

DAIMLER

Daimler Trucks North America
Andy Jones
Manager
Compliance and Regulatory Affairs

VIA FEDERAL EXPRESS

October 18, 2019

Mr. Jonathan Morrison
Chief Counsel
Office of the Chief Counsel (NCC-100)
National Highway Traffic Safety Administration
West Building, W41-326
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Response to NHTSA Audit Query AQ18-002 Request Nos. 13 – 17 Regarding the Scope and Timeliness of DTNA's Recall No. 17V-810

Dear Mr. Morrison:

Daimler Trucks North America LLC ("DTNA") is submitting its additional response to the National Highway Traffic Safety Administration ("NHTSA" or "Agency") Office of Defects Investigation's Audit Query AQ18-002.

Pursuant to consultations with NHTSA, responses to Request Nos. 1 – 4 were submitted on October 5, 2018, responses to Request Nos. 30 – 46 were submitted on October 17, 2018, and responses to Request Nos. 5 – 12 and 29 were submitted on August 30, 2019. Responses to Request Nos. 13-17, regarding Recall No. 17V-810, are contained in this response.

Request Nos. 13 – 17 of NHTSA's Audit Query are repeated below, followed by the corresponding response.

For ease of review, the supporting documents for this response are Bates labeled and a document index is provided, as well as a privilege log.

Regarding Recall No. 17V-810 – Fire Extinguisher May Be Clogged or Inoperable

Request No. 13:

DTNA's chronology contained in the Part 573 Report for NHTSA Recall No. 17V-810 states that in October 2017 DTNA became aware of a potential issue related to certain Kidde fire extinguishers, and began an investigation to determine the scope and consequences of the issue. Respond to the following requests related to this part of the chronology:

- (a) Explain how DTNA "became aware" of the potential issue;*
- (b) Identify and describe the nature of DTNA's investigation;*

- (c) *Identify whether the action is one routinely taken by DTNA in instances where a safety defect may exist;*
- (d) *Explain any conclusions that came from DTNA's investigation including whether it was determined that a safety defect existed; and*
- (e) *Provide copies of all documents, including but not limited to presentations, executive summaries, summary findings, memoranda, agendas, or recommended actions, whether in final or draft, associated with or used to reach the conclusion in DTNA's October 2017 investigation.*

Response to Request No. 13:

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(e) The requested documents are provided as Attachment 1.

Request No. 14:

DTNA's chronology contained in the Part 573 Report for NHTSA Recall No. 17V-810 states that in November 2017, Kidde released CPSC [Consumer Product Safety Commission] Recall No. 18-022 and NHTSA Recall No. 17E-062.

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In December 2017, DTNA decided to initiate a voluntary safety recall (NHTSA No. 17V-810) for vehicles equipped with potentially defective Kidde fire extinguishers. Respond to the following requests related to this part of the chronology:

- a) Provide a detailed chronology of the events (including the principal actors) that occurred between when Kidde released NHTSA Recall No. 17E-062 and when DTNA decided to initiate Recall No. 17V-810;*
- b) Identify whether the actions are ones routinely taken by DTNA in instances of a supplier issuing a CPSC recall for a product used in one or more DTNA vehicles; and*
- c) Provide copies of all documents, including but not limited to presentations, executive summaries, summary findings, memoranda, agendas, or recommended actions, whether in final or draft, associated with or used to reach the conclusion for DTNA to issue voluntary safety NHTSA Recall No. 17V-810.*

Response to Request No. 14:

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(c) The requested documents are provided as Attachment 2.

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Request No. 15:

Provide a detailed summary of circumstances relating to the decision to recall the subject vehicles for the defect. Your response must include:

- (a) The date when DTNA first became aware of the subject defect;*
- (b) The date that the safety-related defect decision was made;*
- (c) Who made that decision;*
- (d) The date that DTNA first filed a Part 573 Report with NHTSA relating to the defect in the subject vehicles; and*
- (e) Specification of all items of information that were necessary for DTNA to determine the existence of the subject defect to make its defect decision, and of the date on which DTNA obtained each item.*

Response to Request No. 15:

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Documents related to this response are provided as Attachment 3.

Request No. 16:

DTNA's recall schedule contained in the Part 573 Report for NHTSA Recall No. 17V-810 identifies the planned dealer and owner notification date as February 12, 2018, however, NHTSA's Recall

Management Division received DTNA's draft owner notification letter on March 15, 2018 citing an expected distribution date of March 30, 2018. Respond to the following requests relating to this part of the chronology:

- (a) Provide a detailed chronology of the events (including the principal actors) that occurred between when DTNA submitted its Part 573 Report for NHTSA Recall No. 17V-810 and DTNA's submission of the draft owner notification letter to NHTSA's Recall Management Division;*
- (b) Identify whether the actions are ones routinely taken by DTNA in instances where owners need to be notified that a safety defect has been identified; and*
- (c) Describe why the owner notification letters were not furnished no later than 60 days from the date DTNA filed their Part 573 Report for NHTSA Recall No. 17V-810, as required by 49 C.F.R. 577.7(a)(1).*

Response to Request No. 16:

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Documents related to this response are provided as Attachment 4.

Request No. 17:

If you are contending that DTNA produced an owner notification letter relating to the defect in the subject vehicles prior to March 30, 2018:

- (a) Produce a copy of all documents to support your contention, and*
- (b) Produce a copy of all notices, bulletins, dealer notifications, and other communications that relate to the recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s) (sent to more than one manufacturer, distributor, dealer, or purchaser/owner) provided to NHTSA's Recall Management Division, along with any documentation of NHTSA's receipt of such communications.*

Response to Request No. 17:

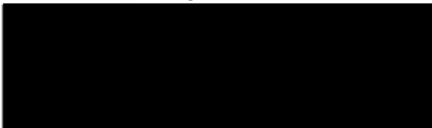
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Please do not hesitate to contact us should you have any questions regarding this response.

Sincerely,



Andy Jones

cc: Jeffrey Eyres, Office of the Chief Counsel, by email