



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, DC 20590

March 22, 2021

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Larissa Stoffels, Executive Manager for Vehicle Safety
Compliance and Regulatory Affairs
Daimler Trucks North America LLC
4747 N. Channel Ave
Portland, Oregon 97217

NEF-106xt
PE21-006

Dear Ms. Stoffels:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE21-006) to investigate allegations of excessive heat from halogen headlights that may result in fires, in certain model year (MY) 2018-2020 Freightliner Cascadia vehicles manufactured by Daimler Trucks North America LLC (DTNA), and to request certain information.

This office has received number of Field Reports (FR) submitted by DTNA that describe a potential defect involving halogen headlight thermal events including total loss fires.

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

- **Subject vehicles:** All 2018-2020 Freightliner Cascadia vehicles manufactured for sale in the United States.
- **Subject component:** Headlight assembly including halogen bulb, housing and electrical wire connector.
- **Alleged defect:** Excessive heat from use of halogen headlights.
- **DTNA:** Daimler Trucks North America LLC, 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 DTNA (including all business units and persons previously referred to), who are or were involved in any way, on or after January 1, 2016, 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 DTNA, 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 DTNA 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 DTNA has previously provided a document to ODI, DTNA 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 DTNA’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 subject vehicles DTNA has manufactured for sale in the United States. Separately, for each subject vehicle manufactured to date by DTNA, state the following:
 - a. Vehicle Identification Number (VIN);
 - b. Make;
 - c. Model;
 - d. Model Year;
 - e. Date of manufacture;
 - f. Manufacture and model number of halogen headlight assembly installed as original equipment;
 - g. Information about which bulb these assemblies came with including wattage
 - h. Date warranty coverage commenced; and
 - i. The State in the United States where the vehicle was originally sold.

Provide the table in Microsoft Access 2010, or a compatible format, entitled “PRODUCTION DATA.” A pre-formatted data collection file, which provides further details regarding this submission, will be provided to you.

2. State the number of each of the following, received by DTNA, or of which DTNA 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. Reports involving a fire;
 - e. Property damage claims;
 - f. Third-party arbitration proceedings where DTNA is or was a party to the arbitration; and

- g. Lawsuits, both pending and closed, in which DTNA is or was a defendant or codefendant.

For subparts “a” through “g” 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 “g,” provide a summary description of the alleged problem and causal and contributing factors and DTNA’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “f” and “g,” 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. DTNA’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 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 a fire is alleged;
 - k. Whether property damage is alleged;
 - l. Number of alleged injuries, if any; and
 - m. Number of alleged fatalities, if any;
 - n. Headlight assembly make, and model;
 - o. Headlight bulb make, and model;
 - p. Headlight bulb replace date;

Provide this information in Microsoft Access 2010, or a compatible format, entitled “REQUEST NUMBER TWO DATA.” A pre-formatted data collection file, which provides further details regarding this submission, will be provided to you.

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, warranty, field reports, etc.) and describe the method DTNA used for organizing the documents.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by DTNA 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. DTNA'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;
- 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 code(s);
- i. Diagnostic trouble code(s);
- j. Replacement part number(s) and description(s);
- k. Concern stated by customer;
- l. Comment, 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." A pre-formatted data collection file, which provides further details regarding this submission, will be provided to you.

6. Describe in detail the search methods and search criteria used by DTNA to identify the claims in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by DTNA on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that DTNA offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.
7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that DTNA has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also, include the latest draft copy of any communication that DTNA is planning to issue within the next 120 days.

8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, “actions”) that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, DTNA. For each such action, provide the following information:
 - a. Action title or identifier;
 - b. The actual or planned start date;
 - c. The actual or expected end date;
 - d. Brief summary of the subject and objective of the action;
 - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

9. Furnish DTNA’s assessment of the alleged defect in the subject vehicles, including:
 - a. The causal or contributory factor(s);
 - b. The failure mechanism(s);
 - c. The failure mode(s);
 - d. The risk to motor vehicle safety that it poses;
 - e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring;
 - f. What actions the vehicle operator might take to mitigate the alleged defect condition as it is occurring; and
 - g. The reports included with this inquiry.

Legal Authority for This Request

This letter is being sent to DTNA 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

DTNA’s failure to respond promptly and fully to this letter could subject DTNA 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(b), provides for civil penalties of up to \$7,000 per day, with a maximum of \$17,350,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6 (as amended by 77 Fed. Reg. 70710 (November 27, 2012)). This includes failing to respond completely to ODI information requests.

If DTNA 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, DTNA does not submit one or more requested documents or items of information in response to this information request, DTNA 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 PE21-006 in DTNA's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

If DTNA 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, DTNA 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

DTNA's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by ***Friday, April 30, 2021***. DTNA's response must include all non-confidential attachments and a redacted version of all documents that contain confidential information. If DTNA finds that it is unable to provide all of the information requested within the time allotted, DTNA must request an extension from me at (202) 366-0698 no later than five business days before the response due date. If DTNA 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 DTNA then has available, even if an extension has been granted.

Please send email notification to Xiaoming Tan at Xiaoming.tan@dot.gov and to ODI_IRresponse@dot.gov when DTNA sends its response to this office and indicate whether there is confidential information as part of DTNA's response.

If you have any technical questions concerning this matter, please call Mr. Xiaoming Tan of my staff at (202) 366-8575.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Neff". The signature is stylized with a large "J" and "N".

Joshua Neff, Chief
Medium & Heavy Duty Vehicles Defect Division
Office of Defects Investigation