



January 19, 2022

SENT VIA EMAIL
RETURN RECEIPT REQUESTED

Ms. Jennifer Shute
Head, Safety Compliance & Product Analysis
Fiat Chrysler Automobiles US LLC
800 Chrysler Drive
CIMS 482-00-83
Auburn Hills, Michigan 48326

NEF-102
PE21-021

Dear Ms. Shute:

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 (PE21-021) to investigate allegations of loss motive power resulting from high pressure fuel pump failures in certain model year (MY) 2019-2020 RAM 2500, 3500, 4500, 5500 heavy duty trucks equipped with 6.7L Cummins diesel engines manufactured by Fiat Chrysler Automobiles (FCA), and to request certain information.

This office has received 61 reports potentially related to high pressure fuel pump failures in certain MY 2019-2020 RAM 2500, 3500, 4500, 5500 heavy duty trucks equipped with 6.7L Cummins diesel engines. A copy of each of the reports will be provided to you for your information.

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

- **Subject vehicles:** all vehicles
 - included in the NHTSA 21V-880 recall population and/or
 - later equipped with NHTSA 21E-094 subject componentthat were manufactured for sale or lease in the United States, including, but not limited to, the District of Columbia, and current U.S. territories and possessions.
- **Peer vehicles:** all vehicles manufactured by FCA that are originally or later equipped with the subject component and that are not included in the subject vehicle population
- **Subject component:** Bosch CP4 high pressure fuel pump
- **Alleged defect:** Malfunction of subject component resulting in loss of motive power

- **FCA:** Fiat Chrysler Automobiles, 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 FCA (including all business units and persons previously referred to), who are or, in or after January 1, 2010, were involved in any way with any of the following related to the alleged defect in the subject or peer 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 FCA, 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 FCA 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 FCA has previously provided a document to ODI, FCA 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 FCA’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 and peer vehicles FCA has manufactured for sale or lease in the United States. Separately, for each subject and peer vehicle manufactured to date by FCA, state the following:
 - a. Vehicle identification number (VIN);
 - b. Make;
 - c. Model;
 - d. Model Year;
 - e. Subject component part number and design version installed;
 - f. Date of manufacture of vehicle;
 - g. Date of manufacture of subject component;
 - h. Date of installation of subject component if not installed as original equipment;
 - i. Date warranty coverage commenced; and
 - j. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

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. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject and peer vehicles, that FCA 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 FCA is planning to issue within the next 120 days.
3. 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 and peer vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, FCA or in conjunction with the component supplier or other party. *Include all actions related NHTSA recalls 21V-880 and 21E-094.* 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.

4. Describe all modifications or changes made by, or on behalf of, FCA or in conjunction with the component supplier or other party, in the design, material composition, manufacture, quality control, supply, functionality, or installation of the subject component *or other components*, from the start of production to date, which relate to, or may relate to, the alleged defect. For each such modification or change, provide the following information:
 - a. The date or approximate date on which the modification or change was incorporated into vehicle production;
 - b. A detailed description of the modification or change;
 - c. The reason(s) for the modification or change;
 - d. The part number(s) (service and engineering) of the original component;
 - e. The part number(s) (service and engineering) of the modified component;
 - f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
 - g. When the modified component was made available as a service component; and
 - h. Whether the modified component can be interchanged with earlier production components.

Also, provide the above information for any modification or change that FCA is aware of which may be incorporated into vehicle production within the next 120 days.

5. State the number of each of the following that FCA has sold that may be used in the subject and 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 FCA for use in service repairs to the subject component/assembly.

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number). Also identify by make, model and model year, any other vehicles of which FCA is aware that contain a substantially similar component, whether installed in production or in service, and state the applicable dates of production or service usage.

6. Furnish FCA's assessment of the alleged defect, 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; and
 - 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 or subject component was malfunctioning;
 - f. Rationale for not recalling peer vehicles, if applicable; and
 - g. The reports included with this inquiry.

Legal Authority for This Request

This letter is being sent to FCA 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

FCA's failure to respond promptly and fully to this letter could subject FCA 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 FCA 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, FCA does not submit one or more requested documents or items of information in response to this information request, FCA 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 PE21-021 in FCA's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

If FCA 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, FCA must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended, to the Office of Chief Counsel (NCC-100), National Highway Traffic Safety Administration, Room W41-326, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. FCA is required to **submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.** Please remember that the phrase "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONTAINS CONFIDENTIAL BUSINESS INFORMATION" (as appropriate) must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 49 CFR 512.6. If you submit a request for confidentiality for all or part of your response to this IR, that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the new requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats. *See* 49 CFR 512.6(c) (as amended by 72 Fed. Reg. 59434 (October 19, 2007)).

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

FCA's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by **March 2, 2022**. FCA's response must include all non-confidential attachments and a redacted version of all documents that contain confidential

information. If FCA finds that it is unable to provide all of the information requested within the time allotted, FCA must request an extension from me at (202) 366-5677 no later than five business days before the response due date. If FCA 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 FCA then has available, even if an extension has been granted.

Please send email notification to Daniel Pinero-Espinoza at daniel.pinero@dot.gov and to ODI_IRresponse@dot.gov when FCA sends its response to this office and indicate whether there is confidential information as part of FCA's response.

If you have any technical questions concerning this matter, please call Daniel Pinero-Espinoza of my staff at (202) 366-5677.

Sincerely,

Bruce York, Chief
Vehicle Defects Division B
Office of Defects Investigation

Copies of the subject reports referenced in the introduction of this letter are identified by the following ODI reference numbers:

11351441, 11361603, 11361616, 11365300, 11365426, 11365858, 11366401, 11372337, 11373793, 11374797, 11376793, 11378173, 11384318, 11384377, 11386063, 11387018, 11397622, 11399710, 11404304, 11415339, 11418868, 11418870, 11427075, 11434276, 11436807, 11437226, 11437249, 11437273, 11437292, 11437294, 11437302, 11437394, 11437399, 11437403, 11437423, 11437528, 11437565, 11437579, 11437580, 11437590, 11437679, 11437744, 11437781, 11437842, 11437993, 11438006, 11438008, 11438121, 11438138, 11438155, 11438282, 11438392, 11438429, 11438629, 11439243, 11439359, 11439879, 11440397, 11443030, 11444833, 11445071