

DAIMLER

VIA FEDERAL EXPRESS

March 6, 2020

Daimler Trucks North America
Andy Jones
Manager
Compliance and Regulatory Affairs

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. 21 – 25 Regarding the Scope and Timeliness of DTNA's Recall No. 18V-163

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, responses to Request Nos. 5 – 12 and 29 were submitted on August 30, 2019, responses to Request Nos. 13 – 17 were submitted on October 18, 2019, responses to Request Nos. 18 – 20 were submitted on November 20, 2019, and responses to Request Nos. 26 – 28 were submitted on January 30, 2020. Responses to Request Nos. 21 – 25, regarding Recall No. 18V-163, are contained in this response.

Request Nos. 21 – 25 of NHTSA's Audit Query are repeated below, followed by the corresponding response.

DTNA is also supplementing its October 2018 response to Request No. 4 by providing additional documents related to property damage claims and lawsuits that relate to, or may relate to, the alleged defect in Recall 18V-190. Request No. 4 is repeated below, followed by the corresponding supplemental 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. The supporting affidavit requested in instruction 8 of NHTSA's June 13, 2018 Audit Query is attached to this submission as Attachment 1.

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Regarding Recall No. 18V-163 – Power Steering Fluid Leak or Electrical Arcing

Request No. 21:

DTNA's chronology contained in the Part 573 Report for NHTSA Recall No. 18V-163 states that in October 2016 DTNA determined that the power steering hose clearance to the starter stud may not have clearance on certain RV chassis, and that DTNA decided to conduct a voluntary safety recall (NHTSA Recall No. 16V-809) on those RV chassis with inadequate clearance.

In November 2017 DTNA became aware of an RV outside of the original population that experienced a thermal event, and began an investigation. Respond to the following questions relating to this part of the chronology:

- (a) Explain how DTNA "became aware" of the thermal event related to the subject defect in an RV outside of the original population of NHTSA Recall No. 16V-809;*
- (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 subject safety defect may exist outside of the originally recalled population;*
- (d) Explain any conclusions that came from DTNA's investigation including whether it was determined that the subject safety defect existed outside of the originally recalled population; and*
- (e) Produce a copy 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 November 2017 investigation.*

Response to Request No. 21:

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¹ This incident is discussed in more detail in the response to Req. No. 23.

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(e) The requested documents are provided in Attachment 2, Request No. 21 Documents.

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DTNA last gathered information for this Request in February 2020.
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Request No. 22:

DTNA's chronology contained in the Part 573 Report for NHTSA Recall No. 18V-163 states that in March 2018 DTNA decided to expand the population of the original recall by conducting NHTSA Recall No. 18V-163. 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 began conducting the November 2017 investigation and DTNA's decision to extend the population of the original recall by conducting NHTSA Recall No. 18V-163;*
- (b) Identify whether the actions are ones routinely taken by DTNA in instances where a subject safety defect may exist outside of the originally recalled population; 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. 18V-810.*

Response to Request No. 22:

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The requested documents are provided in Attachment 3, Request No. 22 Documents.

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DTNA last gathered information for this Request in February 2020.
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Request No. 23:

On December 12, 2017, NHTSA received submission of a Daimler Field Report (CAC Fleet Report SFYRVCHASSIS-1616-23-00145, DTNA Reference # 000000005898636) created on July 17, 2017. This Field Report documented a fire with unknown source in a 2016 Freightliner Custom RV Chassis vehicle (VIN: 4UZFCHCY3GCHK4905).

On February 23, 2018, NHTSA's Office of Defects Investigations sent an email communication to DTNA requesting additional information about several DTNA Field Reports, one of which being CAC Fleet Report SFYRVCHASSIS-1616-23-00145.

DTNA's response to NHTSA's – sent by Thomas Panganiban – summarized DTNA Field Report SFYRVCHASSIS-1616-23-00145 stating, "The post fire investigation determined that the cause and origin was the power steering hose contacting the starter." Respond to the following requests relating to this Field Report:

- (a) Explain how DTNA became aware of the fire event reported in the 2016 Freightliner Custom RV Chassis vehicle identified in this Field Report;*
- (b) Identify and describe the nature of DTNA's investigation;*
- (c) Identify whether the action is one routinely taken by DTNA in instances where there is a vehicle fire with an unknown cause;*
- (d) Describe how DTNA made the determination that the "cause and origin [of the reported vehicle fire] was the power steering hose contacting the starter";*
- (e) Explain any conclusions that came from DTNA's investigation including whether it was determined that the subject safety defect existed in this vehicle although it was outside of the originally recalled population;*
- (f) If it was determined that the subject safety defect did NOT exist in this vehicle, explain how DTNA came to this conclusion; and*
- (g) Prove a copy of all documents, including but not limited to presentations, executive summaries, summary findings, memoranda, agendas, or recommended actions, either in final or draft, associated with or used to reach the conclusion that the safety defect DID or DID NOT exist in this vehicle.*

Response to Request No. 23:

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The requested documents are attached as Attachment 4, Request No. 23 Documents.

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last gathered information for this Request in February 2020.

] DTNA

Request No. 24:

On September 10, 2017, NHTSA received a Vehicle Owner's Questionnaire (VOQ) from a consumer who owns a 2016 Freightliner XC-R (VIN: 4UZFHCHCY1GXHK7480). In their complaint the consumer states, "On August 9th, 2017 we experienced an engine fire upon starting our 2016 Newmar Dutchstar Motorhome. On September 7th, 2017 the fire investigators representing National Interstate Insurance Company, Newmar Corporation, Freightliner Custom Chassis Corporation and Cummins

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Engine did their investigation which my husband attended. All present concurred that the cause of the fire matched what was described in Newmar recall 16V809... This recall did not include the manufacture date of our motorhome and therefore we had no knowledge of this recall...." Respond to the following requests regarding this VOQ:

- (a) Explain how DTNA became aware of the 2016 Freightliner XC-R vehicle identified in this VOQ;*
- (b) Identify and describe the nature of DTNA's investigation;*
- (c) Identify whether the action is one routinely taken by DTNA in instances where there is a vehicle fire;*
- (d) Describe how DTNA and/or the other investigators made the determination that "the cause of the fire matched what was described in Newmar recall 16V809";*
- (e) Explain any conclusions that came from any party present at the August 9, 2017 investigation including whether it was determined that the subject safety defect existed in this vehicle although it was outside of the originally recalled population;*
- (f) If it was determined that the subject safety defect did NOT exist in this vehicle, explain how DTNA came to this conclusion; and*
- (g) Provide a copy of all documents, including but not limited to presentations, executive summaries, summary findings, memoranda, agendas, or recommended actions, either in final or draft, associated with or used to reach the conclusion that the safety defect DID or DID NOT exist in this vehicle.*

Response to Request No. 24:

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(g) The requested documents are attached as Attachment 5, Request No. 24 Documents.

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gathered information for this Request in February 2020.

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Request No. 25:

If you are contending that DTNA filed a Part 573 Report with NHTSA relating to the defect in the subject vehicles prior to March 12, 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. 25:

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] DTNA last gathered information responsive to this Request in February 2020.

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Request No. 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 DTNA used for organizing the documents. Describe in detail the search methods and search criteria used by DTNA to identify the items in response to Request No. 2.

Supplemental Response to Request No. 4:

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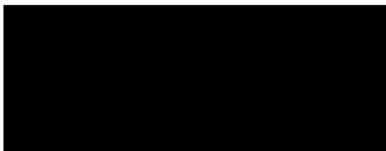
information for this Request in February 2020.

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

Sincerely,



Andy Jones

cc: Jeffrey Evers, Office of the Chief Counsel