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By Recall Management Division at 11:48 am, Nov 24, 2009

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Daimler Trucks North America
Nasser Zamani
Senior Manager
Compliance and Regulatory Affairs

November 10, 2009

Dan Smith
Associate Administrator for Enforcement
National Highway Traffic Safety Administration
Attention: Recall Management Division (NVS-215)
1200 New Jersey Avenue S.E.
Washington D.C. 20590

**09V-451
(3 Pages)**

**Re: Defect Information Report FL-565,
Cummins Inc. Engine ECM Recall 09E-046, Emergency Service ATD Inhibit**

Mr. Smith

In accordance with Part 573 of Title 49 of the Code of Federal Regulations, Daimler Trucks North America LLC herewith reports a safety campaign to recall approximately 101 Freightliner, Freightliner Custom Chassis, and Sterling vehicles manufactured April 4, 2007 through July 15, 2009 and equipped with specific Cummins engines and an After Treatment Device regeneration inhibit feature which may not function as intended.

Attached is Daimler Trucks North America's Defect Information Report.

Please contact me if you have any questions.

Sincerely yours,



Nasser Zamani

Cc: Michael Mason, CAL-OSHA
Enclosure
Certified Mail# 7006 3450 0000 3866 7713

A Daimler Company

Daimler Trucks North America LLC
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Defect Information Report

(Section 573.6)

November 10, 2009

(c)(1) Manufacturer: Daimler Trucks North America LLC
P.O. BOX 3849
Portland, Oregon 97208
(503) 745-5219

Brands: Freightliner, Freightliner Custom Chassis, Sterling

(c)(2) Vehicles identification:
Model(s) affected: Freightliner, M2
Freightliner Custom Chassis, MT55 (UTILIMASTER)
Sterling, ACTERRA
Model Years affected: 2008 through 2010
Manufacture Dates: April 4, 2007, through July 15, 2009
Basis for determining population: Vehicles built with specific Cummins engines identified by engine serial numbers provided by Cummins
Component manufacturer if other than the vehicle manufacturer: Reference 09E-046
Cummins Inc.
500 Jackson Street
Columbus, IN 47201
Attn: Steven Butler – Director Product Safety
812-377-3713

(c)(3) Total number of vehicles potentially affected: Approximately 101

(c)(4) Percentage of vehicles estimated to contain the defect: 88%

(c)(5) Description of the defect: Per Cummins' Defect Information Report (NHTSA recall # 09E-046), "The emergency vehicle applications that are the subject of this recall are designed with a dash-mounted switch that enable the vehicles operator to inhibit the aftertreatment diesel particulate filter regeneration in environments where the operator believes it may be unsafe for elevated exhaust temperatures. Due to an issue with the logic in the ECM software in these engines, the switch on these vehicles may not function correctly, leading the operator to believe that the switch is in "inhibit" mode when, in fact, it is not."

49CFR Section 577.5(f) Evaluation of the risk to motor vehicle safety: Per Cummins' Defect Information Report (NHTSA recall # 09E-046), "As a consequence, the operator may unknowingly permit hot exhaust gases to exit the vehicle tailpipe, increasing the risk of melting or burning on nearby surfaces, or a fire."

(c)(6) Chronology of principal events: Cummins filed a DIR for this issue on July 20, 2009, and notified DTNA on July 23, 2009, that it may have vehicles involved. Cummins provided list of potentially affected engine serial numbers to DTNA on October 21, 2009.

(c)(7) Noncompliance-test or other data: Not Applicable

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(c)(8) (i) Remedial program: Cummins is conducting this recall. The engine electronic control module will be recalibrated with new software. Repairs will be performed by Cummins authorized service facilities. Please see attached Cummins Defect Information Report
Reimbursement Plan: Cummins will provide the reimbursement plan. Please see attached Cummins Defect Information Report.

(ii) Estimated Owner and Dealer Notification Date: Cummins will notify owners and dealers. Please see attached Cummins Defect Information Report.

(c)(9) Information for tire recalls: Not Applicable

(c)(10) Communications sent to manufacturers, dealers and owners: Communications will sent by Cummins. Please see NHTSA recall # 09E-046.

(c)(11) Manufacturer's campaign number: FL-565