Part 573 Safety Recall Report 23V-208

Manufacturer Name : Daimler Trucks North America, LLC
Submission Date : MAY 05, 2023
NHTSA Recall No. : 23V-208
Manufacturer Recall No. : FL851

Manufacturer Information :

Manufacturer Name : Daimler Trucks North America, LLC
Address : 4747 N. Channel Avenue
Portland OR 97217-3849
Company phone : 800-745-8000

Population :

Number of potentially involved : 24,282
Estimated percentage with defect : 100 %

Vehicle Information :

Vehicle 1 : 2020-2021 Western Star 49X
Vehicle Type : BUSES, MEDIUM & HEAVY VEHICLES
Body Style : OTHER
Power Train : DIESEL
Descriptive Information : On the affected vehicles, during certain Active Brake Assist (ABA) events that have progressed to require a full emergency brake application to avoid a collision, the hazard warning lights and headlamps may activate automatically in the moments immediately before the vehicle comes to a complete stop, and hazards flashes at a rate of 140 flashes per min.
Production Dates : AUG 09, 2019 - FEB 25, 2020
VIN Range 1 : Begin : NR End : NR ☐ Not sequential

Vehicle 2 : 2020-2021 Freightliner Cascadia
Vehicle Type : BUSES, MEDIUM & HEAVY VEHICLES
Body Style : OTHER
Power Train : DIESEL
Descriptive Information : On the affected vehicles, during certain Active Brake Assist (ABA) events that have progressed to require a full emergency brake application to avoid a collision, the hazard warning lights and headlamps may activate automatically in the moments immediately before the vehicle comes to a complete stop, and hazards flashes at a rate of 140 flashes per min.
Production Dates : JAN 16, 2019 - MAR 27, 2020
VIN Range 1 : Begin : NR End : NR ☐ Not sequential

Description of Noncompliance :

Description of the Noncompliance :	On the affected vehicles, during certain Active Brake Assist (ABA) events that have progressed to require a full emergency brake application to avoid a collision, the hazard warning lights and headlamps may activate automatically in the moments immediately before the vehicle comes to a complete stop and hazards flashes at a rate of 140 flashes per min. FMVSS 108, requires the hazard warning signal lights to be driver controlled and flashing rate to be between 60-120 flashes per min and that the activation of the hazard warning operating unit be “driver controlled.”
FMVSS 1 :	108 - Lamps, reflective devices, and assoc. Equipment
FMVSS 2 :	NR
Description of the Safety Risk :	On certain vehicles with DTNA’s ABA system will automatically activate the hazard lamps if the vehicle's safety system engages in extreme evasive braking, which can increase the risk of a crash for other road users. NHTSA considers the automatic hazard activation in these circumstances, as well as the flash rate at which the hazard lamps’ flash rate, noncompliance under FMVSS 108 Lamps, reflective devices, and associated equipment.
Description of the Cause :	NR
Identification of Any Warning that can Occur :	ABA events which progress to a full emergency braking stage occurs only after multiple warnings to the driver including auditory and visual warnings, haptic braking which involves partial braking along with auditory and visual warnings.

Involved Components :

Component Name 1 :	Detroit Assurance 5.0
Component Description :	Advanced Drivers Assistance System (ADAS)
Component Part Number :	NR

Supplier Identification :

Component Manufacturer

Name :	Daimler Truck North America
Address :	4747 N Channel Ave Portland Oregon 97217
Country :	United States

Chronology :

February 2020, DTNA began an investigation to review all its features related to ABA events as part of a study to develop systems for new trucks. During this study, it was identified that certain features may need further review to ensure the current product met the provisions of FMVSS 108. March 2020 through April 2020, Product Validation conducted tests on certain vehicles to identify any potential non-compliance, and an extensive engineering investigation was undertaken to understand all the features of ABA and how they interact together. During this study, it was identified that in certain situations the hazard warning signals flash at a rate of 140 flashes per min. An in-depth review of NHTSA regulations and interpretations related to this issue indicated a potential non-compliance with the flash rate provisions. May 6, 2020, DTNA determined that a non-compliance existed as to the flash rate for the hazard warning lamps and decided to file a Part 573 non-compliance information report and petition for exemption from the notice and remedy provisions of the Safety Act for this issue. DTNA believed that this non-compliance was inconsequential as it relates to motor vehicle safety, as the occurrence is extremely rare, for a very short duration and does not contribute to confusion or distraction for other motorists. DTNA also recognized that the hazards automatically flash in severe brake events but deemed this not a non-compliance, nor an issue that needed NHTSA approval, based upon the permission granted to GM in essentially similar situations.

June 4, 2020, DTNA filed a petition for exemption from notification and remedy provisions of motor vehicle safety act for non-compliance with FMVSS no. 108, lamps, reflective devices and associated equipment. Between early June 2020 to Late July 2020, DTNA communicated with NHTSA, at the agency's request, regarding DTNA's non-compliance information report and inconsequentiality petition(To be continued in attachment)

Description of Remedy :

Description of Remedy Program :	On the affected vehicles, the parameters controlling the enablement of hazards and related functionality flashing automatically during an ABA emergency braking event will be disabled. Customer notification will be done by first class mail using Daimler Truck North America records to determine the customers affected. Repairs will be performed free of charge by Daimler Truck North America authorized service facilities. Details of the reimbursement plan will be included in the owner's notification letter. Owners are directed to seek reimbursement through authorized dealers.
How Remedy Component Differs from Recalled Component :	NR
Identify How/When Recall Condition was Corrected in Production :	NR

Recall Schedule :

Description of Recall Schedule :	Customer notification will be made by first class mail using Daimler Truck North America records to determine the customers affected.
Planned Dealer Notification Date :	MAY 19, 2023 - MAY 19, 2023

Planned Owner Notification Date : MAY 19, 2023 - MAY 19, 2023

* NR - Not Reported