



**K&N Engineering, Inc.**  
**Post Office Box 1329**  
**Riverside, California 92502-1329**

March 10, 2006

Mr. Daniel C. Smith  
Associate Administrator for Enforcement  
National Highway Traffic Safety Administration  
400 Seventh Street, SW  
Room 5321  
Washington, DC 20590

Re: Defect Information Report; K&N Engineering, Inc.

Dear Mr. Smith:

Through the undersigned, K&N Engineering, Inc. (K&N), is submitting the enclosed Defect Information Report pursuant to 49 CFR Part 573.

K&N has determined that certain air intake systems that it manufactured between April 20, 1999 and September 10, 2004 as replacement equipment contain a defect that relates to motor vehicle safety. The air delivery tube that delivers air to the engine throttle body can fail. In rare cases, this failure can result in pieces of plastic from the tube wall causing the throttle to become temporarily jammed in the open position. However, there have been no instances where this has led to an accident, or an injury.

If you have any questions, please do not hesitate to contact the undersigned at (951) 826-4065 or [stever@knfilters.com](mailto:stever@knfilters.com).

Sincerely,

Steven J. Rogers  
CEO

Enclosure

2006 MAR 15 A 10:45  
DEFECT INVESTIGATION

06E-024  
(4 pgs.)

## DEFECT INFORMATION REPORT

### 1. Manufacturer's name/address:

The manufacturer of the items of equipment covered by this Report is:

K&N Engineering, Inc.  
1455 Citrus Street  
Riverside, CA 92507

### 2. Items of Equipment Involved:

The items of equipment covered by this Report are replacement air intake systems that provide an air filter and an intake pathway for the delivery of air to the engine throttle body. The items are identified generally as K&N Fuel Injection Performance Kits. The K&N part numbers are 57-1509, 57-1511, 57-1511-1, 57-1517, 57-1517-1, 57-1527, and 57-1530. Approximately ten percent of the items were manufactured for, and sold under, the "Mopar Performance Parts" brand name (Part numbers P5007069 and P5007070). The items were produced from April 20, 1999 through September 23, 2004. None of the items were sold for use or installation in new motor vehicles or new items of motor vehicle equipment.

### 3. Total number of items of equipment:

The total number of equipment items covered by this Report is 44,386. Approximately 5,500 of those items have previously been retrieved from consumers and distributors.

### 4. Approximate percentage of equipment items estimated to actually contain the defect:

K&N cannot estimate the percentage of items that contain the defect, although it believes that most of the items will experience some durability problems. In the vast majority of instances, neither the defect nor the other durability problems will have any safety consequences.

### 5. Description of the defect:

The defect involves the failure of the tubes that deliver air to the engine throttle body. Although K&N is continuing to analyze the matter, as of now it appears that the potential failure mode is breakage of the tube wall in which a piece of the wall can break away. These failures appear to be caused by one or more of the following:

- a. A material failure of the tube wall.
- b. A failure to fully seat or pot an aluminum ring during the rotational molding process.
- c. Incorrect installation by the consumer.
- d. Use of temperature or compounding procedures during the rotational molding process that were not in accordance with the material requirements.

These failures can have the following consequences:

- a. Cracking or separation of the tube wall can allow dirt to pass unfiltered into the engine, which can damage the engine through dirt contamination. (K&N does not believe that this has any safety consequences.)
- b. A small piece of material from the tube wall could be sucked into the engine throttle body, which could cause the throttle to become temporarily jammed in the open position.

#### **6. Chronological summary of events leading to this determination:**

Prior to April 1999, K&N used cross linked high density polyethylene (HDPE) in all of the air delivery tubes in its air intake products. In April 1999, due to unique physical requirements for products designed for use in certain Dodge pickup trucks and SUVs, K&N began to use a different material (polypropylene, or PP) for the air delivery tubes on the parts intended for use on those models. Due to an unacceptably high rate of warranty claims associated with failures of the air delivery tubes in these parts, in November 2002, K&N changed the tube material from PP to Super Linear polyethylene (SL), based on the supplier's assertion that this would resolve the problem. As of that time, none of the warranty claims indicated any potential safety consequence.

K&N continued to receive warranty claims associated with failures of the air delivery tubes made with SL, which led it to conclude that the SL also was not performing properly. Therefore, in September 2004, K&N implemented a redesign of these parts and decided to use cross linked HDPE in the tubes.

K&N conducted a more thorough investigation of the issue in December 2004 that indicated significant durability problems in the tubes made from PP or SL. Therefore, in January 2005, K&N decided to undertake a service action in which it notified its distributors and all owners of the covered items that it was able to identify (i.e., those consumers who had had mailed in a warranty registration card) of the durability problems and offered to provide a free replacement tube made with cross linked HDPE. This was conducted as a service action, and not as a safety recall, since out of the approximately 3300 warranty claims that K&N had received as of that time, only four alleged a temporarily stuck throttle, and there were no claims of accident or injury. And none of the claims referred to any other safety consequences.

As of the present time, K&N has received a total of nine claims in which it was alleged that pieces of tube material that had been sucked into the engine caused the throttle to become temporarily stuck in the open position. None of these incidents resulted in a crash or any injury.

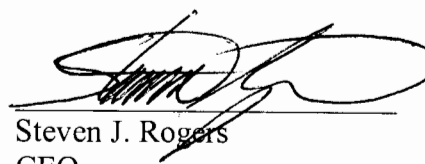
In late February 2006, K&N began a re-examination of the tubes that had been returned under the January 2005 service action. Based upon that re-examination and the other facts available to the company, in early March 2006, the responsible officials of K&N decided that the air intake systems covered by this Report (i.e., those with air delivery tubes made of PP or SL) contain a defect that relates to motor vehicle safety.

## 7. Program for remedying the defect:

K&N plans to conduct a safety recall under which it will offer all owners of the covered items a free replacement air delivery tube manufactured with cross link HDPE. K&N has sold over 700,000 air intake systems with tubes made with that material since 1999, with a negligible warranty claim rate. These tubes are easily replaced by individual consumers using readily-available tools, so there is no need for consumers to take their vehicle to a dealer. K&N will include replacement instructions with the new tubes.

K&N plans to begin notifying owners and dealers within the next few weeks. Pursuant to 49 CFR 573.6(c)(8)(i) and 573.13, owners will be advised that K&N will reimburse them if they have incurred any costs to obtain a remedy for a defective product prior to their receipt of the notification.

K&N will provide NHTSA with a copy of its proposed owner notification letter, including language with respect to reimbursement, at least five days prior to commencing the recall campaign.



Steven J. Rogers  
CEO