



**GENERAL MOTORS LLC**  
Global Vehicle Safety

July 13, 2020

Greg Magno, Chief  
Vehicle Defects Division – A  
Office of Defects Investigation  
National Highway Traffic Safety Administration  
1200 New Jersey Ave., SE  
Room W48-334  
Washington, DC 20590

*VIA P2P*  
G229167  
NEF-101am  
EA19-005

**Re: General Motors LLC's Responses to NHTSA's May 18, 2020 Information Request in Investigation EA19-005**

Dear Greg:

This letter contains General Motors LLC's ("GM") responses (the "**Responses**") to the information requests in your May 18, 2020 letter (the "**Requests**") relating to National Highway Traffic Safety Administration ("NHTSA") Engineering Analysis ("EA") 19-005, which is a NHTSA investigation of front-windshield wiper modules (as defined in the Requests, the "**Subject Component**") in 2010 – 2016 model year Chevrolet Equinox and GMC Terrain vehicles manufactured for sale or lease in the United States (as defined in the Requests, the "**Subject Vehicles**"). Unless otherwise defined herein, GM's Responses rely on the defined terms in the Requests.

**PRELIMINARY STATEMENT**

In addition to the Subject Vehicles, the Requests seek information relating to a group of additional GM-manufactured peer vehicles: "2010-2015 Captiva, MY 2011-2016 Cruze, MY 2010-2012 Malibu, MY 2010-2014 GMT900 SUVs (Avalanche, Escalade, Suburban, Tahoe, Yukon), MY 2010-2013 GMT900 Pickup trucks (Silverado, Sierra), MY 2010-2016 Lambda platform (Acadia, Enclave, Traverse), and MY 2009-2016 SRX" (collectively, the "**Peer Vehicles**"). As we discussed with Antonio Moore of your office on June 4, 2020, NHTSA did not intend to include the Saturn Outlook, which was also based on the Lambda platform, in its definition of Peer Vehicles, and GM has not included this vehicle in its Responses.

GM prepared its Responses by: (i) identifying, in consultation with the appropriate GM business personnel, the primary electronic databases and document repositories in GM's custody and control that store potentially responsive documents and information in the ordinary course of business, as more fully identified in the Responses below; and (ii) conducting a reasonable search, as appropriate, of these databases and document repositories for responsive documents and information. GM objects to the definitions of "document" and "GM" in the Requests as overbroad, unreasonably burdensome, and not reasonably tailored to records that might be expected to bear relevant and responsive information. GM's document production does not contain: (i) attorney-client privileged information or information protected as attorney-work product; and (ii) documents generated or archived in these locations after the dates that GM conducted its final



searches. GM construes the Requests specific to vehicles manufactured for sale in the United States and its territories.

GM's document production is contained in the folder titled G229167\_1\_GM and will be transferred electronically via P2P. Some of the documents in GM's production contain personally identifiable information ("PII") (e.g., vehicle registration information or VIN, employee names, and customer/employee contact information). GM today submits documents with unredacted PII with the understanding that NHTSA (or GM, if NHTSA prefers) will redact any PII before disclosing these documents to the public.

## **REQUESTS AND RESPONSES**

### **REQUEST 1:**

Update to present GM's December 20, 2018 responses to Questions (2) through (5) of ODI's November 13, 2018 RQ18-002 Information Request. The Requests are stated below:

### **GM RESPONSE:**

GM's updated responses to requests two through five in ODI's November 13, 2018 information request in RQ18-002 are below. Unless otherwise stated, GM's Responses reflect only new claims—i.e., claims that GM did not report in its December 20, 2018 responses because they did not exist in GM's databases when GM conducted the searches to prepare its December 20, 2018 responses.

### **REQUEST 2:**

State the number of each of the following, received by GM, or of which GM is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:

- 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 GM is or was a party to the arbitration;
- f. Lawsuits, both pending and closed, in which GM 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 GM’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.

### **GM RESPONSE:**

In response to subparts (a) through (f), GM provides the following tables, which GM prepared by conducting a reasonable keyword search for potentially responsive new claims relating to the Subject Vehicles.<sup>1</sup> GM has divided Subject Vehicles into two categories: (i) 2013 model year vehicles, which are already under recall for the Alleged Defect in NHTSA Recall 16V-582<sup>2</sup> (the “**Recall**”); and (ii) 2010 – 2012 and 2014 – 2016 model year vehicles, which are covered by a GM extended warranty program that applies to the Subject Components (the “**Special Coverage Campaign**”).<sup>3</sup> Because any field claims that would be responsive to this updated response would have been first asserted by the customer after GM launched the Recall and the Special Coverage Campaign, GM’s response contains an unusually high number of field claims (roughly half of all potentially responsive claims) that are associated with: (i) a recall-reimbursement claim; or (ii) a warranty claim that is also included in GM’s response to request number five below.

GM’s response contains three tables. Table 2-1 contains the cumulative new responsive claims for all of the Subject Vehicles. Table 2-2 contains new responsive claims for only the Subject Vehicles included in the Recall. Table 2-3 contains the new responsive claims for the Subject Vehicles included in the Special Coverage Campaign. In determining the responsiveness of a claim, GM erred on the side of coding the claim as responsive, even if the evidence in GM’s possession linking the claim to the alleged defect (as defined in the Requests, the “**Alleged Defect**”) was implausible, inconclusive, or circumstantial. Accordingly, the claim totals in the tables below are conservative.

---

<sup>1</sup> Table 2-1 does not include NHTSA VOQs as a separate count. GM’s responses are based on a reasonable search of the following databases: Customer Assistance Center (CAC), Product Assistance Center (PAC), Business Resource Center (BRC), Technical Assistance Center (TAC), Field Information Network Database (FIND), Company Vehicle Evaluation Program (CVEP), Captured Testing Fleet (CTF), COMPASS, Early Quality Feedback (EQF), Problem Resolution Tracking System (PRTS), Field Product Report Database (FPRD), Global Incident Management System (GIMS), and GM Legal records.

<sup>2</sup> The majority of the field-claim activity relating to the recalled population of Subject Vehicles are either: (i) field claims on vehicles that did not have the Recall repair performed; or (ii) claims for reimbursement under the Recall for repairs to the Subject Component within applicable reimbursement periods. Recall-reimbursement claims are specifically listed in Table 2-2

<sup>3</sup> In October 2019, GM modified the original vehicle warranty for these vehicles to cover certain windshield-wiper system repairs until the earlier of 10 years from the date of purchase or 150,000 miles. GM launched this field action on December 17, 2019.

NHTSA provided GM with a list of 107 VOQs that NHTSA believed to be associated with the Alleged Defect in the Subject Vehicles. Of these, 48 appear to be responsive to this request; as stated in Table 2-1 below, all 48 are associated with a GM internal field-report claim. The remaining 59 VOQs were not responsive for one of the following reasons: (i) the VOQ is associated with a field claim that GM previously reported in its December 2018 responses to NHTSA’s information request in RQ18-002; (ii) the VOQ asserts a claim that is not related to the Alleged Defect; or (iii) GM could not determine whether the VOQ is responsive based on the facts currently in GM’s possession.

Full Subject Vehicle Population (MY10-16 Equinox and Terrain)						
Type of Report	GM Reports	Corresponding to NHTSA Reports (VOQ)	Number of Reimbursements (Corresponding to Q5)	Number with Property Damage	Number with Crash	Number with Injuries/Fatalities
Owner Reports	399	48	215	0	4	0/0
Field Reports	1	0	0	0	0	0/0
Not-In-Suit Claims	2	1	0	0	2	0/0
Third Party Arbitration Proceedings	0	0	0	0	0	0/0
Product Liability Lawsuits	1	0	0	0	1	1/0
Total Reports (Including Duplicates)	403	49	215	0	7	1/0
Total Vehicles with Reports (Unique VIN)	401	48	214	0	6	1/0

**TABLE 2-1: SUMMARY OF NEW CLAIMS RESPONSIVE TO REQUEST 2A-2F FOR THE SUBJECT VEHICLES (ALL)**

Recall Population (MY13 Equinox and Terrain)						
Type of Report	GM Reports	Corresponding to NHTSA Reports	Number of Reimbursements (Recall)	Number with Property Damage	Number with Crash	Number with Injuries/Fatalities
Owner Reports	106	0	35	0	1	0/0
Field Reports	0	0	0	0	0	0/0
Not-In-Suit Claims	0	0	0	0	0	0/0
Third Party Arbitration Proceedings	0	0	0	0	0	0/0
Product Liability Lawsuits	1	0	0	0	1	1/0
Total Reports (Including Duplicates)	107	0	35	0	2	1/0
Total Vehicles with Reports (Unique VIN)	107	0	35	0	2	1/0

**TABLE 2-2: SUMMARY OF CLAIMS RESPONSIVE TO REQUEST 2A-2F FOR THE RECALLED SUBJECT VEHICLES (MY13 ONLY)**

NON-Recall Population (MY10-12 and MY14-16) Equinox and Terrain						
Type of Report	GM Reports	Corresponding to NHTSA Reports	Number of Reimbursements (Special Coverage)	Number with Property Damage	Number with Crash	Number with Injuries/Fatalities
Owner Reports	293	48	180	0	3	0/0
Field Reports	1	0	0	0	0	0/0
Not-In-Suit Claims	2	1	0	0	2	0/0
Third Party Arbitration Proceedings	0	0	0	0	0	0/0
Product Liability Lawsuits	0	0	0	0	0	0/0
Total Reports (Including Duplicates)	296	49	180	0	5	0/0
Total Vehicles with Reports (Unique VIN)	294	48	179	0	4	0/0

**TABLE 2-3: SUMMARY OF CLAIMS RESPONSIVE TO REQUEST 2A-2F FOR THE NONRECALLED SUBJECT VEHICLES (MY10-12 & 14-16)**

In response to subparts “f” GM is producing the responsive, nonprivileged litigation records relating to the litigation case listed above in Table 2-1. These records contain the requested information regarding 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.

As indicated in Table 2-1, GM is aware of six new responsive “crash” claims. In five of these cases, the driver was able to safely stop the vehicle on the shoulder or just off the roadway; the claim does not allege occupant injury or that the vehicle collided with another vehicle or property. The sixth case is a lawsuit that was filed on March [REDACTED] 2020 relating to an alleged crash involving a recalled Subject Vehicle. The alleged crash occurred approximately one week after GM launched the Recall, and the Recall repair had not been performed on the vehicle. The lawsuit alleges that the plaintiff suffered injuries in the crash, but does not specify the circumstances of the alleged crash or detail the nature and severity of the plaintiff’s alleged injuries. The plaintiff’s claims against GM were dismissed early in the case, prior to the completion of discovery, and GM did not have an opportunity to conduct its own investigation or inspection of the vehicle. Additional information about the claims is available in the document production that GM is providing in response to Request 4.

**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. GM’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), street address, email address and telephone number;
- d. Vehicle's VIN;
- e. Vehicle's 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; and
- l. Number of alleged fatalities, if any.

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

**GM RESPONSE:**

GM has produced the requested information for the Subject Vehicles in the P2P transfer file G229167\_1\_GM in the sub-folder labeled "Q\_03". Refer to the Microsoft Access 2010 file labeled "Q\_03\_REQUEST NUMBER TWO DATA."

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

**GM RESPONSE:**

With respect to Request 4, GM CAC, PAC, TAC and Legal records are GM's primary repositories of potentially responsive documents in the ordinary course of business. GM identified responsive documents by conducting a keyword search of these records for potentially responsive claims and reviewed the associated claim file to confirm the responsiveness of the claim. GM is producing the responsive, nonprivileged documents associated with responsive claims listed in Table 2-1 in the Microsoft Access file labeled "Q\_03\_REQUEST NUMBER TWO DATA" in the sub-folder labeled "Q\_03" in the P2P transfer file G229167\_1\_GM. GM has organized the records by the GM file number.

This response was compiled and prepared upon review of documents produced by various GM locations. This response does not include documents generated or received at those GM locations after their searches.

### **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 GM to date that relate to, or may relate to, the alleged defect in the subject vehicles: 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. GM's claim number;
- b. Vehicle owner or fleet name (and fleet contact person), street address, email address and telephone number;
- c. VIN;
- d. Repair date (in "yyyy/mm/dd" date format);
- 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(s);
- h. Problem codes;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer;
- k. Cause as stated on the repair order;
- l. Correction as stated on the repair order; and
- m. Additional comments, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "WARRANTY DATA."

Describe in detail the search methods and search criteria used by GM to identify the claims in response to Request No. 5.

**GM RESPONSE**

To collect warranty data responsive to this request, GM conducted a reasonable keyword search of the GM Global Analysis and Reporting Tool (“GART”), GM’s primary repository of potentially responsive warranty claim information in the ordinary course of business.<sup>4</sup> Because GM launched the Special Coverage Campaign after submitting its December 20, 2018 responses to ODI’s November 13, 2018 RQ18-002 Information Request, GM’s refreshed data search for this request includes new responsive warranty claims submitted both under the vehicle’s original warranty (Table 5-1 below) and under the Special Coverage Campaign (Table 5-3 below).

As indicated on Table 5-1, GM is aware of 622<sup>5</sup> new warranty claims for the Subject Vehicles that: (i) may relate<sup>6</sup> to the Alleged Defect; and (ii) were covered outside of the Special Coverage Campaign.<sup>7</sup>

MAKE	MODEL	MODEL YEAR							TOTAL
		2010	2011	2012	2013 <sup>8</sup>	2014	2015	2016	
Chevrolet	Equinox	20	11	22	0	84	238	78	480
GMC	Terrain	5	5	12	0	33	80	34	175

**TABLE 5-1: SUMMARY OF NEW SUBJECT VEHICLE STANDARD WARRANTY CLAIMS**

In GM’s December 2018 response to Request 12 in ODI’s November 13, 2018 Information Request, GM provided the following table, which contained cumulative warranty incidents-per-thousand-vehicles (“IPTV”) calculations (not normalized for field exposure) for the Subject Vehicles:

<sup>4</sup> GART does not contain the vehicle owner’s name or telephone number. Additionally, some replacement part numbers, part descriptions and customer concern code descriptions are not included in the GM warranty database. In response to subpart (j), the diagnostic trouble code (DTC) is not captured separately and, if available, is included in one of the verbatim fields.

<sup>5</sup> GM has omitted 33 claims relating to Recall completion on 2013 model year Subject Vehicles that the repairing dealer incorrectly processed as a warranty claim.

<sup>6</sup> GM identified responsive records based on the information supplied to GM by the servicing dealerships, which can contain material errors and omissions. Warranty records, for example, do not always accurately or completely describe the condition of the allegedly defective part at the time of the warranty correction, and service personnel may not consistently classify warranty repairs using the correct labor and trouble codes.

<sup>7</sup> Of the 622 new warranty claims, 181 claims for reimbursement under the Special Coverage Campaign that are also associated with a field report that GM included above in its response to Request 2.

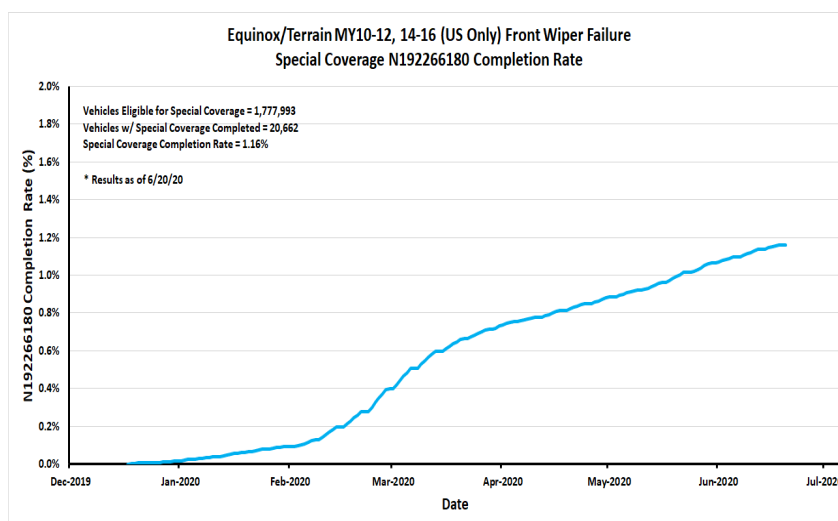
<sup>8</sup> All 2013 model year Subject Vehicles are covered by the Recall.

<u>Subject Vehicles in the Recall</u>	<u>Subject Vehicles not in the Recall</u>
367,626 vehicles 1809 warranty claims for wiper failures <b>4.92 IPTV</b>	1,778,423 vehicles 4037 warranty claims for wiper failures <b>2.27 IPTV</b>

**TABLE 5-2: GM's IPTV CALCULATIONS - DECEMBER 20, 2018 RESPONSE TO REQUEST 12**

Two intervening events—GM’s 2016 launch of the Recall and 2019 launch of the Special Coverage Campaign—a make it difficult to continue to compare these two vehicle populations in this way using updated warranty data. The Recall has reduced valid warranty claims for the 2013 model year recalled vehicles to zero, while warranty claims continue to accrue on the nonrecalled Subject Vehicles covered by the Special Coverage Campaign.

As of June 20, 2020, there have been 20,662 completed repairs and reimbursements under the Special Coverage Campaign, or approximately 1.16% of the full nonrecalled Subject Vehicle population:



**TABLE 5-3: SPECIAL COVERAGE CAMPAIGN REPAIR RATES**

By comparison, Weibull projections that GM prepared in 2019 based on pre-recall data predicted that the Subject Components in the recalled Subject Vehicles<sup>9</sup> would have produced a warranty rate of 40 IPTV at 60 months in service (“MIS”) if GM had not conducted the Recall—a significantly higher failure rate with significantly less field exposure than the nonrecalled Subject Vehicles, some of which have over 130 months in the field. As discussed more fully in GM’s response to Request 10, the warranty IPTV rates for the nonrecalled Subject Vehicle population

<sup>9</sup> GM presented this data to the Agency on October 23 and October 30, 2019 and submitted the supporting data and information to the NHTSA Office of Chief Counsel on October 24 and 31, 2019 (USG numbers 4883 and 4884).

were, at 60 MIS, comparable to similarly equipped Peer Vehicles and well within GM's expectations for Subject Component durability and performance.<sup>10</sup>

GM has produced the requested information in subparts (a) through (m) for the Subject Vehicles in the P2P transfer file G229167\_1\_GM in the sub-folder labeled "Q\_05". Refer to the Microsoft Access 2010 file labeled "Q\_05\_WARRANTY DATA." In response to subparts (l) and (m), GM has included in these records all available dealer-provided "verbatim text" in the GART database relating to the responsive claims that are currently in GM's possession.

To populate Table 5-1, GM searched the GART warranty database for the labor codes that GM identified as potentially related to the Alleged Defect in the Subject Vehicles. These labor codes are summarized in Table 5-4. Each warranty record may have up to five verbatim fields. All verbatim claim fields were read, and a claim was determined to be responsive if the verbatim indicated that the claim may have been related to the Alleged Defect in the Subject Component. There are no diagnostic trouble codes that are relevant to the Alleged Defect.

LABOR CODE	LABOR CODE DESCRIPTION
2070380	Windshield Wiper Transmission
2071090	Windshield Wiper Motor
2070630	Windshield Wiper Module Replacement

**TABLE 5-4: LABOR CODES USED IN GART WARRANTY SEARCH**

## **REQUEST 6**

Update to present GM's December 20, 2018 responses to Question 11 of ODI's November 13, 2018 RQ18-002 Information Request: State the number of each of the following that GM has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (*including the cut-off date for sales, if applicable*):

- a. Subject component;
- b. Any kits that have been released, or developed, by GM for use in service repairs to the subject component/assembly.

## **GM RESPONSE:**

To collect the requested updated data, GM performed a reasonable search for part sales information using the following part numbers:

---

<sup>10</sup> See, e.g., General Motors LLC's Responses to NHTSA's June 18, 2019 Information Request in Investigation RQ19-003, at 19 (stating that GM vehicles produced in the 2013-19 model years average 2.87 IPTV for warranty claims on seat-belt retractors at 60 MIS).

<b>Application</b>	<b>Supplier</b>	<b>Module PN (Vehicles as built)</b>	<b>Module Service PN (Initial Released)</b>	<b>Module Service PN (Starting in 2017)</b>
MY 2010 – 2016 Equinox/Terrain	Mitsuba	25788746	25788746	84241847

**TABLE 6-1: SUBJECT COMPONENT PART NUMBER AND SERVICE PART NUMBER**

The requested updated sales information for the subject component in both the production and service versions is provided in a spreadsheet summary in the P2P transfer file G229167\_1\_GM in the sub-folder labeled “Q\_6”. The files summarize the sales volume by make, model, model year, and month of sale, for all GM vehicles including the Subject Vehicles, and non-GM vehicles. The files also provide all available detailed sales information of the production, service, and remedy versions of the subject component, including its use in production or service, as well as supplier name, address, and point of contact information. These sales numbers represent sales to dealers in the US and Canada from November 15, 2018 to the date that GM conducted its part-sales searches in connection with these Response.<sup>11</sup>

This data has limited analytical value in analyzing the field performance of a motor vehicle component, because the records do not contain sufficient information to establish the reason for the part sale. It is not possible from this data to determine the number of these parts that have been installed in the Subject Vehicles or the number remaining in dealer or replacement part supplier inventory.

**REQUEST 7**

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

- a. Vehicle identification number (VIN);
- b. Make;
- c. Model;
- d. Model Year;
- e. Subject component part number and design version installed as original equipment;
- f. Date of manufacture;

---

<sup>11</sup> In the course of preparing these updated Responses, GM discovered that its December 20, 2018 response to Question 11 of ODI’s November 13, 2018 RQ18-002 Information Request may have included part numbers not associated with the Subject Components in the Subject Vehicles and, consequently, overreported the number of responsive part sales. GM will promptly supplement its December 20, 2018 responses.

- g. Date warranty coverage commenced; and
- h. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide a series of tables by vehicle model or platform in Microsoft Access 2010, or a compatible format, each entitled “MODELNAME PRODUCTION DATA.”

**GM RESPONSE:**

GM is providing the number of Peer Vehicles produced by GM for sale or lease in the United States by make, model and model year in Table 7-1 below:

MAKE	MODEL	MODEL YEAR								TOTAL
		2009	2010	2011	2012	2013	2014	2015	2016	
Chevrolet	Captiva	0	90	21	31,804	35,907	49,051	10,258	0	127,131
Chevrolet	Cruze	0	0	177,404	270,698	207,659	345,212	172,547	207,672	1,381,192
Chevrolet	Malibu	0	183,813	211,201	225,862	0	0	0	0	620,876
Cadillac	Escalade	0	23,283	29,245	18,128	25,011	14,212	0	0	109,879
Chevrolet	Avalanche	0	14,763	24,871	14,095	26,486	0	0	0	80,215
Chevrolet	Suburban	0	34,054	53,999	42,106	50,412	29,987	0	0	210,558
Chevrolet	Tahoe	0	58,274	89,370	61,208	86,384	38,095	0	0	333,331
GMC	Yukon	0	35,596	68,031	45,669	58,843	30,115	0	0	238,254
Chevrolet	Silverado	0	252,538	496,226	358,356	436,578	0	0	0	1,543,698
GMC	Sierra	0	84,330	177,764	139,673	156,674	0	0	0	558,441
GMC	Acadia	0	56,770	87,546	102,996	53,598	89,103	95,667	72,342	558,022
Buick	Enclave	0	48,103	69,873	70,060	38,533	65,132	61,148	51,580	404,429
Chevrolet	Traverse	0	82,724	128,832	117,486	62,896	99,598	111,839	106,436	709,811
Cadillac	SRX	6,990	48,822	59,149	67,732	50,573	51,884	58,686	44,617	388,453
	<b>Total</b>	6,990	923,160	1,673,532	1,565,873	1,289,554	812,389	510,145	482,647	7,264,290

**TABLE 7-1: PEER VEHICLES**

The production information requested in 7(a)-7(d), and 7(f)-7(h) is provided in the P2P transfer file G229167\_1\_GM in the sub-folder labeled “Q\_07”. Refer to the Microsoft Access 2010 file labeled “Q\_07\_ MODELNAME PRODUCTION DATA”. Traceability data is not captured for the subject component; therefore, a response cannot be provided for request 7(e).

**REQUEST 8:**

State the number of each of the following, received by GM, or of which GM is otherwise aware, which relate to, or may relate to, the alleged defect in the peer vehicles:

- 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 GM is or was a party to the arbitration;
- f. Lawsuits, both pending and closed, in which GM 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 GM’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.

#### **GM RESPONSE:**

The Subject Components in the Peer Vehicles vary in design and operation, both across the Peer Vehicle population and as compared to the Subject Components in the Subject Vehicles. Several of the Peer Vehicles, for example, are equipped with a Subject Component containing a wiper mechanism that does not rely on the same type of “ball joint”—a term in the Request’s definition of Alleged Defect—used in the Subject Component in the Subject Vehicles.<sup>12</sup> Rather than exclude these vehicles from GM’s Responses, GM attempted to use reasonable engineering judgment to classify Peer Vehicle claims in response to Requests 8 and 10. For the Peer Vehicles, GM generally classified an alleged Subject Component failure as responsive if the claim alleged a separation in the Subject Component pivot joint resulting in an inoperative wiper.

In response to subparts (a) through (f) for the Peer Vehicles, GM provides the following table, which GM prepared by conducting a reasonable keyword search for potentially responsive claims:<sup>13</sup>

---

<sup>12</sup> All of the Subject Components in the Subject and Peer have: (i) two arms, each with two pivots and connected to the vehicle in three locations; and (ii) internal transmissions that drive the wiper mechanism. Beyond these shared features, however, the Subject Components in these vehicles vary heavily in design, materials, and vehicle integration. These differences alter, among other things, the mechanism’s potential failure modes, resistance to those failure modes, and exposure to external contaminants.

<sup>13</sup> See supra note 1 for the list of GM electronic databases that GM searched.

Make	Model	Owner Report	Field Reports	Not-In-Suit Claims	Product Liability Lawsuits	Total Reports (Including Duplicates)	Total Vehicles with Reports (Unique VINs)
Chevrolet	Captiva	2	0	0	0	2	2
Chevrolet	Cruze	35	1	0	0	36	36
Chevrolet	Malibu	60	2	0	0	62	61
	GMT900 SUV	9	0	0	0	9	9
	GMT900 Truck	13	0	0	0	13	13
	Lambda	22	6	0	0	28	28
Cadillac	SRX	10	2	0	0	12	12
Totals		151	11	0	0	162	161

**TABLE 8-1: SUMMARY OF CLAIMS RESPONSIVE TO REQUEST 2A-2F FOR THE PEER VEHICLES**

As summarized in Table 8-1, GM is aware of 161 unique claims involving the Peer Vehicles that may be responsive to Request 8. In determining the responsiveness of a claim, GM erred on the side of coding the claim as responsive, even if the evidence in GM’s possession linking the claim to the Alleged Defect was implausible, inconclusive, or circumstantial. Accordingly, the claim totals in Table 8-1 are conservative.

In response to subparts (c) and (d), GM is not aware of any relevant incidents involving a crash, injury, fatality or property damage claims. With respect to subparts (e) and (f), GM is not aware of any third-part arbitration proceedings or lawsuits related to the Alleged Defect in the Subject Vehicles.

**REQUEST 9:**

Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 8, state the following information:

- a. GM’s file number or other identifier used;
- b. The category of the item, as identified in Request No. 8 (i.e., consumer complaint, field report, etc.);
- c. Vehicle owner or fleet name (and fleet contact person), street address, email 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; and
- l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER EIGHT DATA."

**GM RESPONSE:**

GM has produced the requested information for the Subject Vehicles in the P2P transfer file G229167\_1\_GM in the sub-folder labeled "Q\_08". Refer to the Microsoft Access 2010 file labeled "Q\_08\_REQUEST NUMBER EIGHT DATA."

**REQUEST 10:**

State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by GM to date that relate to, or may relate to, the alleged defect in the peer vehicles: 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.

- a. Separately, for each such claim, state the following information:
- b. GM's claim number;
- c. Vehicle owner or fleet name (and fleet contact person), street address, email address and telephone number;
- d. VIN;
- e. Repair date;
- f. Vehicle mileage at time of repair;
- g. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;

- h. Labor operation number(s);
- i. Problem code(s);
- j. Replacement part number(s) and description(s);
- k. Concern stated by customer;
- l. Cause as stated on the repair order;
- m. Correction as stated on the repair order; and
- n. Additional comments, if any, by dealer/technician relating to claim and/or repair.

**GM RESPONSE:**

To collect warranty data responsive to this request, GM conducted a reasonable keyword search of the GM GART warranty database.<sup>14</sup> Table 10-1, below, summarizes the warranty claims for the Peer Vehicles that may relate to the Alleged Defect. A total of 3,786 warranty claims (3,779 unique VINs) may be responsive.

			MODEL YEAR								
Make	Model	Supplier	2009	2010	2011	2012	2013	2014	2015	2016	TOTAL
Chevrolet	Malibu	Mitsuba	0	384	373	323	0	0	0	0	1080
Cadillac	SRX	Mitsuba	1	97	104	74	89	39	42	40	486
Chevrolet	Captiva	DY	0	0	0	49	53	12	1	0	115
Chevrolet	Cruze	DY	0	0	141	284	65	181	52	16	739
	900T/SUV:										
Cadillac	Escalade	Valeo	0	20	7	10	18	3	0	0	58
Chevrolet	Avalanche	Valeo	0	7	3	3	4	0	0	0	17
Chevrolet	Suburban	Valeo	0	10	9	2	11	3	0	0	35
Chevrolet	Tahoe	Valeo	0	9	12	5	16	3	0	0	45
GMC	Yukon	Valeo	0	16	17	12	18	6	0	0	69
Chevrolet	Silverado	Valeo	0	62	89	68	224	0	0	0	443
GMC	Sierra	Valeo	0	31	43	42	125	0	0	0	241
	Lambda:										
Buick	Enclave	Bosch/Valeo	0	4	15	47	15	4	12	15	112
Chevrolet	Traverse	Bosch/Valeo	0	4	29	61	25	9	36	22	186
GMC	Acadia	Bosch/Valeo	0	5	17	65	13	8	30	22	160

**TABLE 10-1: PEER VEHICLE WARRANTY CLAIMS**

Table 10-2, below, summarizes the IPTV for the Peer Vehicles at 60 MIS by model year.

<sup>14</sup> See supra notes 4 and 6 for additional detail regarding the GART database.

<b>Make</b>	<b>Model</b>	<b>Supplier</b>	<b>MAX IPTV @ 60MIS</b>
Chevrolet	Malibu	Mitsuba	1.80 @ 60MIS
Cadillac	SRX	Mitsuba	1.42 @ 60MIS
Chevrolet	Captiva	DY	1.45 @ 60MIS
Chevrolet	Cruze	DY	0.9 @ 60MIS
Chevrolet/GMC /Cadillac	900 SUV (Avalanche/Suburban/Tahoe/ Yukon/Escalade)	Valeo	0.36 @ 60MIS
Chevrolet/GMC	900 Truck (Silverado/Sierra)	Valeo	0.58 @ 60MIS
Chevrolet/GMC /Buick	Lambda (Traverse/Acadia/Enclave)	Bosch/Valeo	0.59 @ 60MIS

**TABLE 10-2: PEER VEHICLE WARRANTY CLAIM RATE**

As stated above, the two field actions that GM has conducted on the Subject Vehicles have affected the field- and warranty-claim rates on the Subject Components, making it difficult to comparatively assess the performance of these components across the Subject and Peer Vehicle groups. To attempt to provide a valid comparative analysis between the Subject and Peer Vehicles, GM has prepared Table 10-3, which contains: (i) GM’s 2019 Weibull projection of the Subject Component warranty IPTV at 60 MIS if GM had not recalled the 2013 model year Subject Vehicles; (ii) the actual standard warranty (excluding claims under the Special Coverage Campaign) IPTV at 60 MIS for the Subject Components in the nonrecalled Subject Vehicles; and (iii) the warranty IPTV at 60 MIS for the two Peer Vehicles—the Malibu and SRX—that contain Mitsuba-designed and manufactured Subject Components, which are, among the Peer Vehicles, the Subject Components that are the most similar to the Subject Components in the Subject Vehicles.

As shown below, the standard warranty rates for the nonrecalled Subject Vehicles are comparable to the standard warranty rates for the two similar Peer Vehicles, while the projected 60 MIS warranty rate for the recalled Subject Vehicles stands out as an extreme outlier:

<b>Vehicle</b>	<b>IPTV @ 60MIS</b>
2013 MY Subject Vehicles (Recalled)	40 @ 60 MIS (Projected – If Not Recalled)
2010 MY Subject Vehicles (Nonrecalled)	3.87 @ 60 MIS
2011 MY Subject Vehicles (Nonrecalled)	3.01 @ 60 MIS
2015 MY Subject Vehicles (Nonrecalled)	2.50 @ 60 MIS
Average IPTV for all Nonrecalled Subject Vehicle Model Years	2.45 @ 60 MIS
2012 MY Subject Vehicles (Nonrecalled)	1.90 @ 60MIS
Chevrolet Malibu (Peer Vehicle)	1.80 @ 60MIS
2014 MY Subject Vehicles (Nonrecalled)	1.52 @ 60MIS
Cadillac SRX (Peer Vehicle)	1.42 @ 60MIS
2016 MY Subject Vehicles (Nonrecalled)	.96 @ 60MIS

**TABLE 10-3: SUBJECT AND PEER WARRANTY COMPARISON AT 60 MIS**

GM has produced the requested information in subparts (a) through (l) in the P2P transfer file G229167\_1\_GM in the sub-folder labeled “Q\_10”. Refer to the Microsoft Access 2010 file labeled “Q\_10\_WARRANTY DATA.” In response to subpart (l), GM has included in these records all available dealer-provided “verbatim text” in the GART database relating to the responsive claims that are currently in GM's possession.<sup>15</sup>

To populate Table 10-1, GM searched the GART warranty database for the labor codes that GM identified as potentially related to the Alleged Defect in the Subject Vehicles. These labor codes are summarized in Table 10-3. Each warranty record may have up to five verbatim fields. All verbatim claim fields were read, and a claim was determined to be responsive if the verbatim indicated that the claim may have been related to the Alleged Defect in the Subject Component.

<b>LABOR CODE</b>	<b>LABOR CODE DESCRIPTION</b>
2070380	Windshield Wiper Transmission
2071090	Windshield Wiper Motor
2070630	Windshield Wiper Module Replacement

**TABLE 10-3: LABOR CODES USED IN GART WARRANTY SEARCH**

**REQUEST 11:**

Provide this information in Microsoft Access 2010, or a compatible format, entitled “PEER WARRANTY DATA.”

<sup>15</sup> The verbatim text is provided to GM by the dealer that serviced the warranty claim and reflects both dealer- and customer-provided comments relating to the claim. Before the 2010 model year, GM did not require the dealer to populate this field in the warranty system; for this reason, GM may not be in possession of this information for every responsive warranty claim.

**GM RESPONSE:**

GM has produced the requested information in Request 11 subparts (b) through (n) in the P2P transfer file G229167\_1\_GM in the sub-folder labeled “Q\_11”. Refer to the Microsoft Access 2010 file labeled “Q\_11\_WARRANTY DATA.” In response to subparts (m) and (n), GM has included in these records all available dealer-provided “verbatim text” in the GART database relating to the responsive claims that are currently in GM's possession.

**REQUEST 12:**

State the number of each of the following that GM has sold that may be used in the peer vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable):

- a. Subject component
- b. Any kits that have been released, or developed, by GM for use in service repairs to the subject component/assembly.

**GM RESPONSE:**

Table 12-1 contains the responsive Subject Component part numbers for the Peer Vehicles. Ordinary-course changes in suppliers resulted in part-number changes for the SRX in the 2010 model year and for the Lambda vehicles in the 2012 model year.

<b>Application</b>	<b>Supplier</b>	<b>Module PN</b>	<b>Module Service PN</b>
MY 2010 – 2015 Captiva	DY	20913314	service by components of 20913314
MY 2011 – 2016 Cruze	DY	95971324	service by components of 95971324
MY 2010 – 2012 Malibu	Mitsuba	20907860	service by components of 20907860
MY 2010 – 2014 GMT900 SUV's (Avalanche, Escalade, Suburban, Tahoe, Yukon)	Valeo	25923882	23328193
MY 2010 – 2013 GMT900 Pickup trucks (Silverado, Sierra)	Valeo	25923882	23328193
MY 2010-2011 Lambda platform (Acadia, Enclave, Traverse)	Bosch	20785186	service by components of 20785186
MY 2012 – 2016 Lambda platform (Acadia, Enclave, Traverse)	Valeo	20945792	service by components of 20945792
MY 2009 SRX	Valeo	25797171	25797171
MY 2010 - 2016 SRX	Mitsuba	15949217	service by components of 15949217

**TABLE 12-1: PEER VEHICLE PART NUMBERS**

The requested sales information for the subject component in both the production and service versions is provided in a spreadsheet summary in the P2P transfer file G229167\_1\_GM in the sub-folder labeled “Q\_12”. The files summarize the sales volume by make, model, model year, and month of sale, for all GM vehicles including the subject vehicles, and non-GM vehicles. The files also provide all available detailed sales information of the production, service, and remedy versions of the subject component, including its use in production or service, as well as supplier name, address, and point of contact information. These sales numbers represent sales to dealers in the US and Canada.

This data has limited analytical value in analyzing the field performance of a motor vehicle component, because the records do not contain sufficient information to establish the reason for the part sale. It is not possible from this data to determine the number of these parts that have been installed in the subject vehicles or the number remaining in dealer or replacement part supplier inventory.

**REQUEST 13:**

Describe cowl- region water management techniques for the subject vehicles. Include any related design and production changes made by, or on behalf of, GM in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles.

**GM RESPONSE:**

Mitsuba was responsible for designing the Subject Components in the Subject Vehicles, and GM contracted with Mitsuba to design and supply these components largely to leverage Mitsuba’s acknowledged expertise in designing and manufacturing wiper-module systems. Because GM did not design the Subject Components in the Subject Vehicles, GM may not be in possession of all of the information that is responsive to this request.

During early pre-production builds and testing, GM authorized Mitsuba, at Mitsuba’s request, to redesign the water cups in the Subject Components’ in an attempt to manage the water flow at either end of the module. No changes were made to address the water at the motor linkball socket positions. When the Subject Vehicles launched, Mitsuba appeared to have met GM’s requirements for the module/linkage design and the water deflectors, and the Subject Components satisfied GM’s 10-year durability testing requirements.

While GM subsequently directed Mitsuba to make certain additional design improvements by designing and adding in a water deflector to direct water away from the wiper linkball sockets,<sup>16</sup> Mitsuba’s original design did not, standing alone, create failure rates that, in GM’s view, evidence the existence of a safety-related defect in the nonrecalled Subject Vehicles. As shown above in Table 10-3, the nonrecalled Subject Vehicles had an average warranty IPTV for the Alleged Defect of 2.45 at 60 MIS, which is within GM’s expectations for the long-term performance of the Subject

---

<sup>16</sup> These design improvements affected the 2017 model year and service parts, and are discussed more fully in GM’s December 20, 2018 responses to ODI’s November 13, 2018 RQ18-002 Information Request.

Components and comparable to the warranty rates (1.80 and 1.42 at 60 MIS) for the Mitsuba-designed systems in the two similar Peer Vehicles. And as shown above in Table 5-3, only 1.16 percent of the nonrecalled Subject Vehicles have required Subject Component replacement under the Special Coverage Campaign—despite some of these vehicles having over 10 years of field exposure.

As GM explained in its December 20, 2018 responses to NHTSA’s information request in RQ18-002, the long-term performance of the Subject Components was adversely—and, in GM’s view, materially—affected by two Mitsuba quality-control problems that were specific to the components installed in 2013 model year Subject Vehicles. These problems began to surface in 2016, when GM observed a rise in wiper warranty claims in 2013 model year Subject Vehicles. After deciding to conduct the Recall on these vehicles, GM and Mitsuba identified the quality control problems that caused that warranty spike.

### CONCLUSION

While GM will continue to monitor the performance of the Subject Component in the Subject Vehicles in the field, GM believes, for the reasons stated above and in GM’s December 20, 2018 responses to NHTSA’s information requests in RQ18-002, that the scope of the Recall is properly defined and that the nonrecalled Subject Vehicles do not contain a safety-related defect under the Safety Act. This conclusion is based on, among other things:

- The standard warranty IPTV on the Subject Components in the nonrecalled Subject Vehicles is low and compares favorably to the warranty IPTV on the Subject Components in the most similar Peer Vehicles.
- If GM had not conducted the Recall, GM’s projections indicate that the warranty IPTV on the Subject Components in the recalled Subject Vehicles would have been over **ten times higher** at 60 MIS than the highest standard warranty IPTV among the nonrecalled Subject Vehicles.
- The extended warranty claim rate on the Subject Components in the nonrecalled Subject Vehicles under the Special Coverage Campaign is extremely low and within GM’s expectations for long-term performance and durability in this system.
- In its December 20, 2018 responses, GM stated that all of the crash-related allegations in the nonrecalled Subject Vehicle population were “minor in nature.” GM’s field-data analysis continues to support this conclusion. Of the six new “crash” claims that GM is reporting in these Responses, five involved no collision, occupant injuries, or property damage. The sixth case—the only new claim alleging an injury—relates to a unrepaired *recalled* Subject Vehicle and was asserted in lawsuit in which GM has been dismissed as a defendant.

Letter to Greg Magno  
EA19-005 Response  
July 13, 2020  
Page 22 of 22

GM's Responses are based upon its investigation to date and reflect its current information and belief. GM reserves the right to supplement or amend its Responses as appropriate. Please contact me if you require further information about this response or the nature or scope of our searches.

Sincerely,



Regina Carto, Executive Director  
Global Safety and Field Investigations

cc: Mr. Antonio Moore  
ODI\_IRresponse@dot.gov