modlin:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Recall Query (RQ14-002) to assess the scope and effectiveness of Recall No. 11V-139. According to Chrysler's Part 573 Defect Information report dated February 25, 2011, this recall concerns inadvertent movement of the ignition key (WIN/FOBIK) to the "off" or "accessory" position while driving in model year (MY) 2010 Dodge Journey, Grand Caravan, and Chrysler Town & Country vehicles. After NHTSA opened this investigation, Chrysler submitted a Part 573 report, dated June 25, 2014, advising it would expand the scope of the recall to include MY 2009 Dodge Journey and MY 2008-2009 Grand Caravan and Chrysler Town & Country vehicles for the same defect. That action will be conducted under NHTSA Recall No. 14V373. Accordingly this letter requests certain information from Chrysler.

This office has identified one (1) complaint (Vehicle Owner's Questionnaire), under ODI number 10496599, on a MY 2010 Dodge Journey vehicle which alleges inadvertent movement of the ignition switch to the "off" or "accessory" position after the vehicle was remedied under recall 11V-139. An electronic image of this VOQ report has been e-mailed to your office. A list of the reference number of each report is shown at the end of this letter

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

- **Subject vehicles:** All model year (MY) 2010 Dodge Journey, Grand Caravan, and Chrysler Town & Country vehicles that were within the scope of Recall No. 11V-139 and subsequently received a remedy repair (installation of the trim ring at the WIN module).
- **Chrysler:** Chrysler Group LLC and/or DaimlerChrysler, all of their past and present officers and employees, whether assigned to their principal offices or any of their field or other locations, including all of their divisions, subsidiaries (whether or not incorporated)

and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Chrysler (including all business units and persons previously referred to), who are or, in or after 2000, were involved in any way with the to defect in the subject vehicles or the remedy for Recall No. 11V-139.

- **Defect:** Inadvertent movement or rotation of the ignition switch to the “off” or “accessory” position while driving.
- **Document:** “Document(s)” is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Chrysler, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document, which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document, shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, “document(s)” also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by Chrysler or not. If a document is not in the English language, provide both the original document and an English translation of the document.
- **Remedy:** The remedy implemented on the subject vehicles under NHTSA Recall No. 11V-139 (installation of a trim ring at the WIN module).

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

In order for my staff to evaluate the effectiveness of the remedy in Recall No. 11V-139, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as Chrysler has previously provided a document to ODI, Chrysler may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After 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 the subject vehicles that 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;
 - g. Date the 11V-139 recall remedy was completed; and
 - h. 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 2010, or a compatible format, entitled “PRODUCTION DATA.”

2. State 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 defect in a subject vehicle which occurred after the date on which the vehicle was originally remedied under 11V-139 (including replacement of the remedied part with a new part):
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality;

- 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.

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;
 - l. Number of alleged fatalities, if any; and,
 - m. Summary of Chrysler’s findings concerning the alleged ignition key movement/rotation.

Provide this information in Microsoft Access 2010, or a compatible format, entitled “REQUEST NUMBER TWO DATA.”

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.
5. Describe in detail all actions Chrysler took to validate and assess the immediate effectiveness and long term durability of the remedy (prior to or since) in the subject vehicles. Produce copies of all documents that support your response.

6. Does Chrysler have any data that indicates or may indicate that the remedy or remedies is not or may not be effective in any subject vehicle? If your answer is anything but an unqualified no, describe in detail the data and produce copies of all documents that support your response.
7. State whether the anticipated remedy for Chrysler's recall of the MY 2009 Dodge Journey and MY 2008-2009 Grand Caravan and Chrysler Town & Country vehicles for this defect is the same as the remedy for the subject vehicles in recall 11V-139. If your answer to this question is anything but an unqualified yes, describe in detail any anticipated or potential difference between the remedy or remedies for the subject vehicles and the remedy or remedies for the MY 2009 Dodge Journey and MY 2008-2009 Grand Caravan and Chrysler Town & Country vehicles, including an explanation of the reasons for each difference.

Legal Authority for This Request

This letter is being sent to Chrysler pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information.

Civil Penalties

Chrysler's failure to respond promptly and fully to this letter could subject Chrysler to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) The Vehicle Safety Act, as amended, 49 U.S.C. § 30165(a)(3), provides for civil penalties of up to \$7,000 per violation per day, with a maximum of \$35,000,000 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond completely, accurately, and in a timely manner to ODI information requests. The maximum civil penalty of \$7,000 per violation per day is established by 49 CFR 578.6(a)(3). The maximum civil penalty of \$35,000,000 for a related series of daily violations of 49 U.S.C. § 30166 is authorized by 49 U.S.C. § 30165(a)(3) as amended by § 31203(a)(1)(B) of the Moving Ahead for Progress in the 21st Century Act, Public Law 112-141.

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

Confidential Business Information

All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office. In addition, do not submit any business confidential information in the body of the letter submitted to this office. Please refer to RQ14-002 in Chrysler's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

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

If you have any questions regarding submission of a request for confidential treatment, contact Otto Matheke, Senior Attorney, Office of Chief Counsel at otto.matheke@dot.gov or (202) 366-5253.

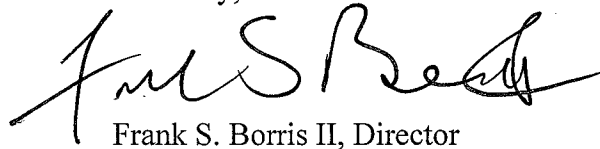
Due Date

Chrysler's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by July 14, 2014. Chrysler's response must include all non-confidential attachments and a redacted version of all documents that contain confidential information. If Chrysler finds that it is unable to provide all of the information requested within the time allotted, Chrysler must request an extension from Scott Yon at (202) 366-0139 no later than five business days before the response due date. If Chrysler is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Chrysler then has available, even if an extension has been granted.

Please send email notification to Peter Ong at peter.ong@dot.gov and to ODI_IRresponse@dot.gov when Chrysler sends its response to this office and indicate whether there is confidential information as part of Chrysler's response.

If you have any technical questions concerning this matter, please call Peter Ong of my staff at (202) 366-0583.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank S. Borris II". The signature is fluid and cursive, with the first name "Frank" and last name "Borris" being the most prominent parts.

Frank S. Borris II, Director
Office of Defects Investigation
Enforcement

VOQ reference numbers:

10419669,10425762,10427901,10443192,10445176,10446694,10448173,10449406,10455484,
10456805,10459082,10461850,10465717,10474413,10477251,10488096,10490319,10536415,1
0537992,10564340,10496599