

Mr. Bruce York
Reference: PE22-012 SPPLEMENTAL
April 17, 2024

ATTACHMENT

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Preliminary Statement

On April 30, 2009, Chrysler LLC, the entity that manufactured and sold the certain vehicles that may be discussed in this Information Request, filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code.

On June 10, 2009, Chrysler LLC sold substantially all of its assets to a newly formed company later known as FCA. Pursuant to the sales transaction, FCA assumed responsibility for safety recalls pursuant to the 49 U.S.C. Chapter 301 for vehicles that were manufactured and sold by Chrysler LLC prior to the June 10, 2009, asset sale.

On June 11, 2009, Chrysler LLC changed its name to Old Carco LLC. The assets of Old Carco LLC that were not purchased by FCA, as well as the liabilities of Old Carco that were not assumed, remain under the jurisdiction of the United States Bankruptcy Court – Southern District of New York (In re Old Carco LLC, et al., Case No. [REDACTED]).

Effective December 15, 2014, FCA changed its name to FCA US LLC (“FCA US”).

April 17, 2024, Supplemental Submission NOTE: On March 6, 2023, FCA US submitted a full and complete response to the subject information request, PE22-012. On March 5, 2024, NHTSA issued an updated IR after discussions with FCA US regarding it’s original submission contents. NHTSA decided that the original Alleged Defect should be updated. In additional to the updated Alleged Defect, NHTSA made other adjustments in the supplemental IR. In the below response, FCA US has indicated anywhere new information is being provided.

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 vehicle manufactured to date by FCA, state the following:**
 - a. **Vehicle identification number (17-character VIN);**
 - b. **Make;**
 - c. **Model;**
 - d. **Model Year;**
 - e. **Subject component part number and design version installed as original equipment;**
 - f. **Date of manufacture (MM/DD/YYYY);**
 - g. **Date warranty coverage commenced (MM/DD/YYYY); and**
 - h. **The State in the United States where the vehicle was originally sold or leased, or delivered for sale or lease (postal abbreviation).**

Provide the table in Microsoft Access 2010, or a compatible format, entitled "PRODUCTION DATA."

- A1. FCA US' responses to subparts a through d and f through h of this Request are located in **ENCLOSURE 01** and titled **PE22-012_PRODUCTION DATA.accdb**. FCA US' response to subpart e of this request are located in **ENCLOSURE 01** and titled **PE22-012 – PART BUILD INFORMATION_CONF BUS INFO.pdf**.

April 17, 2024 Supplemental Response: FCA US' responses to subparts a through j of this Request are located in **ENCLOSURE 01S** and titled **PE22-012-S PROD DATA_CONF BUS INFO.accdb**. FCA US clarifies that the response for subpart e is assumed based on production date compared to Change Notice date. Please note this Q1 Submission Response replaces the original Response submitted by FCA US on March 6, 2023.

2. **State the number of each of the following, received by FCA, or of which FCA is otherwise aware, which relate to, or may relate to, the alleged defect in the subject and 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; and**
 - e. **Third-party arbitration proceedings, both pending and closed, where FCA is or was a party to the arbitration; and**
 - f. **Lawsuits, both pending and closed, in which FCA 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 FCA ’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “e/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.

A2. FCA US has conducted a reasonable and diligent search of the normal repositories of information potentially responsive to this Request. Responsive, non-privileged information identified through that search comprises FCA US’ responses to subparts (a) through (f) of this Request. That information is located in **ENCLOSURE 02** and titled **PE22-012_REPORTS.pdf**.

April 17, 2024 Supplemental Response: FCA US has conducted a reasonable and diligent search of the normal repositories of information potentially responsive to this Request. Responsive, non-privileged information identified through that search comprises FCA US’ responses to subparts (a) through (f) of this Request. Please note this Q2 Submission Response replaces the original Response submitted by FCA US on March 6, 2023. That information is located in **ENCLOSURE 02S** and titled **PE22-012-S_REPORTS.pdf**.

Review of these records found that 50% of the responsive/maybe responsive claims indicated only an ABS light on, 25% mentioned a parts supply concern and only 9% of the claims alleged any issues with braking performance. Only two minor crashes were alleged.

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. FCA ’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), email address and telephone number (please use distinct fields for each data type);
 - d. Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);
 - e. Vehicle’s 17-character VIN;
 - f. Vehicle’s make, model and model year (please use distinct fields for each data type);
 - g. Vehicle’s mileage at time of incident;
 - h. Incident date (MM/DD/YYYY);
 - i. Report or claim date (MM/DD/YYYY);
 - j. Whether a crash is alleged;
 - k. Whether property damage is alleged;
 - l. Number of alleged injuries, if any; and
 - m. Number of alleged fatalities, if any.

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.

A3. FCA US' responses to subparts (a) through (m) of this Request are located in **ENCLOSURE 03** and titled **PE22-012_REQUEST NUMBER TWO DATA.accdb**.

April 17, 2024 Supplemental Response: FCA US' responses to subparts (a) through (m) of this Request are located in **ENCLOSURE 03S** and titled **PE22-012-S_REQUEST NUMBER TWO DATA.accdb**. Please note this Q3 Submission Response replaces the original Response submitted by FCA US on March 6, 2023.

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 FCA used for organizing the documents. Describe in detail the search methods and search criteria used by FCA to identify the items in response to Request No. 2. For each vehicle identified in the responsive data to Request No. 2, provide a complete dealer service history within 6 months of (before and after) the alleged incident or report date (whichever is earliest) and report close date.

A4. FCA US has conducted a reasonable and diligent search of the normal repositories of information potentially responsive to this Request. Documents related to each item within the scope of Request No. 2 were gathered by using information such as vehicle model, model year, and a keyword search using words reasonably related to the reports sought by this IR. The keyword search criteria used in this search are located in **ENCLOSURE 04** and titled **PE22-012_Q2 KEYWORD SEARCH CRITERIA.pdf**. An eyes-on review of the search results was then conducted to determine whether each returned record relates to, or may relate to, the Alleged Defect.

Copies of the available, non-privileged documents related to each item within the scope of Request No. 2 can be found in **ENCLOSURE 04**.

The customer complaint summaries are submitted in files titled **PE22-012_CONSUMER AND CUSTOMER COMPLAINTS.pdf** and the related documents are arranged in corresponding folders by complaint number. Legal summaries are contained in files titled **PE22-012_LEGAL SUMMARIES.pdf**. Field reports are contained in files titled **PE22-012_FIELD REPORTS.pdf**.

April 17, 2024 Supplemental Response: FCA US has conducted a reasonable and diligent search of the normal repositories of information potentially responsive to this Request. Documents related to each item within the scope of Request No. 2 were gathered by using information such as vehicle model, model year, and a keyword search using words reasonably related to the reports sought by this Updated IR. The keyword search criteria used in this search are located in **ENCLOSURE 04S** and titled **PE22-012-S_Q2 KEYWORD SEARCH CRITERIA.pdf**. An eyes-on review of the search results was then conducted to determine whether each returned record relates to, or may relate to, the Alleged Defect.

Copies of the available, non-privileged documents related to each item within the scope of Request No. 2 can be found in **ENCLOSURE 04S**. The customer complaint summaries are submitted in file titled **PE22-012-S_CONSUMER AND CUSTOMER COMPLAINT DETAILED REPORT.zip** and the related

documents are arranged in corresponding folders by complaint number. Field reports are contained in files titled **PE22-012-S_FIELD REPORTS.pdf**. Service histories for each vehicle identified in response to Request No. 2 are contained in files titled **PE22-012-S_RO SERVICE HISTORY.zip** and **PE22-102-S_WARRANTY SERVICE HISTORY.zip**.

5. **State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by FCA 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. **FCA's claim number;**
- b. **Vehicle owner or fleet name (and fleet contact person), email address and telephone number (please use distinct fields for each data type);**
- c. **Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);**
- d. **17-character VIN;**
- e. **Repair date (MM/DD/YYYY);**
- f. **Vehicle mileage at time of repair;**
- g. **Repairing dealer's or facility's name, telephone number, city and state or ZIP code (please use distinct fields for each data type);**
- h. **Labor operation number(s);**
- i. **Problem code(s);**
- j. **Diagnostic trouble code(s);**
- k. **Replacement part number(s) and description(s);**
- l. **Concern stated by customer;**
- m. **Cause as stated on the repair order;**
- n. **Correction as stated on the repair order; and**
- o. **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." A pre-formatted data collection file, which provides further details regarding this submission, will be provided to you.

- A5. FCA US is providing all warranty records associated with replacement of the Anti-lock Braking System ("ABS") and/or the Hydraulic Control Unit ("HCU") modules. FCA US conducted a review of a sample (7,047) of these records. This review found that 0.62% of cases indicated a concern with brake performance. Furthermore, 97% of records related to the Subject Components indicate detectability of the condition. FCA US' response to this Request is located in **ENCLOSURE 05** and titled **PE22-012_WARRANTY DATA.accdb**. DTCs are not stored in a separate database field and may be manually entered by a claim administrator into the narrative(s) of the warranty claim.

April 17, 2024 Supplemental Response: FCA US' response to this Request is located in **ENCLOSURE 05S** and titled **PE22-012-S_WARRANTY DATA.accdb**. DTCs are not stored in a separate database field and may be manually entered by a claim administrator into the narrative(s) of the warranty claim. Please note in response to this updated IR Request, FCA US searched and categorized records incremental to the original A5 Response submitted March 6, 2023. This April 17, 2024 Response supplements the March 6, 2023 Response with responsive claims made between January 23, 2023 and March 5, 2024.

6. Describe in detail the search methods and search criteria used by FCA to identify the claims in response to Request No. 5, including the labor operations, problem codes, diagnostic trouble codes, part numbers and any other pertinent parameters used.

A6. In order to identify the claims detailed in its response to Request No. 5, FCA US searched the normal repositories of information potentially responsive to this Request utilizing a part number and an eyes-on review of the claims to determine responsiveness to the alleged defect. The part numbers used for this search can be found in **ENCLOSURE 01** and titled **PE22-012 – PART BUILD INFORMATION_CONF BUS INFO.pdf**.

April 17, 2024 Supplemental Response: In response to the updated IR, FCA US re-ran the same search described in the March 6, 2023 A6 Response. This April 17, 2024 Response supplements the March 6, 2023 Response with responsive claims made between January 23, 2023 and March 5, 2024.

7. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions, diagnostic trouble codes and diagnostic trouble code descriptions applicable to the alleged defect in the subject vehicles. State whether the diagnostic trouble codes are automatically reported to the warranty database electronically or manually entered into the warranty database by a claims administrator.

A7. Labor operations, labor operation descriptions, problem codes, problem code descriptions, part numbers and part number descriptions potentially related to the Alleged Defect are contained in the correspondingly titled columns in the database located in **ENCLOSURE 05** and titled **PE22-012_WARRANTY DATA.accdb**. The diagnostic trouble code and diagnostic trouble code description associated with the Alleged Defect is C0020-01 – ABS Pump Motor Control-General Electrical Failure. DTCs are not stored in a separate database field and may be manually entered by a claim administrator into the narrative(s) of the warranty claim.

April 17, 2024 Supplemental Response: No additional information to provide.

8. State, by make and model year, the terms of the new vehicle warranty coverage offered by FCA 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 FCA 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.

- A8. New vehicle warranty coverage offered by FCA US on the Subject Vehicles is located in **ENCLOSURE 08** and titled **PE22-012_NEW VEHICLE WARRANTY.pdf**.
Extended warranty and service contract coverage option(s) that FCA US offered for the Subject Vehicles, and the number of vehicles that are covered under each such extended warranty, are provided by option, model and model year located in the table included in **ENCLOSURE 08** and titled **PE22-012_SERVICE CONTRACTS_CONF BUS INFO.pdf**.

April 17, 2024 Supplemental Response: No additional information to provide.

9. **Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject 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.**

- A9. FCA US' responses to this Request are located in **ENCLOSURE 09**.

April 17, 2024 Supplemental Response: FCA US has supplemented its response to Q9 with the updated file located in **ENCLOSURE 9S**.

10. **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, FCA . 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.

- A10. FCA US' responses to subparts (a) through (f) of this Request are located in **ENCLOSURE 10** and are summarized in the chart titled **PE22-012_ACTIONS SUMMARY_CONF BUS INFO.pdf**. Copies of responsive related documentary information are included within **ENCLOSURE 10**.

April 17, 2024 Supplemental Response: No additional information to provide.

- 11. Describe all modifications or changes made by, or on behalf of, FCA 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 or peer vehicles. 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.

A11. FCA US' responses to subparts (a) through (h) of this Request are located in **ENCLOSURE 11** and titled **PE22-012_CHANGE HISTORY_CONF BUS INFO.pdf**.

April 17, 2024 Supplemental Response: No additional information to provide.

- 12. State the number of each of the following that FCA 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; and
 - 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 the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

A12. FCA US' responses to this Request are located in **ENCLOSURE 12** and titled **PE22-012_PART SALES_CONF BUS INFO.pdf**, **PE22-012_PART USAGES_CONF BUS INFO.pdf** and **PE22-012_SUPPLIER INFORMATION.pdf**.

April 17, 2024 Supplemental Response: FCA US has supplemented its response to Q12 with the updated file located in **ENCLOSURE 12S** titled **PE22-012-S_PART SALES_CONF BUS INFO.pdf**. This April 17, 2024 Response supplements the March 6, 2023 Response with part sales between January 23, 2023 and March 5, 2024.

13. Furnish FCA '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, or subject component was malfunctioning; and**
- f. The reports included with this inquiry.**

A13. FCA US has reviewed the data provided in response to the Requests above and the VOQs provided by NHTSA in conjunction with this IR. Based on that review, FCA US concludes that there is no unreasonable risk to motor vehicle safety with respect to the Alleged Defect in the Subject Vehicles. FCA US' conclusion is explained below.

Background

In response to customer complaints, FCA US' Technical Safety and Regulatory Compliance ("TSRC") organization began its preliminary investigation of complaints potentially related to the Alleged Defect in December of 2021. Based on information gathered during that investigation, the investigation was closed because the condition did not pose an unreasonable risk to motor vehicle safety. The investigation determined that foundation braking is not affected, FMVSS stopping distance requirements are still met and drivers are notified of an issue with the ABS or HCU with illumination of the ABS malfunction indicator lamp ("MIL").

Additionally in December of 2022 FCA US Customer Experience opened a quality investigation to evaluate a potential quality action. This quality investigation is open and ongoing at the time of this Response.

Analysis

With this context, FCA US turns to its assessment of the Alleged Defect in the Subject Vehicles. FCA US has completed a review of the Vehicle Owner Questionnaire ("VOQ") records provided by the Agency in connection with this investigation, as well as its internal records identified using the search parameters described in its response to Request No. 4 above. Based on that review, FCA US provides its analysis as follows.

FCA US' analysis of the Alleged Defect in the Subject Vehicles indicates that customers are alleging illumination of the ABS MIL. The illumination of this MIL is attributed to DTC C0020-01 ABS Pump Motor

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Control-General Electrical Failure, which under certain conditions which may result in loss of ABS, electronic stability control ("ESC"), and trailer sway control ("TSC") functionality while driving.

The condition is due to elongation of the brush material in the Hydraulic Control Unit ("HCU") which causes the brush height to exceed specification. This elongation of the brush material allows the brushes to get stuck in the brush guide rail. Through wear on the brush over time a no contact condition with the commutator creates the Open Motor fault.

Analysis of warranty records indicate the condition is not only highly detectable before an incident occurs, but also operators do not notice any negative effect on brake performance (including failed or difficult operation of the brakes) in the vast majority of cases. In support of its Response to this inquiry, FCA US conducted a statically significant sample analysis of warranty records (7,047) potentially related to the Alleged Defect in the Subject Vehicles. This analysis shows 0.62% of cases indicated a concern with brake performance. 97% of records related to the Subject Components indicate detectability as described above. As part of its Response, FCA US is providing all warranty records associated with replacement of the ABS and/or the HCU module.

Summary of Alleged Crashes:

FCA US identified three accidents that may relate to the Alleged Defect in the Subject Vehicles. Brief, relevant information for the accidents is provided below. Additional information for these incidents is located in Enclosure 4.

With respect to the vehicle involved in the first crash (CAIR [REDACTED]), the owner stated the "ABS and Stabilitrak [sic] lights had been flickering on and off and then stayed illuminated when the temperature got below freezing...". FCA US's vehicle inspection showed DTC code C0020-01 had been active and thus, MILs illuminated, for 5,726 miles prior incident. A review of repair orders showed the ABS module and HCU were replaced on 5/5/2021 (after the accident).

With respect to the vehicle involved in the second crash (CAIR [REDACTED]), a review of the WiTech data showed no active or stored DTCs associated with the ABS.

Similarly with respect to the vehicle involved in the third crash (CAIR [REDACTED]), no active or stored DTCs associated with the ABS. Furthermore, the EDR imaged from this vehicle after the crash showed ABS activation during the event.

Conclusion

Based on FCA US' review of the data collected and provided in response to this Information Request and in its prior communications with the Agency, and consistent with the analysis set forth above, FCA US concludes that the Alleged Defect in the Subject Vehicles does not pose an unreasonable risk to motor vehicle safety. With more than 31 billion estimated vehicle miles driven, only a single crash may be related to the Alleged Defect in the Subject Vehicles, and the owner of that vehicle had almost six thousand miles of ABS and ESC MILs illumination prompting the owner to service the vehicle. As foundation braking is unaffected by failure of the Subject Component, FMVSS stopping distance requirements are still met and drivers are notified of an issue with the ABS with illumination of the ABS MIL, FCA US respectfully requests that the Agency close this investigation.

Mr. Bruce York

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April 17, 2024 Supplemental Response: The additional data reviewed does not support a different conclusion that FCA US made in the original March 6, 2023 IR Response. The Alleged Defect in the Subject Vehicles does not pose an unreasonable risk to motor vehicle safety. FCA US respectfully requests that the Agency close this investigation.