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

NHTSA

April 27, 2026

Tiffani Torgeson
Daimler Trucks North America, LLC
4747 N Channel Ave.
Portland , OR 97217

Subject: Information Request ID EA25006-01

Dear Tiffani Torgeson,

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened an Engineering Analysis (EA25006) to investigate allegations of Automatic Emergency Braking (AEB) false-positive errors in certain model year (MY) 2017-2022 Freightliner and Western Star vehicles manufactured by Daimler Trucks North America, LLC (DTNA), and to request certain information.

This office has received 32 reports of AEB false-positive errors in certain 2017-2022 Freightliner and Western Star vehicles. The reports indicate the subject vehicles will apply the service brakes without input from the driver and with no imminent collision hazard present resulting in a sudden decrease in speed. The report numbers will be provided to you for review.

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

- **Subject vehicles:** all AEB equipped 2017-2022 Freightliner and Western Star vehicles 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.

- **Subject system:** AEB system including all original equipment or service replacement components, including sensors, control modules, actuators, and associated data, that collectively provide Automated Emergency Braking (AEB) functionality.

- **Alleged defect:** AEB false-positive errors.

- **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 as of January 1, 2014, 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, lawsuits or arbitrations; 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 C.F.R. § 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 or lease in the United States. Separately, for each subject vehicle manufactured to date by DTNA, state the following:

   a. Vehicle identification number (17-character VIN);
   b. Make;
   c. Model;
   d. Model Year;
   e. Subject system part number and design version installed as original equipment;
      1. Software version(s);
      2. Hardware version(s);

   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 Excel, or a compatible format, entitled "PRODUCTION DATA."

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. Property damage claims; and
   e. Third-party arbitration or mediation proceedings, both pending and closed, where DTNA is or was a party to the arbitration; and
   f. Lawsuits, both pending and closed, in which DTNA 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 DTNA'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.

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), 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 (numeric data type);
   h. Incident date (MM/DD/YYYY);
   i. Incident details, if known, including:
      1. Location and/or GPS coordinates;
      2. Posted speed limit;
      3. Roadway type (e.g., highway, local road, etc.);
      4. Roadway features (e.g., overpass, construction plate, etc.);
      5. Roadway obstructions (e.g., debris, traffic cones, etc.);
      6. Traffic conditions;

   j. Whether DTNA or any affiliated party inspected the vehicle;
   k. Whether DTNA or any affiliated party obtained data from the vehicle;
   l. The method for obtaining the vehicle data (e.g., telematics);
   m. If available, provide the following details of the stored braking event(s) closest to the incident by date and mileage:
      1. Whether the stored event was assessed to correspond to the alleged incident;
      2. Event date and time (specify date and time formats);
      3. Event mileage;
      4. Event key cycle;
      5. Speed of travel at event onset;
      6. Speed of travel at event conclusion;
      7. The duration of braking commanded by the vehicle;
      8. The maximum braking deceleration commanded by the vehicle;
      9. Whether the subject system initiated braking;
      10. If so, the braking response level of the system (i.e., Optical/acoustic warning, partial braking, full braking);

11. If not initiated by the subject system, the name of the system that commanded braking;

n. Whether DTNA or an affiliated confirmed and/or duplicated the alleged condition;
o. Report or claim date (MM/DD/YYYY);
p. Whether a crash is alleged;
q. Whether property damage is alleged;
r. Number of alleged injuries, if any; and
s. Number of alleged fatalities if any.

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

4. Produce copies of all data logs of braking events stored in any onboard vehicle system (including an electronic data recorder, control module, other computer module, etc.) and/or captured via telematics related to each item with the scope of Request No. 2. Additionally produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method DTNA used for organizing the documents. Describe in detail the search methods and search criteria used by DTNA to identify the items in response to Request No. 2.

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), 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 (numeric data type);
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;
p. If available, provide the following details of the stored braking event(s) closest to each incident alleged by the claimant by date and mileage:
    1. Whether the stored event was assessed to correspond to any alleged incident;

2. Event date and time (specify date and time formats);
3. Event mileage;
4. Event key cycle;
5. Speed of travel at event onset;
6. Speed of travel at event conclusion;
7. The duration of braking commanded by the vehicle;
8. The maximum braking deceleration commanded by the vehicle;
9. Whether the subject system initiated braking;
10. If so, the braking response level of the subject system (i.e. optical/acoustic warning, partial braking, full braking)
11. If not initiated by the subject system, the name of the system that commanded braking.

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

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, diagnostic trouble codes, part numbers and any other pertinent parameters used.

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.

8. 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.

9. 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 including but not limited to, pre- and/or post-production testing and/or validation. 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.

10. Describe all modifications or changes made by, or on behalf of, DTNA 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. 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 hardware and software names and numbers of the original version;
    e. The hardware and software names and numbers 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 version 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 DTNA is aware of which may be incorporated into vehicle production within the next 120 days.

11. List all components of the subject system, produce copies of specification documents, and state the following information:

    a. Component name, model and/or identifier;
    b. Component type and system function;
    c. Component supplier;
    d. Sensor position(s) and orientation(s); and
    e. Sensor position and alignment tolerances.

    For subpart "d," provide engineering drawings and describe any differences in sensor mounting that exist between subject vehicles.

12. Describe how the subject system calibration is performed during vehicle production, operation, service, and collision repair. Describe any calibration differences that exist between the subject vehicles.

13. Describe the subject system design, operation and performance and any differences that exist between the subject vehicles including but not limited to:

    a. Requirements that may relate to the alleged defect (including false positive rate, receiver operating characteristic curve, etc.);
    b. All stored data elements related to a vehicle-commanded braking event;
    c. Identification of and response to false target tracks;
    d. System logic, including entrance and exit criteria, for each collision warning and response stage and associated thresholds;
    e. Minimum and maximum braking deceleration that the system is able to command for each collision response stage and throughout its operational envelope;
    f. Any initial ramp up to maximum deceleration applied by the system;
    g. Any minimum and maximum braking durations and whether the system may continue to hold the brakes if a complete stop is achieved;

h. Thresholds for detection of both horizontal and vertical sensor misalignments and the associated diagnostic trouble codes (DTC)s;
i. Impact on system performance of radio frequency (RF) interference (e.g., from automotive radars equipped on other vehicles and other sources) and related subject system mitigations; and
j. All conditions (including driver control inputs, vehicle dynamics, etc.) that override the subject system braking activation and the minimum thresholds and durations required to do so.
    1. For accelerator pedal overrides, state whether the driver must first fully release the pedal to successfully override the system.
    2. For pedal overrides, state the pedal travel requirements to successfully override the system.

14. Produce copies of all documents related to each item within the scope of Request No. 13.

15. Describe DTNA's methodology for mitigating false positives during the development process of the subject system. Provide the following information:

    a. All FMEAs, DFMEAs and PFMEAs (or other relative functional safety methodology) related to the AEB system, including major iterations for Risk Priority Number reduction;
    b. Any other types of risk assessments (i.e., HARA, FTA, SOTIF, etc.,) considered related to the verification and validation of the AEB systems performance; and
    c. Describe any benchmarking procedures conducted to evaluate system performance relative to peers.

16. 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) including the specific operating conditions under which inadvertent automatic emergency braking can occur;
    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 system was malfunctioning; and
    f. 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. 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, 49 U.S.C. § 30165(a)(3), provides for Civil Penalties of up to $27,874 per violation per day, with a maximum of $139,356,994 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. See 49 C.F.R. § 578.6(a)(3).

This includes failing to respond completely, accurately, or in a timely manner 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

If DTNA's response contains any information that you claim is confidential business information, DTNA must submit its request for confidential treatment and any files containing CBI to NHTSA's Office of the Chief Counsel Via the CBI Portal or a secure electronic file transfer link. Please see enclosure 1 for additional instructions on submitting a request for confidential treatment that is compliant with 49 C.F.R. Part 512 (specifically, a request for confidential treatment must include the four required parts that are discussed in enclosure 1).

If you choose not to submit your request for confidential treatment and any files containing CBI directly to NHTSA's Office of the Chief Counsel via the CBI Portal, please notify the investigator referenced in this IR to ensure that the secure file transfer link for your request for confidential treatment and any files containing CBI are directed to the Office of the Chief Counsel accordingly.

In addition to submitting a request for confidential treatment and any files containing CBI directly to NHTSA's Office of the Chief Counsel, DTNA must submit a copy of its request for confidential treatment and any files containing CBI directly to ODI via the Safety Defect Investigations (SDI) Portal. For each file submitted through the SDI Portal where CBI is being requested, DTNA must check the "Contains CBI" box. In addition, DTNA, must submit a redacted version of each file for which CBI is being requested. The requests for confidential treatments and certification documents are not considered confidential so these documents should not be marked as "Contains CBI".

Please refer to EA25006-01 in DTNA's response to this letter and in a request for confidential treatment that DTNA may submit.

Due Date

DTNA's response to this letter must be submitted to this office by June 8, 2026, 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 through the Safety Defects Investigation Portal 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.

If you have any technical questions concerning this matter, please email Andrew Brady of my staff at andrew.brady@dot.gov.

Sincerely,

Tanya Topka

Tanya Topka, Director
Office of Defects Investigation

ENCLOSURE 1 - INFORMATION FOR REQUESTS FOR CONFIDENTIAL TREATMENT

If you believe that your response contains any material that you claim is confidential business information, submit these materials to NHTSA's Office of the Chief Counsel in accordance with 49 C.F.R. Part 512. **All requests for confidential treatment should be submitted directly to the Office of the Chief Counsel via NHTSA's Confidential Business Information (CBI) Portal. If you do not currently have a user account in the CBI Portal, you may send a registration request to the CBI Portal's Help Desk at** cbi-helpdesk@dot.gov.

Prior to directly submitting your request for confidential treatment to the Office of the Chief Counsel in the CBI Portal, you will need to upload all "confidential version" and "public version" files in NHTSA's Safety Defect Investigations (SDI) Portal.

Requests for confidential treatment are governed by Part 512. A current version of this regulation is available on the internet at http://www.ecfr.gov. by selecting Title 49 "Transportation," next selecting "Parts 500 - 599," and finally selecting Part 512 "Confidential Business Information."

How to request confidential treatment:

NHTSA is treating electronic submission as an acceptable method for submitting confidential business information to the agency under Part 512. If you claim that any of the information or documents provided in your response constitutes confidential business information within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, you must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with Part 512, to the Office of the Chief Counsel. Requests for confidential treatment should be submitted to the Office of the Chief Counsel in NHTSA's CBI Portal. Do not send a hardcopy of a request for confidential treatment to NHTSA's headquarters.

Your request must include a request letter that contains supporting information, pursuant to Part 512.8. Your request must also include a certificate, pursuant to Part 512.4(b) and Part 512, Appendix A.

You are required to submit one unredacted "confidential version" of the information for which you are seeking confidential treatment. Pursuant to Part 512.6, the words "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONFIDENTIAL BUSINESS INFORMATION CONTAINED WITHIN BRACKETS" (as applicable) must appear at the top of each page containing information claimed to be confidential. In the latter situation, where not all information on the page is claimed to be confidential, identify each item of information for which confidentiality is requested within brackets: "[ ]."

You are also required to submit one redacted "public version" of the information for which you are seeking confidential treatment. Pursuant to Part 512.5(a)(2), the redacted "public version" should include redactions of any information for which you are seeking confidential treatment (i.e., the only information that should be unredacted is information for which you are not seeking confidential treatment).

For questions about a request for confidential treatment, please contact Dan Rabinovitz in the Office of the Chief Counsel at Daniel.Rabinovitz@dot.gov.

Enclosure 2, The subject reports referenced in the introduction of this letter may be viewed at the NHTSA.gov website using the following ODI reference numbers: 10926597, 11091048, 11165950, 11165951, 11210401, 11271439, 11323299, 11326113, 11408007, 11435928, 11444204, 11445705, 11451612, 11464954, 11471285, 11474018, 11479098, 11485349, 11485792, 11505866, 11513719, 11522762, 11542940, 11547088, 11550118, 11569193, 11570495, 11580899, 11591674, 11610330, 11617194, 11621849.