

Ford Motor Company

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James P. Vondale, Director  
Automotive Safety Office  
Environmental & Safety Engineering

February 25, 2005

Ms. Kathleen C. DeMeter, Director  
Office of Defects Investigation Safety Assurance  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W.  
Washington, D.C. 20590

Dear Ms. DeMeter:

Subject: 1997 Model Year Ford Crown Victoria/Mercury Grand Marquis Brake Line Inspection Program 04B26

As the agency is aware, Ford Motor Company (Ford) has decided to conduct a customer satisfaction program related to the rear brake lines in 1997 model year Ford Crown Victoria and Mercury Grand Marquis non-fleet vehicles equipped with Electronic Traction Control and built after March 19, 1997. Brake lines will be inspected and appropriate corrective action taken, including replacement, if necessary. This program includes 43,626 vehicles, not utilized in fleet applications, manufactured at Ford's St. Thomas Assembly Plant. Due to the age of the subject vehicles it is unknown how many vehicles in this population will ultimately be affected. Ford is aware that the agency intends to identify this action as safety related. Based upon our investigation of the issue, which included vehicle testing, many years of real world experience with the vehicles, and the agency's findings in an earlier investigation, Ford does not believe there is any basis to conclude that the condition being addressed by this customer satisfaction program presents an unreasonable risk to motor vehicle safety.

Ford's investigation found that certain vehicles with Electronic Traction Control may experience brake line abrasion due to contact between a rear brake line, a mastic pad, and a floor pan stiffening rib. These vehicles have an additional rear brake line and a mastic pad causing reduced clearance between the rear brake lines and the floor pan. Contact may abrade the brake line and, over time, a slow brake fluid leak may develop in the tube. Under these conditions fluid loss is minimal and there is no notable affect on stopping distance, but the brake pedal will have a "spongy" feel and drops of brake fluid may be observed beneath the vehicle. Customer interviews and vehicle inspections have confirmed that the condition is readily observable. Testing has shown after numerous high deceleration brake stops – approximately 60 – the low fluid indicator light will illuminate without stopping distance being notably increased. Even after the low fluid light has illuminated, numerous additional high deceleration stops can be made with no notable increase in stopping distance. Stopping distance is only affected if these clear and obvious indicators of the need for service are ignored and the fluid is completely depleted from the portion of the master cylinder reservoir serving the rear brake system. Even

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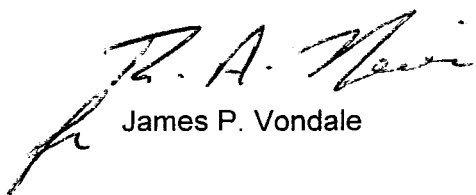
then, stopping distance increases are gradual and increase over time as more air is pumped into the rear brake circuit. Neither Ford nor the agency is aware of any allegations of accidents or loss of vehicle control related to this issue in these vehicles, which have been in service nearly eight years, confirming the minimal affect on vehicle braking. Further, the brake system on these vehicles is separated into front and rear systems. The front brake system, which provides most of the braking force, is not affected by this issue. The potential for contact of the rear brake lines with the floor pan stiffening rib was eliminated when the brake lines were redesigned as part of a larger vehicle freshening for the 1998 model year.

The primary concern voiced by customers during interviews was the repair cost. Due to the "body-on-frame" construction of the subject vehicles, a complete replacement of the brake tube required the vehicle body to be removed from the frame to complete the repair. Because 96% of the reports of alleged failures in the subject vehicles appear to have occurred outside the normal warranty period, the repair cost would have been the responsibility of the owners. Accordingly, Ford is conducting this program to address a cost of ownership issue and at no cost to an owner, Ford will inspect the subject vehicles for contact between the brake tube and floor pan stiffening rib. If contact is evident, but no abrasion or leaks exist, the brake tube will be repositioned to preclude further contact and potential abrasion. If indication of abrasion or a leak is evident Ford will repair the brake line.

Our belief that this action should address an issue that poses no unreasonable risk to safety is also consistent with the most recent federal court opinion interpreting the Safety Act. That recent Federal court opinion in Center for Auto Safety, Inc. and Public Citizen, Inc., v. National Highway Traffic Safety Administration notes that "[i]t would defy logic to find that the Safety Act, which strives to reduce traffic-related safety risks, would require a recall for *all* defects, even those that would not reasonably lead to a reduction in traffic accidents." Because of the manner in which the brake fluid leak manifests itself in this case, i.e., a noticeable feel in the brake pedal with no significant affect on stopping distance for dozens of stops, illumination of the brake fluid level indicator after numerous stops before any notable increase in stopping distance, and then a gradual increase in stopping distance, rather than an abrupt loss of brakes, there is little likelihood of an accident, and, thus, a safety recall is not likely to lead to a reduction in traffic accidents. This, of course, is well confirmed by the fact that the vehicles have been in service for almost eight years and there have been no alleged accidents.

Ford will begin mailing owner letters on approximately May 2, 2005. We do not plan to make a public statement concerning this program.

Sincerely,



James P. Vondale