



June 25, 2020

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Natalia Medley
Regulatory Counsel
ZF-TRW Automotive
12001 Tech Center Drive
Livonia, Michigan 48150

NEF-101sly
EA18-005

Dear Ms. Medley:

As you are aware, the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened an Engineering Analysis (EA18-005) to investigate allegations of seat belt webbing separation in certain model year (MY) 2018 Tiguan vehicles manufactured by Volkswagen Group (VW). To facilitate further evaluation of the potential risk of seat belt webbing separation in the US market, ODI is requesting some additional information on Crash Locking Tongue (CLT) usage by customers of ZF-TRW, specifically any CLTs that have a relief area at the ends of the structural component which moves into a position to clamp the seat belt webbing threaded through the webbing slot to fix the position of the tongue member on the seat belt webbing in the event of a vehicle crash.

Unless otherwise stated in the text, the following definitions apply to this information request:

- **Subject component:** Crash Locking Tongue and/or Dynamic Locking Tongue described as a seat belt restraint system locking tongue having a structural component which moves into a position to clamp the seat belt webbing threaded through the locking tongue webbing slot to fix the position of the tongue member on the seat belt webbing in the event of a vehicle crash where the structural component has a relief area at either end. See Diagram A following Request 1.
- **ZF-TRW:** ZF-TRW Automotive all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of ZF-TRW (including all business units and persons previously referred to), who are or, in or after 1995, were involved in any way with any of the following related to the alleged defect in the subject vehicles:

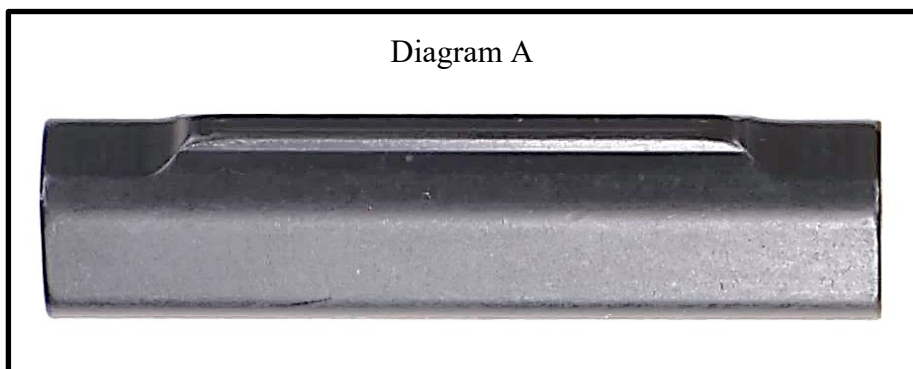
- a. Design, engineering, analysis, modification or production (e.g. quality control);
 - b. Testing, assessment or evaluation;
 - c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
 - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
- **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 ZF-TRW, 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 ZF-TRW or not. If a document is not in the English language, provide both the original document and an English translation of the document.
 - **Other Terms:** To the extent that they are used in these information requests, the terms “claim,” “consumer complaint,” “dealer field report,” “field report,” “fire,” “fleet,” “good will,” “make,” “model,” “model year,” “notice,” “property damage,” “property damage

claim,” “rollover,” “type,” “warranty,” “warranty adjustment,” and “warranty claim,” whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as ZF-TRW has previously provided a document to ODI, ZF-TRW 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 ZF-TRW’s response to each request, identify the source of the information and indicate the last date the information was gathered.

1. Identify all Tier 1 companies and/or seat belt system manufacturers and/or OEM vehicle manufacturers to whom ZF-TRW provided the subject component for the time period from January 1, 2015 to present. Separately, for each Tier 1 or seat belt system manufacturer provide any information ZF possesses regarding the OEM vehicle manufacturer / final stage user of the subject component.



Legal Authority for This Request

This letter is being sent to ZF 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

ZF’s failure to respond promptly and fully to this letter could subject ZF 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 \$21,780 per violation per day, with a maximum of \$108,895,910 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6 (as amended by Fixing America's Surface Transportation Act (the "FAST Act"), Pub. L. 114-94, § 24110(a)(2), 129 Stat. 1312 (Dec. 4, 2015)). This includes failing to respond completely, accurately, and in a timely manner to ODI information requests.

If ZF 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, ZF does not submit one or more requested documents or items of information in response to this information request, ZF 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 PE18-001 in ZF's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

If ZF 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, ZF must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512. Additional information can be found here: <https://www.nhtsa.gov/coronavirus/submission-confidential-business-information>.

If you have any questions regarding submission of a request for confidential treatment, contact Daniel Rabinovitz, Trial Attorney, Office of Chief Counsel at daniel.rabinovitz@dot.gov or (202) 366-8534.

Due Date

ZF's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by **July 10, 2020**. ZF's response must include all non-confidential attachments and a redacted version of all documents that contain confidential information. If ZF finds that it is unable to provide all of the information requested within the time allotted, ZF must request an extension from me at (202) 366-5226 no later than five (5) business days before the response due date. If ZF 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 ZF then has available, even if an extension has been granted.

Please send email notification to Sharon Yukevich at sharon.yukevich@dot.gov and to ODI_IRresponse@dot.gov when ZF sends its response to this office and indicate whether there is confidential information as part of ZF's response.

If you have any technical questions concerning this matter, please call Sharon Yukevich of my staff at (202) 366-4925.

Sincerely,

A solid black rectangular box used to redact the signature of Stephen A. Ridella.

Stephen A. Ridella, PhD
Director
Office of Defects Investigation