# *Compendium for Early Warning Reporting for Manufacturers of Motor Vehicle Equipment*

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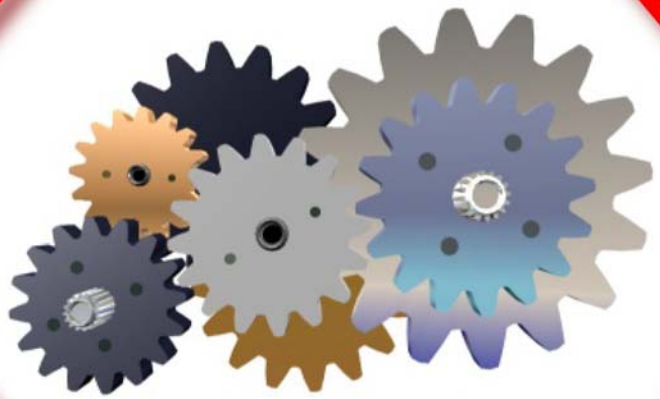

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Office of Defects Investigation
Defect Assessment Division
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# I. Introduction

This document is presented to offer assistance to manufacturers that are subject to the early warning reporting (EWR) provisions of the Transportation Recall Enhancement, Accountability and Documentation (TREAD) Act. The regulations promulgated under the Act require manufacturers of motor vehicles, motor vehicle equipment, child safety systems and tires to submit certain information and documentation to NHTSA. The information submitted by manufacturers is intended to assist NHTSA to promptly identify possible defects related to motor vehicle safety.

The final rule for EWR was published on July 10, 2002 (see 67 Federal Register 45822). Several modifications to that rule have been made in response to petitions for reconsideration (see 68 Federal Register 18136 and 68 Federal Register 35132), and other changes may be made in the future. The regulation is set forth at 49 CFR Part 579, "Reporting of Information and Communications About Potential Defects." Part 579 is divided into three subparts-

- Subpart A, "General"
- Subpart B, "Reporting of Information About Foreign Safety Recalls and Campaigns Related to Potential Defects"
- Subpart C, "Reporting of Early Warning Information"

Subpart "A" sets forth the purpose, scope, and applicability of the regulation. This subpart also provides definitions of terms used in the regulation, including the terms minimal specificity and substantially similar, and provides direction on the submission of certain notices, bulletins, and other communications that manufacturers must provide to NHTSA.

Subpart "B" sets forth the requirements for reporting of foreign safety recalls and other safety campaigns conducted in foreign countries that involve identical or substantially similar vehicles or items of equipment available in the United States.

Subpart "C" sets forth the EWR requirements and specifies how information is to be submitted.

Readers are advised to consult 49 CFR Parts 571 and 573 for additional definitions and for requirements applicable to the reporting of safety-related defects and noncompliance with Federal motor vehicle safety standards.

To collect and retain the information required by Part 579, NHTSA developed a new computer system called Artemis. All information submitted to NHTSA in accordance with Part 579 is retained and accessed through Artemis.

This document is intended as a guide for manufacturers of motor vehicles and motor vehicle equipment. This guide is not intended, nor is it possible, to be an all-inclusive reference for the early warning and foreign recall reporting regulation. This guide is not intended to supercede or substitute for the requirements of the Act and the implementing Federal regulations. Users of this guide are advised that applicable regulations and statutory sections and any interpretations rendered by the Office of Chief Counsel will prevail in the event of any conflict or inconsistency between them and the material presented in this guide. Be sure to check the agency's web site (www-odi.nhtsa.dot.gov) for updates and important notices affecting EWR reporting.

Table 1 "Reporting Requirements by Reporting Category," identifies the requirements of 49 CFR Part 579 for all manufacturers of motor vehicles and motor vehicle equipment.

Table 1. Reporting Requirements by Reporting Category

| Manufacturer Type | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Applicable Regulation | Light Vehicle – 500 or more Annually | Medium/Heavy Vehicle & Bus – 500 or more Annually | Motorcycle – 500 or more Annually | Trailer – 500 or more Annually | Child Restraint Systems | Tires | Other Original or Replacement Motor Vehicle Equipment | Vehicle Manufacturers Producing Fewer Than 500 Annually |
| External Communications | ● | ● | ● | ● | ● | ● | ● | ● |
| Foreign Recalls/Campaigns | ● | ● | ● | ● | ● | ● | ● | ● |
| Production | ● | ● | ● | ● | ● | ● | | |
| Fatality Claims and Notices | ● | ● | ● | ● | ● | ● | ● | ● |
| Injury Claims and Notices | ● | ● | ● | ● | ● | ● | | |
| Numbers of Property Damage Claims | ● | ● | ● | ● | | ● | | |
| Numbers of Consumer Complaints | ● | ● | ● | ● | ● | | | |
| Numbers of Warranty Claims | ● | ● | ● | ● | ● | ● | | |
| Numbers of Field Reports | ● | ● | ● | ● | ● | | | |
| Copies of Non-Dealer Field Report | ● | ● | ● | ● | ● | | | |

The specific EWR reporting requirements for manufacturers of motor vehicle equipment are listed in Table 2 below.

Table 2. Summary of EWR Requirements for Manufacturers of Motor Vehicle Equipment

| Regulatory Requirement | Required Submission | Manufacturers of Motor Vehicle Equipment (Part 579 Subparts B) |
|---|---|---|
| 579.5 | Copies of External Communications | Due within 5 days of the end of the month in which the communication is sent |
| 579.11—12 | Foreign Recalls & Other Safety Campaigns | Due within 5 days of the decision or order to initiate the foreign recall; "Substantially Similar Vehicle" listing due November 1st of each year |
| 579.27 Paragraph b and c | Fatality Claims and Notices | Due within 30 days of the end of the calendar reporting quarter (60 days for the first three quarterly reports).<br><br>Notices or Claims received during the quarter on current production and the preceding 4 model years of production |

II. External Communications

A. Who Must Report: This reporting requirement is applicable to all manufacturers of motor vehicle equipment that have been offered for sale, sold or leased in the United States.

B. What To Report: Section 579.5, entitled "Notices, bulletins, customer satisfaction campaigns, consumer advisories, and other communications," requires each manufacturer to submit to NHTSA a copy of all notices, bulletins, and other communications (including those transmitted by computer, telefax, or other electronic means and including warranty and policy extension communiqués and product improvement bulletins) sent to more than one manufacturer, distributor, dealer, lessee, lessor, owner or purchaser, in the United States, regarding any defect in its motor vehicle equipment, including any failure or malfunction beyond normal deterioration in use, or any failure of performance, or any flaw or unintended deviation from design specifications, regardless whether or not such defect is safety-related. This section also requires that copies of communications be submitted to NHTSA that concern customer satisfaction campaigns, consumer advisories, recalls, or other safety activities involving the repair or replacement of motor vehicle equipment, that the manufacturer issued to, or made available to, more than one manufacturer, distributor, dealer, lessee, lessor or purchaser in the United States.

In summary, reportable communications include:

- Notices,
- Bulletins,
- Customer satisfaction campaigns,
- Consumer advisories,
- Communiqués including those transmitted by computer, telefax, or other electronic means and including warranty and policy extension communiqués and product improvement bulletins, or
- Recalls or other safety activities involving the repair or replacement of motor vehicles or motor vehicle equipment.

That are:

- Sent to more than one manufacturer, dealer, distributor, lessee, lessor or purchaser in the United States, or
- Issued or made available to more that one manufacturer, dealer, distributor, lessee, lessor or purchaser in the United States.

That refer to:

- Any defect,
- Any failure or malfunction beyond normal deterioration in use,
- Any failure of performance, or
- Any flaw or unintended deviation from design specifications, regardless of whether there are safety implications.

C. How To Submit: Copies of reportable communications may be submitted by mail or electronic format. Submissions by mail should be sent to:

Associate Administrator for Enforcement (NVS-211)
National Highway Traffic Safety Administration
400 7th Street, SW, Room 5319
Washington, DC 20590

Electronic submissions may be sent via email to tsb@nhtsa.dot.gov. Acceptable file formats include: .xls, .txt, .doc, .rtf, .pdf, .jpg, .tif and html. Multiple files individually identified and labeled can be submitted in Zip files.

D. When To Report: Copies of communications described above must be submitted to NHTSA no more than five business days after the end of the month during which they are issued.

Section 579.5 includes the requirements of 573.8, but has superceded and expanded the scope of that section.

III. Foreign Recall Reporting in accordance with Part 579 Subpart B "Reporting of Safety Recalls and Other Safety Campaigns in Foreign Countries"

A. Who Must Report: All manufacturers of motor vehicle equipment having identical or substantially similar products in foreign countries.

B. What To Report: Safety recalls and other safety campaigns conducted in foreign countries.

Manufacturers must report to NHTSA any order or decision to conduct a safety recall or other safety campaign in a foreign country that covers an item of motor vehicle equipment that is identical or substantially similar to an item of motor vehicle equipment sold or offered for sale in the United States.

1. Terms Defined

For the purposes of subpart B, the following terms are defined:

- ***Foreign country*** means a country other than the United States as defined in 49 USC Chapter 301.
- ***Foreign government*** means the central government of a foreign country, as well as any political subdivision of that country.
- ***Other safety campaign*** means an action in which a manufacturer communicates with owners and/or dealers in a foreign country with respect to conditions under which motor vehicles or motor vehicle equipment should be operated, repaired, or replaced that relate to safety or advice to a dealer or distributor to cease the delivery or sale of specified models of vehicles or motor vehicle equipment. The definition does not include: Promotional and marketing materials; customer satisfaction surveys; or operating or instruction manuals accompanying the vehicle or child restraint system at the time of first sale.
- ***Safety recall*** means an offer by a manufacturer of motor vehicles or motor vehicle equipment in a foreign country to provide remedial action to address a defect that relates to motor vehicle safety or a failure to comply with an applicable safety standard or guideline, whether or not the manufacturer agrees to pay the full cost of the remedial action.
- ***Identical or substantially similar equipment*** means an item of **motor vehicle equipment** sold or in use outside the United States is identical or substantially similar to an item of motor vehicle equipment sold or offered for sale in the United States if such equipment and the equipment sold or offered for sale in the United States have one or more components or systems that are the same, and the component or system performs the same function in vehicles or equipment sold or offered for sale in the United States, regardless of whether the part numbers are identical.

2. Foreign Actions That Need Not Be Reported

A manufacturer need not report safety recalls or other safety campaigns if:

a. the manufacturer has filed a defect or noncompliance report pursuant to 49 CFR Part 573, provided the scope of the foreign action is not broader than the action taken in the United States;

b. the component or system that gave rise to a recall or other safety campaigns does not perform the same function in any vehicles or motor vehicle equipment sold or offered for sale in the United States; or

c. the sole subject of the foreign recall or other campaign is a label affixed to a vehicle, item of motor vehicle equipment, or tire.

3. For those foreign recalls and other safety campaigns that are reported, the following must be submitted (Section 579.12):

a. Manufacturer's name and address;

b. Identification of the date of determination by the manufacturer or the order by a foreign government to conduct a safety recall or other campaign in each foreign country;

c. Identification of the equipment potentially containing the defect or noncompliance, including a description of the manufacturer's basis for its determination of the recall population and a description of how the equipment to be recalled differ from similar equipment that are not included in the recall. In particular, in the case of motor vehicle equipment, the identification shall be by the generic name of the component (axles, jack stands, tie rods, brake fluid, etc.), part number, size and function if applicable, the inclusive dates ( month and year) of manufacture if available, and any other information necessary to describe the items;

d. If a component of an item of motor vehicle equipment contains the defect or noncompliance and was manufactured by a different manufacturer from the reporting manufacturer, the reporting manufacturer shall identify the component and the manufacturer of the component by name, business address, and business telephone number. If the reporting manufacturer does not know the identity of the manufacturer of the component, it shall identify the entity from which it was obtained;

e. The manufacturer of the recalled item of motor vehicle equipment shall identify by name, business address, and business telephone number every manufacturer that purchases the defective or noncomplying component for use or installation in new motor vehicles and motor vehicle equipment;

f. The total number of items of equipment potentially containing the defect or noncompliance;

g. A description of the defect or noncompliance, including a description of the nature and physical location (if applicable) of the defect or noncompliance (§573.6(c)(5));

h. Identification of each foreign country in which the recall or safety campaign is being conducted;

i. A statement whether the foreign action is a safety recall or other safety campaign;

j. A statement whether the determination to conduct the recall or campaign was made by the manufacturer or was ordered by a foreign government;

k. A description of the manufacturer's program for remedying the defect or noncompliance;

l. Identification of the date the action commenced or will commence in each foreign country; and

m. Identification of all items of motor vehicle equipment or motor vehicles subject to the action that are identical or substantially similar to that sold or offered for sale in the United States.

If a foreign government made the determination, the report must contain a copy of the determination in the original language. If the determination is written in a language other than English, the report must also contain a translated copy.

C. How To Report: Communications can be mailed to:

Associate Administrator for Enforcement (NVS-211)
National Highway Traffic Safety Administration
400 7th Street, SW, RM 5319
Washington, DC 20590

Whenever possible, the document should also be faxed to (202) 366-7882 to the attention of Chief, Defects Assessment Division.

Manufacturers may also submit the communications by email to frecalls@nhtsa.dot.gov. Acceptable file formats include: .xls, .txt, .doc, .rtf, .pdf, .jpg, .tif and html.

D. When To Report: Whenever a manufacturer of motor vehicles makes a determination or receives written notice from a foreign government to conduct a safety recall or other safety campaign covering a motor vehicle that is identical or substantially similar to a motor vehicle sold or offered for sale in the United States, the manufacturer must report the determination to NHTSA. The required **notification to NHTSA must be made within 5 working days** after the manufacturer made the determination or received the written notice from a foreign government.

If all the information required by Section 579.12 is not immediately available within the 5 working day period, additional information shall be submitted as it becomes available.

IV. Reporting EWR Data in Accordance with Part 579 Subpart C, Part 579.26

A. Who Must Report: During each reporting period (calendar quarter) manufacturers of original and replacement motor vehicle equipment (excluding child restraint systems and tires) must report certain information on each incident involving one or more deaths, occurring in the United States, for which a manufacturer receives a *claim* or *notice* that alleges or proves that the death was caused by a possible defect in the manufacturer's equipment. Furthermore, manufacturers must report on incidents involving one or more deaths occurring in a foreign country for which a manufacturer receives a *claim* that alleges or proves that the death was caused by a possible defect in an *identical or substantially similar* piece of equipment offered for sale in the United States. This requirement extends to vehicles manufactured during the reporting period and four (4) calendar years preceding the reporting period, including equipment no longer in production.

B. What To Report: Equipment manufacturers must report information about each notice or claim involving a death during the reporting quarter involving motor vehicle equipment manufactured during the current production year and the four (4) previous production years. The information also must cover equipment models no longer in production during that time period.

Quarterly reporting of claims and notices of incidents involving death is accomplished by way of a separate reporting template identified as Death & Injury. This template is to be used to report incidents with death and any injury associated with a death claim or notice.

For purposes of this section the following definitions apply:

- ***Claim*** means a written request or written demand for relief, including money or other compensation, assumption of expenditures, or equitable relief related to a motor vehicle crash, accident, the failure of a component or system of a motor vehicle or an item of motor vehicle equipment, or a fire originating in or from a motor vehicle or a substance that leaked from a motor vehicle. Claim includes, but is not limited to, a demand in the absence of a lawsuit, a complaint initiating a lawsuit, an assertion or notice of litigation, a settlement, covenant not to sue or release of liability in the absence of a written demand, and a subrogation request. A claim exists regardless of any denial or refusal to pay it, and regardless of whether it has been settled in the manufacturer's favor. The existence of a claim may not be conditioned on the receipt of anything beyond the document(s) stating a claim. Claim does not include demands related to asbestos exposure, to emissions of volatile organic compounds from vehicle interiors, or to end-of-life disposal of vehicles, parts, or components of vehicles, equipment, or parts or components of equipment.

- ***Notice*** means a document, other than a media article, that does not include a demand for relief, and that a manufacturer receives from a person other than NHTSA.

- **Minimal specificity** means:
  (1) For a vehicle, the make, model, and model year,
  (2) For a child restraint system, the manufacturer and the model (either the model name or model number),
  (3) For a tire, the manufacturer, tire line, and tire size, and
  (4) For other ***motor vehicle equipment***, the manufacturer and, if there is a model or family of models identified on the item of equipment, the model name or model number.

If during the reporting period, a manufacturer receives a claim or notice alleging or proving that a defect in an item of motor vehicle equipment produced by the manufacturer that is less than five (5) production years old at the beginning of the reporting period caused a death in the United States, the incident must be reported to NHTSA. A claim is deemed to have been received by a manufacturer if a registered agent of the manufacturer received it. Incidents are to be reported whether or not the claim or notice has been substantiated.

Similar reporting is also required when a claim alleging or proving that one or more deaths in a foreign country was caused by a defect in an item of equipment that was identical or substantially similar to one offered for sale in the United States. However, the manufacturer is requested to enter the make, model, and production year of the substantially similar equipment in the United States and not that of the foreign equipment. A foreign claim is deemed to have been received by a manufacturer if a registered agent of the manufacturer received it. Incidents are to be reported whether or not the claim or notice has been substantiated.

Reports of incidents of death are to be organized such that the incidents are reported alphabetically by make, and within each make alphabetically by model, and within each model chronologically by production year. The report must also include the following information:

- Make, the make of the item of equipment,
- Model, the model name of the item of equipment,
- Production Year, the calendar year the item of equipment was manufactured
- Product Identifier, a brief general description of the item of equipment (i.e., floor jack, tie rod, brake fluid, etc.)
- Incident Date, incident date of the reported incident
- Number of Deaths, number of deaths for incidents occurring in the United States and those occurring in a foreign country
- Number of Injuries, number of injuries associated with the incidents, for incidents occurring in the United States
- State or foreign country, U.S. state or foreign country where the incident occurred
- Identification of each equipment system or component that allegedly contributed to the incident

When a claim or notice identifies or alleges any system or component as a possible contributing factor in the incident, the system(s) or component(s) are to be reported, up to five (5) equipment systems or components may be listed to identify events for a single incident.

A manufacturer need not file a report for a claim or notice of an incident involving death when:

a. The claim or notice fails to identify the equipment with minimal specificity; or

b. The claim alleges one or more deaths in a foreign country involving an item of motor vehicle equipment that is identical or substantially similar to one offered for sale in the United States AND the claim specifically alleges that the death was caused by a possible defect in a component other than one that is common to the equipment offered for sale in the U.S.

**Note**: When a claim or notice is not reported because it failed to identify an item of motor vehicle equipment with minimal specificity, the incident is to be reported in the reporting quarter that the missing information is subsequently received. When a claim or notice fails to identify a equipment with minimal

specificity and legal counsel retained by the manufacturer is handling the matter, the manufacturer shall attempt to obtain the missing minimal specificity information from such counsel.

Updating Death Incident Information

If the equipment manufacturer does not know the product identifier of the equipment at the time of the incident is first reported, the manufacturer must provide an update to the Death and Injury workbook for the calendar quarter in which the incident was first reported. Similarly, if the manufacturer originally indicated that they did not know the specific system/component and subsequently becomes aware that one or more specified systems/components allegedly contributed to the incident, it must provide an updated Death and Injury template for the calendar quarter in which the involved specified system/component is identified.

After the due date of the quarterly report, updates must be with a cover letter sent to ODI advising of the update, what incident(s) is being updated, and what fields are being updated.

When updating, data should be submitted on the death/injury template and submitted using the same file name as the original submission, except with the next sequential report version number in the file name. It is important to note that no new records or incidents can be reported on an update Death and Injury template. Also, none of the previously reported incidents can be deleted.

**Note**: The update or revised Death and Injury report must contain the same records as those submitted in the original report. When updating, a manufacturer cannot add or remove incidents. An update is not required when:

a. a manufacturer learns that there are additional systems of components that contributed to the incident, as long as one system/component was originally reported, or
b. the manufacturer learns that a previously reported injured person has subsequently died.

C. How To Report: All quarterly reports must be submitted to NHTSA electronically (see §579.29) according to the templates provided (at our web site www-odi.nhtsa.dot.gov) and using the file naming convention (described in Section X, Appendix B). Section X, Appendices D provide illustrations of the reporting templates and information regarding the completion and submission of the templates. Information regarding the validation of submissions are also presented in Appendix D.

Note: Once a submission mechanism (SFTP, Internet, E-Mail) is used by a manufacturer this mechanism is the only one that they can use for the duration of that reporting quarter without notifying ODI of the requested change. A manufacturer cannot have multiple concurrent submissions for the same reporting category within a quarter. This means that a manufacturer must receive a notification of either acceptance (a notice of receipt does not qualify as an acceptance notification, see Section VIII, A2) or rejection on the first submission for a reporting category before resubmitting for that reporting category.

Before a manufacturer will be able to upload data to NHTSA, a unique *Manufacturer EWR ID*, *EWR* manufacturer *account name* and *password* must be obtained see Section X, Appendix A.

**Note:** In addition to submitting Early Warning Reporting (EWR) D&I templates for EWR Equipment and Low Volume Vehicle data, manufacturers in these reporting categories have the additional option of entering the data on line using the NHTSA ODI web site (See Section IX for more details).

D. When to Report: All quarterly Death Data EWR Reports are to be submitted to NHTSA within 30 days following the end of the calendar quarter (60 days for calendar quarters ending in 2003 and the first quarter of 2004).

## V. Confidentiality and Correspondence with NHTSA

### Confidentiality

All information, regardless of whether the manufacturer considers it to be confidential or not, must be submitted as described herein or in Part 579. A cover letter identifying that the manufacturer is requesting that all, or a portion, of the submission be considered confidential must be sent to NHTSA. Upon receipt of this letter, the information will be held confidential until NHTSA's Chief Counsel has rendered a decision on the request.

**Note**: In addition, as described in Section X, Appendix B, any submission of Death and Injury for which the manufacturer is requesting NHTSA to consider confidential must be identified in the file name with a "C" designation in the Confidentiality Request Identifier (See Table B-1).

Any information submitted to the agency may be subject to public disclosure unless the agency has granted confidentiality for the material or the manufacturer has specifically requested the information be treated confidential.

49 CFR Part 512 has been revised (July 28, 2004 Federal Register Volume 68, No. 144) to address early warning information received from manufacturers. The following early warning information will be afforded confidential treatment by NHTSA (49 CFR Part 512 Appendix C - Early Warning Reporting Class Determinations):

1. Reports and data relating to warranty claim information;
2. Reports and data relating to field reports, including dealer reports and hard copy reports; and
3. Reports and data relating to consumer complaints.

In addition, NHTSA's Chief Counsel has determined that reports of production numbers for child restraint systems, tires, and vehicles other than light vehicles will cause substantial competitive harm if released and will be held confidential.

If a manufacturer considers any portion of its submission to be confidential information, Part 512 requires that:

a. two copies of those document(s) containing allegedly confidential information (except only one copy of blueprints) and

b. one copy of the documents from which information claimed to be confidential has been deleted,

are submitted to the Office of Chief Counsel, National Highway Traffic Safety Administration, Room 5219 (NCC-30), 400 Seventh Street, SW, Washington, DC 20590.

The manufacturer must provide supporting information for the request for confidential treatment in accordance with part 512.4(b) and (e) and include the name, address, and telephone number of a representative to receive a response from the Chief Counsel.

VI. Letters and Cover Letters to NHTSA

A. Who Are These Applicable to: All manufacturers submitting reports or documents to the agency under 49 CFR Part 579, such as External Communications, Foreign Recalls, EWR Aggregate Data, or Field Reports.

B. What are these: Under certain circumstances, it may be necessary to provide a cover letter with a submission, including requests for confidential treatment. This section provides instructions on how cover letters should be submitted and how they will be processed.

1. Voluntary Letters and Cover Letters

From time to time, certain manufacturers have found it beneficial to submit a service bulletin, product improvement campaign, or safety recall with an explanatory cover letter. The manufacturer uses the letter to explain certain underlying actions or data contained in these documents that may not be apparent from the documents themselves. We have found such documents beneficial as well, and encourage the continuation of this practice.

Such letters and cover letters are strictly voluntary and may be provided as the manufacturer sees fit.

2. Recommended Use of Cover Letters

When a manufacturer has successfully submitted a report, but wishes to replace or update the original, a cover letter identifying all portions of the report to be replaced, the basis for re-submission, and any explanatory information the manufacturer believes would assist the agency in understanding the need to make the replacement must be submitted.

C. How To Submit: All cover letters should be addressed to:

Chief, Defects Assessment Division
National Highway Traffic Safety Administration
Office of Defects Investigation
400 7th Street SW, NVS-211
Washington, DC 20590

These documents may also be faxed to ODI at:

(202) 366-7882

Electronic cover letters can only be E-Mailed to ODI—not submitted to Artemis. Such E-Mails should be sent, with a subject line that describes the content of the letter, to:

ewr.odi@nhtsa.dot.gov

D. When To Submit: Cover letters can be submitted at the time the underlying documents are submitted.

# VII. NHTSA Actions

## A. Artemis Notifications

1. Who Receives These: Each EWR quarterly report is composed of incidents of death and injuries associated with the deaths. Every manufacturer that submits an EWR quarterly report will receive at least two automated notifications from the Artemis system. These notifications will be sent to both the Primary and Secondary EWR Contacts email addresses. This contact information will be provided to ODI during the EWR manufacturer registration process.

2. What Are These Notifications: There are three primary types of notifications sent by Artemis in response to an EWR submission. The first notification that the manufacturer will receive can either be a 'Received' or 'Rejected' notification. This email notification will be sent from Artemis typically within eight hours from when the submission was received. If the submission contains a valid file name and the manufacturer's reporting status for that submission is not on hold, a 'Received' email notification will be sent. This informs the manufacturer that his submission was received, has passed the initial validation stage and has been scheduled for data structure validation. If the submission contained an error in the file name or that manufacturer's reporting status for that submission was on hold, a 'Rejected' email notification will be sent. This notification will have an attachment that describes the type of error(s) encountered. The manufacturer must then correct the error(s) and resubmit the file. If a submission is rejected because its status was on 'Hold' then the manufacturer needs to contact ODI to resolve the issue(s).

   Once the submission passes the initial validation stage and the 'Received' email notification has been sent, it is then subjected to the data validation stage. This stage consists of validating the internal structure and data elements e.g. values are correct data types, within specified ranges, required fields contain data, dates are valid within the reporting quarter, etc. If the submission passes the data validation stage an 'Accepted' email notification is sent. At this point the manufacturer is considered to have met its requirement to submit incidents of death and injury. Should the submission not pass data validation, a 'Rejected' email notification is sent along with an attachment that contains a brief description of the type of error(s) encountered. A manufacturer will not have met its reporting requirement until Artemis acknowledges that the submission was accepted. Accepted as such, does not mean that the content was considered, or evaluated just that the format and structure of the submission's data was accepted. The data validation results email notification will be sent from Artemis typically within 48 hours.

   If Artemis did not receive the submission, there will be no notification. If a manufacturer does not receive any email notification typically within eight hours of the submission, they should call the Manufacturer's EWR Help Desk to check on its status. If a notice from Artemis is received indicating that the submission was rejected, the manufacturer must revise the file in accordance with the Artemis notification error log, and re-submit. The cycle continues until the manufacturer is notified by Artemis that the file was accepted. At this point the manufacturer is considered to have met its requirement to submit either for incidents of death and injury.

3. What Action is Required: Regarding unsuccessful submissions, the manufacturer must revise the data submission as appropriate and resubmit the data within two weeks of the notification. A notice that the submission was rejected will identify what action the manufacturer needs to take. If a submission is rejected because its status was on 'Hold' then the manufacturer needs to contact ODI to resolve the issue(s) prior to resubmitting.

Regarding successful submissions, no additional action is required.

4. When to Respond: When required, the manufacturer has up to two weeks to submit the revised data.

5. What If the Revised Data Is Not Accepted?

   When the re-submission is not accepted, the cycle begins again. However, continued failure to submit data in a manner acceptable by Artemis can be the basis for enforcement action.

B. NHTSA Follow-up: Report Clarification (RC)

1. What are These: As stated in section 579.28(k), NHTSA may request additional related information in order to help clarify EWR data that may identify a defect related to motor vehicle safety. In addition, the agency will also request underlying information, in accordance with the provisions of Title 49, United States Code, Chapter 301 (the Safety Act), to insure that manufacturers are providing information as intended by the Safety Act and Part 579. The information would be requested by way of a Report Clarification (RC) inquiry.

2. Who is Affected: Any manufacturer of motor vehicles or motor vehicle equipment (including child seats and tires) may be the subject of an RC.

3. How Is An RC Used: An RC is used to obtain information regarding a submission under Subpart C of Part 579 to:
   - Obtain additional clarifying information and/or
   - Obtain information on the data collection and reporting procedures

## VIII. When You Need Help

Early Warning Reporting Contact and Information Resources

a. For assistance with electronic data submissions, contact:

Manufacturer's EWR Help Desk
Phone: 617-374-2752
Fax: 617-374-2766
E-Mail: MfrEWRhelpdesk@volpe.dot.gov

The Manufacturer EWR Help Desk will be available starting August 29, 2003. Further details on the Manufacturer's EWR Help Desk are located on www-odi.nhtsa.dot.gov.

b. For general information and assistance, contact:

| | |
|---|---|
| Office of Defects Investigation Defects Assessment Division NVS-211 400 Seventh Street, SW Washington, DC 20590 | Phone: 202-366-0699 |
| | Fax: 202-366-7882 |
| | E-Mail: ewrhelp@nhtsa.dot.gov |
| | |

c. For legal interpretations of EWR regulations, contact:

| | |
|---|---|
| Office of Chief Counsel NCC-110 400 Seventh Street, SW Washington, DC 20590 | |
| | Phone: 202-366-5263 |
| | Fax: 202-366-3820 |
| | |

d. Other Contacts:

| Issue | Source | Phone | E-Mail |
|---|---|---|---|
| EWR Electronic Secure Submissions | See Section X, Appendix D (Instructions for electronic submission). For submission issues contact the Manufacturer's EWR Help Desk | | |
| EWR Submissions non secure E-Mail* | Office of Defects Investigation | 202-366-0699 | odi.ewr@nhtsa.dot.gov |
| External Communications & TSBs | | | tsb@nhtsa.dot.gov |
| Foreign Recalls and Substantially Similar Vehicle Listing | | | frecalls@nhtsa.dot.gov |

* Note: Secure transmissions are supported by the EWR secure file transmission port (SFTP) and through the internet direct entry function for low volume manufacturers and supports unlimited size submissions. E-Mail file attachments are limited by the file size constraints of the E-Mail systems. E-Mail submissions are limited to 1Mb and should be used by small manufactures who have less than 20 rows of entry.

## IX. EWR Equipment and Low Volume Vehicle Data Entry Via the Public Website

In addition to submitting Early Warning Reporting (EWR) D&I templates for EWR Equipment and Low Volume Vehicle data, manufacturers in these reporting categories have the additional option of entering the data on line using the NHTSA ODI web site. To access these applications the user will click on the appropriate link appearing on the NHTSA ODI EWR page. The user will then supply the appropriate account name and password information. Upon successful login into the Early Warning Reporting website, the user will be presented with a manufacturer's home page. This home page will assist the user in navigating the items within the application. The first item the user will encounter will be a listing of the previous four quarters (less if first starting out) with information regarding each submission whether submitted by SFTP, email or this application. This information will include a status column depicting the current stage of previous reports. The manufacturer's possibilities of action will reflect the following matrix rules:

| Submission Status | Manufacturer Action |
|---|---|
| No Submission | Submit a new Version |
| Accepted | Update the Existing Version * |
| On Hold | No Action allowed |

* To update, the previous version must have been submitted via the public website.

When a user decides to submit a new report, they will be presented with an interface that accepts one record of death and injury data. The application is capable of adding additional records but only one record at a time. Once a record has been added to the report it will be navigable within the application framework. A user will not be able to navigate away from a record until it meets all the constraints of an individual record. Once the user has completed all entries of their report, they will be able to preview all of the items at once to ensure the accuracy of the report. At this stage, the user will be able to remove items from the report or click a button to edit a particular entry. If all items are accurate and the user is satisfied with the report, they will submit their report to the application and the processing will be handled internally from there.

If a user decides to update a previously submitted report then the data entry fields will be pre-populated for them so they can edit the fields that need updating. During the update process the user will not be able to add or delete any items within the report. The subsequent version that is submitted to the application must contain the same number of records as its predecessor.

Once a report is submitted, the EWR primary and secondary contacts will receive email(s) as described in Section VII.

# Section X

## Appendix A

## Manufacturer ID, Password and Account Application

**EWR Manufacturer Account Application**

To obtain a Manufacturer ID for EWR reporting, a manufacturer must submit a completed **EWR Manufacturer Account Application**. A copy of the application is included in this attachment. The application is available by either contacting ODI at 202-366-0699 or by e-mail at ewrhelp@nhtsa.dot.gov or going to our web site at www-odi.nhtsa.dot.gov and downloading the application. The application identifies the manufacturer, the divisions, brand names, subsidiaries, etc. represented by the manufacturer for EWR reporting, and the products on which the manufacturer will report. The application also provides for the identification of the primary and secondary contact for early warning. The purpose of the manufacture contacts is to resolve issues that may arise concerning the submission of data or documents required in Part 579. The application, composed of multiple worksheets, is provided below for reference in Tables A-1 and A-2.

ODI will provide the manufacturer through a secure means; the Manufacturer ID, EWR Account Name, and a Temporary Password. In addition, ODI will send the manufacturer a copy of the appropriate EWR Compendium(s). To be able to access Artemis, the manufacturer needs to go to our website (www-odi.nhtsa.dot.gov) and using Secure Socket Layer (SSL), enter the EWR Manufacturer Account area of the web site to change their password to a customized password. Prior to being able to change the password, the manufacturer must successfully enter the existing password. Once a manufacturer has changed the password, the change will take effect within 2 hours to access the SFTP server application.

**Note**: The temporary password will not allow access to the SFTP server; a new password must be created as described above.

If a manufacturer forgets the password, after verifying the primary or secondary contact, a new temporary password can be requested from Manufacturer EWR Help Desk.

Table A-1 EWR Manufacturer Account Application
Manufacturer Information

National Highway Traffic Safety Administration
Office of Defects Investigation, NVS-211
400 7th Street, S.W.
Washington, DC 20590

**Early Warning Reporting Manufacturer Account Application**
**For Manufacturer EWR Identification and Password**

*To be completed by all manufacturers required to submit EWR data. Type or print legibly and return to the Office of Defects Investigation:*

via email "odi.ewr@nhtsa.dot.gov"
or FAX 202-366-7882

| | | |
|---|---|---|
| Corporate Name | | |
| Address (Line 1) | | |
| Address (Line 2) | | |
| City | | |
| State, Zip Code, Country | | |
| Data Workbook Format (Type to be used) | Excel Format ☐ | XML Format ☐ |
| Primary Contact[1] (Name) | | |
| Contact Address (Street) | | |
| Contact Address (City, State, Zip,) | | |
| Telephone Number | | |
| Fax Number | | |
| E-mail Address | | |
| Secondary Contact (Name) | | |
| Contact Address (Street) | | |
| Contact Address (City, State, Zip,) | | |
| Telephone Number | | |
| Fax Number | | |
| E-mail Address | | |

[1] EWR Account ID and Temporary Password will be sent only to the primary contact.

| | *Brand Name, Subsidiary or Division* | *Brand Name, Subsidiary or Division* | *Brand Name, Subsidiary or Division* |
|---|---|---|---|
| Entity Name | | | |
| Entity Address | | | |
| Contact Person | | | |
| Contact Telephone Number | | | |
| Contact E-mail Address | | | |
| Brief Description of Product | | | |
| Intended Reporting Categories | | | |
| Approximate Annual Production | | | |
| Do you sell or distribute Substantially Similar products in foreign countries? | | | |
| For reporting categories that include Tires, Child Restraint Systems or Equipment, if the entity is less than 5 years old, when did production begin (mm/yy)? | | | |
| For all other reporting categories, if the entity is less than 10 years old, when did production begin (mm/yy)? | | | |

Directions for Completing the EWR Manufacturer Account Application

| Page 1 Content | | |
|---|---|---|
| **Heading** | | **Required Data** |
| Corporate Name | | Name of manufacturer or company reporting EWR information |
| Address, City, State, Zip Code and Country | | Primary address for reporting corporation or company |
| Data Workbook Format | | Indicate the intended format in which EWR submissions (templates) will be prepared – either Excel or XML (extensible markup language) |
| Primary Contact (Name) | | Name (First, MI, Last) of individual who serves as the manufacturer's or company's primary contact for EWR. This individual should be familiar with the company's EWR submission and will serve as ODI's point of contact regarding all EWR inquiries. **NOTE** – The Manufacturer's EWR account ID and temporary password issued by ODI will be sent to this individual only. |
| Contact Address, Telephone/FAX Number and Email Address | | Indicate the mailing address, daytime phone number and FAX number for the primary contact individual. Also, include an email address for this person. (When feasible, electronic communication is preferred) |
| Secondary Contact (Name) | | Name (First, MI, Last) of individual who serves as a secondary or back up to the manufacturer's or company's primary contact for EWR. This individual should also be familiar with the company's EWR submission and will serve as ODI's second point of contact regarding all EWR inquiries. **NOTE** – The Manufacturer's EWR account ID and temporary password issued by ODI will not be sent to this individual. The company may provide this person with the information if desired. |
| (Secondary) Contact Telephone/FAX Number and Email Address | | Indicate the daytime phone number and FAX number for the secondary contact individual. Also, include an email address for this person. (When feasible, electronic communication is preferred) |

* ODI – NHTSA Office of Defects Investigation

| Page 2 Content | | |
|---|---|---|
| **Heading** | | **Required Data** |
| Brand Names, Subsidiaries and/or Divisions Represented – *Entity Name, Address, Contact Person with Telephone Number and E-mail Address* | | Identify all Brand names, subsidiary manufacturers or divisions for whom the reporting manufacturer intends to include in the EWR submission. Include entity name, address, and identity of a contact person including that individual's telephone number and email address. |
| Brief Product Description | | Provide a brief description of the types of products manufactured. |
| Intended Reporting Category | | Identify the all reporting categories for which EWR information will be submitted (i.e., light vehicles, medium-heavy truck/bus, motorcycle, trailer, tire, child safety system, equipment or below threshold vehicle production). |
| Approximate Annual Production (per Reporting Category) | | State an approximate total annual production for each reporting category. |
| Distribute/Sell "Substantially Similar" Vehicles in Foreign Countries as Those Sold in the U.S. | | Indicate (Yes/No) whether the reporting manufacturer distributes or sells vehicles in foreign countries that are substantially similar to any vehicles that are sold in U.S. |
| Year/Month Production Began for Manufacturers of **Tires and Child Restraint Systems** Less Than 5 Years Old | | For manufacturers of tires or child restraint systems that began production or were acquired less than 5 years ago, identify the month and year that production began or liability was assumed. |
| Year/Month Production Began for **Vehicle Manufacturers** Less Than 10 Years Old | | For vehicle manufacturers that began production or were acquired less than 10 years ago, identify the month and year that production began or liability was assumed. |

# Section X

## Appendix B

## File Naming Convention

Purpose

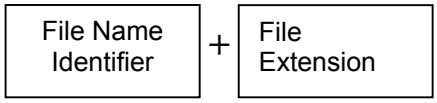
This appendix provides file-naming requirements for Early Warning Reporting submissions. Manufacturers must use this File Naming specification for the electronic submission of data and other related communication to the NHTSA/ODI that might be submitted electronically. This specification facilitates proper processing of the EWR submissions and their association to the manufacturers in the Artemis system.

Overview

File names of the Death and Injury data EWR submissions are constructed by combining (concatenating) the File Name ID and the appropriate document format extension. File names are case sensitive and only upper case letters can be used for the alpha characters in the File Name. Spaces cannot be used anywhere in the file name.

The structure and construction of the file names is illustrated below:

**Death Data Report File Names**




**Note**: All manufacturer reports names (File Name Identifiers) are 15 characters in length, not including the file extensions.

The following sections describe the structure of the File Name Identifier, Field Report Identifier, and File Extensions.

File Name Identifier
The File Name Identifier (ID) shall be a fixed length of 15 characters. The File Name ID is made up of various fields to uniquely identify a particular manufacturer's file, reporting period, report type, etc. The File Name ID field positions and the associated field descriptions are delineated in Table B-1:

Table B-1. File Name ID specification

| Position | Identifier | Description | Number of Characters (All Fields Required) |
|---|---|---|---|
| 1 | Manufacturer EWR ID | ODI-assigned unique Manufacturer EWR ID. The EWR ID must be padded to six places with leading zeros. | 6 |
| 2 | Report Category | E – Equipment | 1 |
| 3 | Report Year | Two-digit Report Year (Calendar Year) | 2 |
| 4 | Report Quarter | One digit Report Quarter (Calendar Quarter) | 1 |
| 5 | Report Version | Three-digit report version. Starts with version number 001. Gaps in version number are not allowed. | 3 |
| 6 | Report/File Type | D – Deaths & Injuries Data | 1 |
| 7 | Confidentiality Requested Indicator | A character to designate the confidentiality of the submission<br>C – Confidentiality Requested<br>R – Redacted Submission<br>P – Public Document | 1 |

***Death & Injuries Data File Name Examples:***

001234E032001**DC**.XLS — Deaths & Injuries Data Excel file for the equipment manufacturer with Manufacturer EWR ID 001234. Covers the second quarter data for the reporting year 2003. This is the first version of the data file. The letter "C" indicates that confidentiality was requested for this submission.

000067E034003**DP**.XML — Deaths & Injuries Data XML file for the equipment manufacturer with Manufacturer EWR ID 000067. Covers the data for the fourth quarter of the reporting year 2003. This is the third version (revision) of the data file. The letter "P" indicates that the submission is a public document and no confidentiality was requested.

***Zipped Data File Archive Example:***

001234E032001**DP**.ZIP — First zipped archive for equipment manufacturer with Manufacturer EWR ID 001234 containing version 1 of the "Death and Injury" Data for the second quarter of the reporting year 2003. The letter "P" indicates that the submission is a public document and no confidentiality was requested. Note that the ZIP file may contain only one Excel or XML file of the same name.

**File Name Extensions**

The Early Warning Reporting specification dictates various formats for different types of documents which are acceptable to NHTSA when submitting files electronically. Table B-2 identifies the supported Early Warning document types, acceptable document formats, and their associated document file extensions.

**Note**: All file extensions must be in upper case.

Table B-2. Early Warning Document Type Formats and File Extensions

| Document Type | Document Format | File Extension |
|---|---|---|
| Data and Container/Archive Files | Excel | .XLS |
| | eXtensible Markup Language | .XML |
| | Zip File Compressed Archive | .ZIP |

# Section X

## Appendix C

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**Section X**

**Appendix D**

**EWR Reporting Requirements Data Submissions**

## A. Introduction

The regulation for early warning reporting requires all EWR Death & Injury data be submitted to NHTSA electronically (§579.29). To accomplish this, data templates are available on which the data can be entered and then forwarded through a secure Internet connection. The templates are available through a link on the NHTSA website (www-odi.nhtsa.dot.gov). To securely submit the data templates to NHTSA use the secure FTP (file transfer protocol) website to electronically upload the data (as described in this Appendix).

Before a manufacturer will be able to send/upload data to NHTSA, a unique *Manufacturer EWR ID*, *EWR Manufacturer account name* and *password* must be obtained. Manufacturers do not need to contact ODI and establish an EWR ID, EWR account name and password until they have data to submit (i.e., deaths and any injury associated with a death claim or notice).

As data is submitted to NHTSA, certain validations will be conducted to assess the completeness of the submission. Manufacturers will be notified of the validation results and provided the opportunity to correct submissions that fail validation.

**Note:** In addition to submitting Early Warning Reporting (EWR) D&I templates for EWR Equipment and Low Volume Vehicle data, manufacturers in these reporting categories have the additional option of entering the data on line using the NHTSA ODI web site (See Section IX for more details).

## B. Obtaining a Manufacturer EWR ID, EWR Manufacturer Account Name and Password

Manufacturers must obtain a Manufacturer EWR ID (EWR ID), EWR manufacturer account name and password to facilitate the submission of EWR data. To obtain an EWR ID, EWR Manufacturer Account Name and Password, manufacturers must complete a brief application entitled "EWR Manufacturer Account Application." A copy of this application is provided in Section X Appendix A. The ODI will generate an EWR ID, EWR Manufacturer Account Name and a temporary password. This information will be provided to each manufacturer via a secure method to the primary contact. When completing the application, manufacturers should be sure to include the mailing address for the primary and secondary contacts for distribution purposes.

The application, "EWR Manufacturer Account Application," for EWR ID, Password and EWR Manufacturer Account may be obtained by contacting ODI or visiting the NHTSA website identified in Table D-1:

Table D-1. Obtaining an EWR Manufacturer Account Application

| | |
|---|---|
| Who: | Chief, Defects Assessment |
| Telephone: | 202-366-5226 or<br>202-366-0699 |
| FAX: | 202-366-7882 |
| E-Mail: | odi.ewr@nhtsa.dot.gov |
| Internet: | www-odi.nhtsa.dot.gov |

After completing the form, please return it either electronically or by mail to the following locations identified in Table D-2.

Table D-2. Where to Send the Completed EWR Manufacturer Account Application

| | |
|---|---|
| Who: | Chief, Defects Assessment |
| Address | Office of Defects Investigation<br>400 7th Street SW, (NVS-211)<br>Washington, DC 20590 |
| Fax: | (202) 366-7882 |
| Internet | Odi.ewr@nhtsa.dot.gov |

**Note**: To preserve the security of data submissions, passwords are to be changed by the manufacturer on a regular basis at least every 90 days, as per DOT regulation.

Artemis Password Policy requires that passwords:

- Be a minimum of eight characters,
- Include at least two numeric characters (0-9), at least two alpha characters (a-z), and one non-alpha and non-numeric character,
- Not consist of any commonly recognizable names or words or sequence of characters that can be associated with a user, and
- Not be reused for a period of at least ten password change cycles.

**Note:** Initial temporary password assignments shall be created by Artemis and shall be changed by the user the first time a user logs on to the public website.

C. **Templates**

The templates available on the NHTSA website have been designed for the purpose of recording and forwarding EWR data and must be used for all EWR data submissions. To begin the process of early warning reporting, a manufacturer must download the appropriate template by visiting the NHTSA website (www-odi.nhtsa.dot.gov) and "clicking" on the EWR Reporting link. The user should then select the appropriate template(s) for the reporting category(s) the manufacturer produces. Manufacturers should follow the directions on the web page to save the template to a local computer. (see Section X, Appendix D).

**Note**: Each of the templates utilizes macros that must be enabled and not deleted or overwritten. If the macros are not functioning, the submission will be rejected. NHTSA is aware that a user can set their security level to high which will then not enable any macros. Even so, the template can be opened, saved and populated.

**Note**: Manufacturers will need to use Microsoft Excel 2000 or XP.

The worksheets within the workbook are clearly titled for the type of data that must be entered on the sheet. Users will find a workbook containing a worksheet for reporting *death and injury* claims and notices.
See the following section for information on data specifications.

D. **Template Completion**

Users should insure that the *Report Info* worksheet (page 1) reflects the proper equipment reporting category adjacent to the *Report Name* row heading for the equipment category being reported.

**Note**: All templates must follow the file naming convention (per Appendix B) for submission.

Certain terms used in the templates are defined as follows:

- ***Make*** means a name that a manufacturer applies to a group of equipments.
- ***Model*** means a name that a manufacturer of motor equipments applies to a family of equipments within a make, which have a degree of commonality in construction, such as body, chassis or cab type.
- ***Production year*** means the calendar year that the item was produced.

The process by which individual worksheets should be completed is described as follows:

a. ***ReportInfo*** (Report Information) worksheet: This worksheet serves as the title or introductory page for the entire quarterly submission. All data fields must be completed. Although the information requested is fairly straight forward, a few items are noteworthy.

- *ReportQuarter* (reporting quarter) references the calendar quarter (1-4) for which the submission covers.
- *ReportName* (report name) identifies the reporting category and may not be altered.
- *ReportVersion* (report version number) reflects the version (i.e., revision) of the current submission. The initial submission for each quarter will begin with version 1 with any corrected or updated workbooks being sequentially numbered.
- *ReportContactName* (report contact name) identifies EWR primary or secondary contact that had been previously submitted to ODI.
- *NHTSATemplateRevisionNo* (NHTSA template number) identifies NHTSA's version of the template and may not be altered.

Table D-3 Sample *ReportInfo* Worksheet

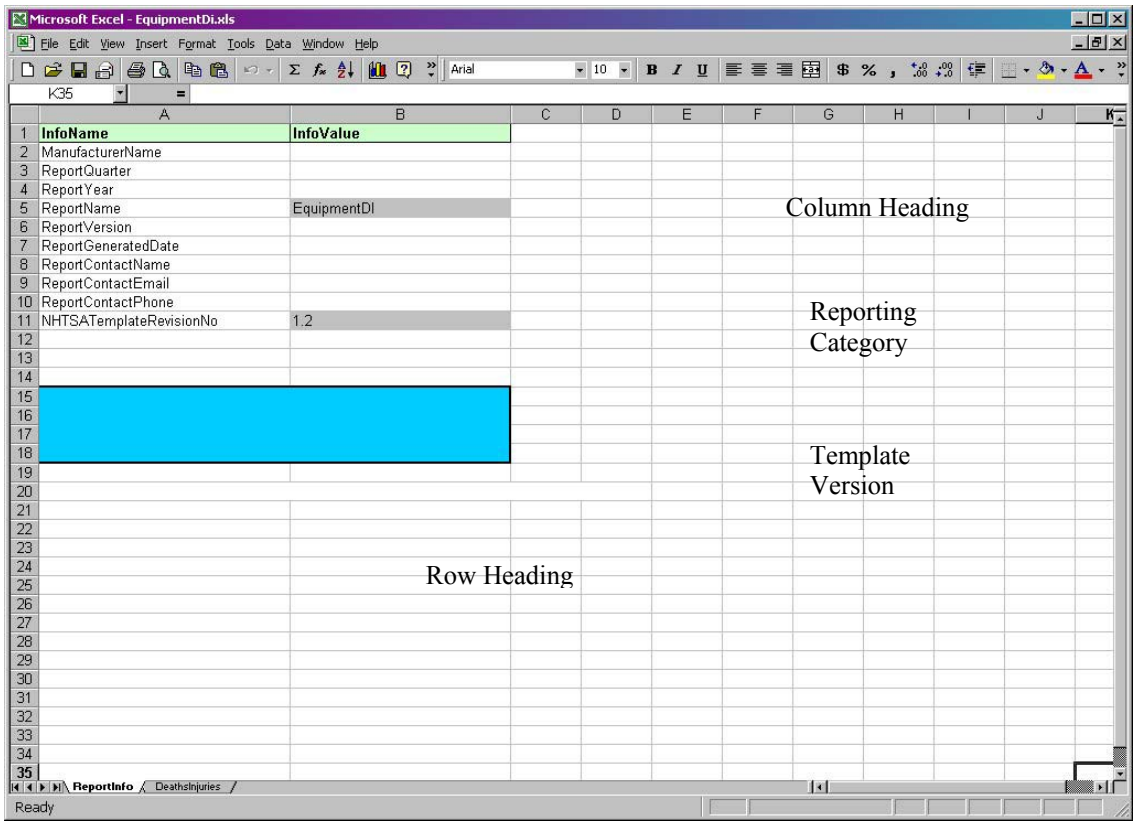
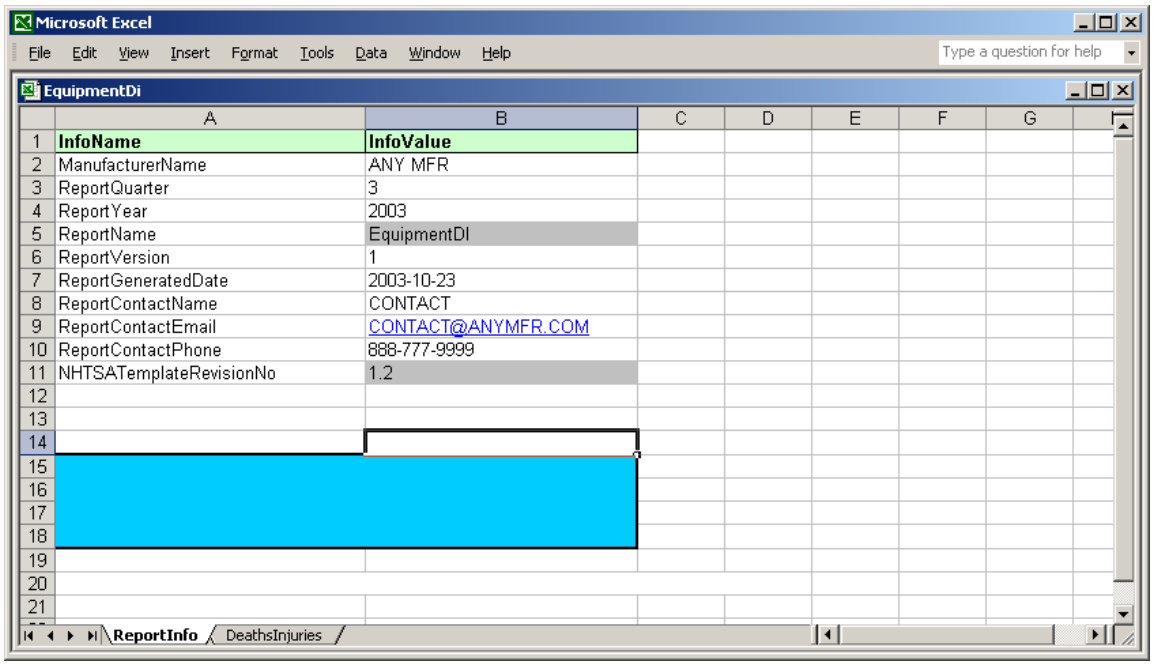



Table D-4 Completed Information Sheet Sample



b. *DeathInjuries* (Death and Injuries) Workbook: This worksheet is to be used to report death claims or notices received during the reporting quarter. Minimal specificity is required for the initial reporting of any death claim or notice. However, the worksheet is to be updated as additional information becomes available (see section d).

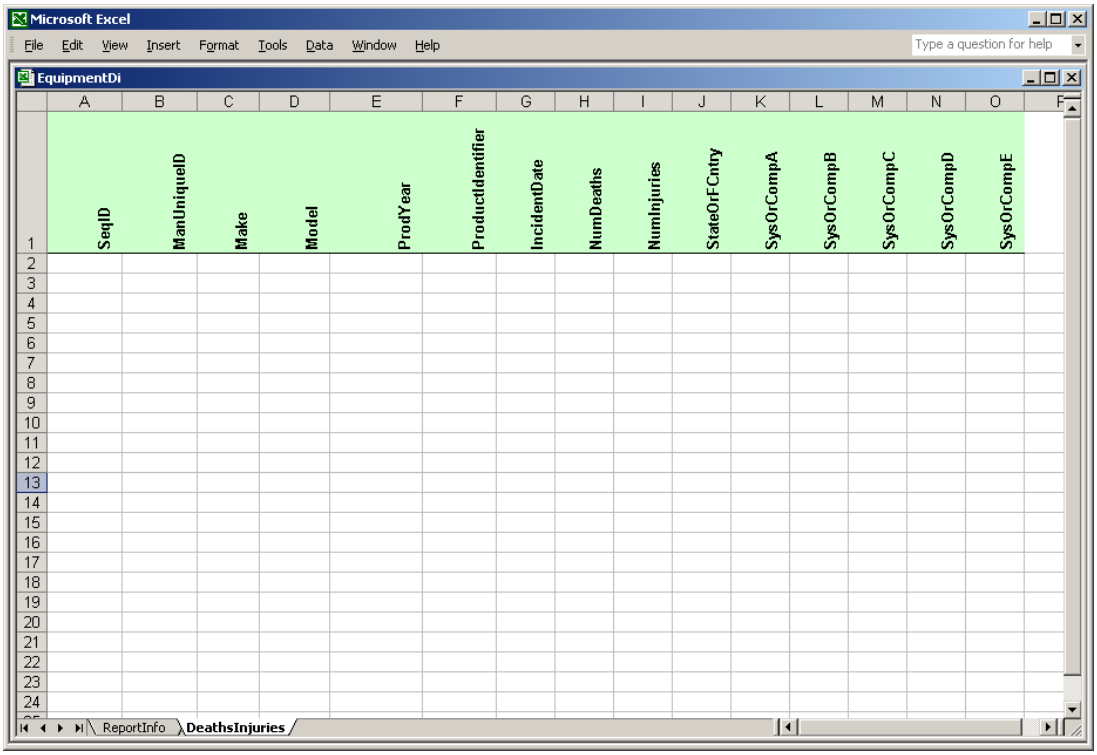
The reporting of death claims or notices is documented on an individual equipment basis. Completion of the worksheet is described below:

- ***SeqID*** refers to sequential numbering (beginning with 1) of the reported incidents for the reporting period. This field must be populated with a number.
- ***ManUniqueID*** (manufacturer unique identification) refers to any combination of alphanumeric characters (field width up to 25 characters). This field is optional and may be used by a manufacturer to uniquely identify an incident for ease of future communication.
- ***Make, Model***, and ***ProductionYear*** are required entries for all death/injury submissions (minimal specificity). Except for the production year, which is a 4-digit numeric field, variable characters up to 25 total may used to identify these entries.
- ***ProductIdentifier*** is the product identification number for the product involved in the incident. This information need not be available for an initial submission, but should be updated when the information becomes known.
- ***IncidentDate*** (incident date) refers to the date that the death/injury occurred. This information need not be available to submit an initial report. This data should be updated when it becomes known.
- ***NumDeaths*** (number of deaths) refers to the number of deaths reported to have occurred in the incident. This field must be populated.
- ***NumInjuries*** (number of injuries) refers to the number of injuries reported to have occurred in the incident. This field must be populated (may be zero).
- ***StateOrFCntry*** (state or foreign country) refers to the identification of the state (USA) or foreign country in which the incident occurred. This information need not be available for an initial submission, but should be updated when the information becomes known.
- ***SysOrComp A*** through ***E*** (system or component categories) refers to each component of the original or replacement equipment that allegedly contributed or was involved in the incident. When a component has been identified in the claim or notice to the manufacturer, the appropriate text describing that component should be entered into these fields. The manufacturer must identify whether a fire was involved. The text field for SysorCompA must be populated with no less than 3 and no greater than 40 characters. If the production year is unknown, the manufacturer shall specify the number ("9999") in the field for production year or model. Columns “A” through “E” permit up to five entries to be identified. Multiple entries should be populated in ascending order (A through E) starting in A. The text field for Column B through E can be populated with no less than 3 and no greater than 40 characters. Column “A”, however, must be populated with an entry upon submission of a death/injury report.

**Note**: It is important to note that each row of data must represent one claimed or alleged death incident.

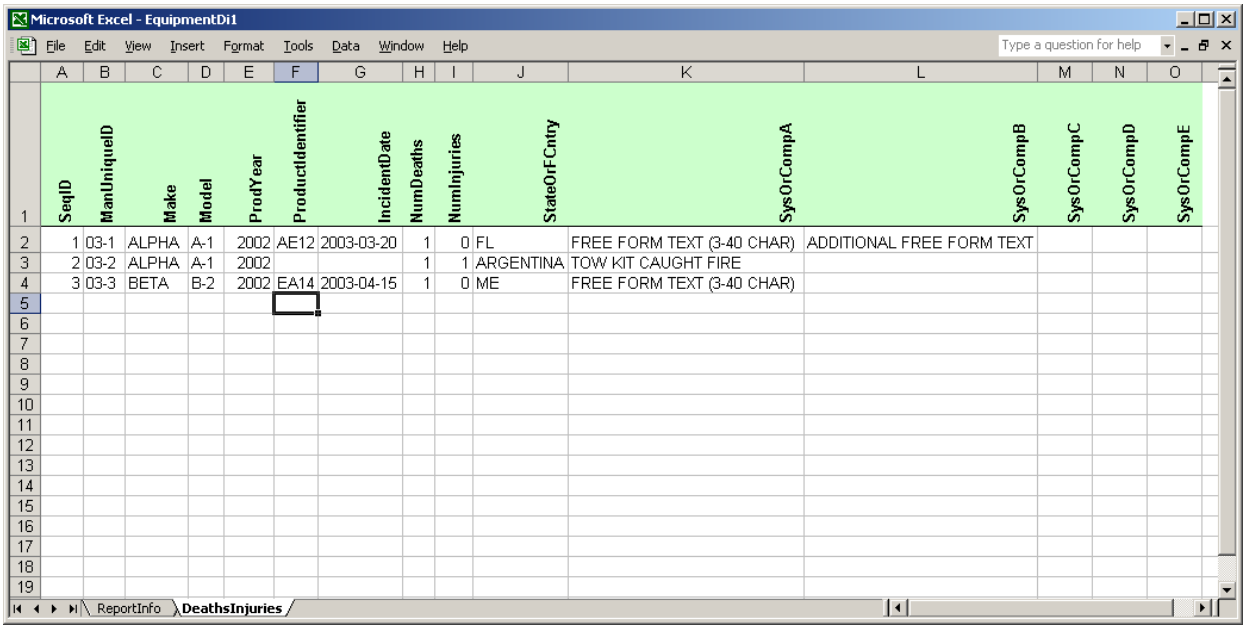
The following Tables D-5 and D-6 provide Death & Injury sample worksheets.

Table D-5: Sample Death/Injury Worksheet



| SeqID | ManUniquelD | Make | Model | ProdYear | ProductIdentifier | IncidentDate | NumDeaths | NumInjuries | StateOrFCntry | SysOrCompA | SysOrCompB | SysOrCompC | SysOrCompD | SysOrCompE |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|

Table D-6 Sample Completed Death/Injury Worksheet



| SeqID | ManUniquelD | Make | Model | ProdYear | ProductIdentifier | IncidentDate | NumDeaths | NumInjuries | StateOrFCntry | SysOrCompA | SysOrCompB | SysOrCompC | SysOrCompD | SysOrCompE |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 03-1 | ALPHA | A-1 | 2002 | AE12 | 2003-03-20 | 1 | 0 | FL | FREE FORM TEXT (3-40 CHAR) | ADDITIONAL FREE FORM TEXT | | | |
| 2 | 03-2 | ALPHA | A-1 | 2002 | | | 1 | 1 | ARGENTINA | TOW KIT CAUGHT FIRE | | | | |
| 3 | 03-3 | BETA | B-2 | 2002 | EA14 | 2003-04-15 | 1 | 0 | ME | FREE FORM TEXT (3-40 CHAR) | | | | |

E. Data Specifications:

In addition to any data entry requirements noted elsewhere in the regulation or this document, the following criteria must also be applied.

- Production year entries must be in a four-digit format (i.e., 1999).
- Date format must be in YYYY-MM-DD format for Excel spreadsheet and XML submissions.
- Alphabetic characters must in all capital letters.
- Cells requiring numeric entries may not contain any non-numeric characters, including commas.

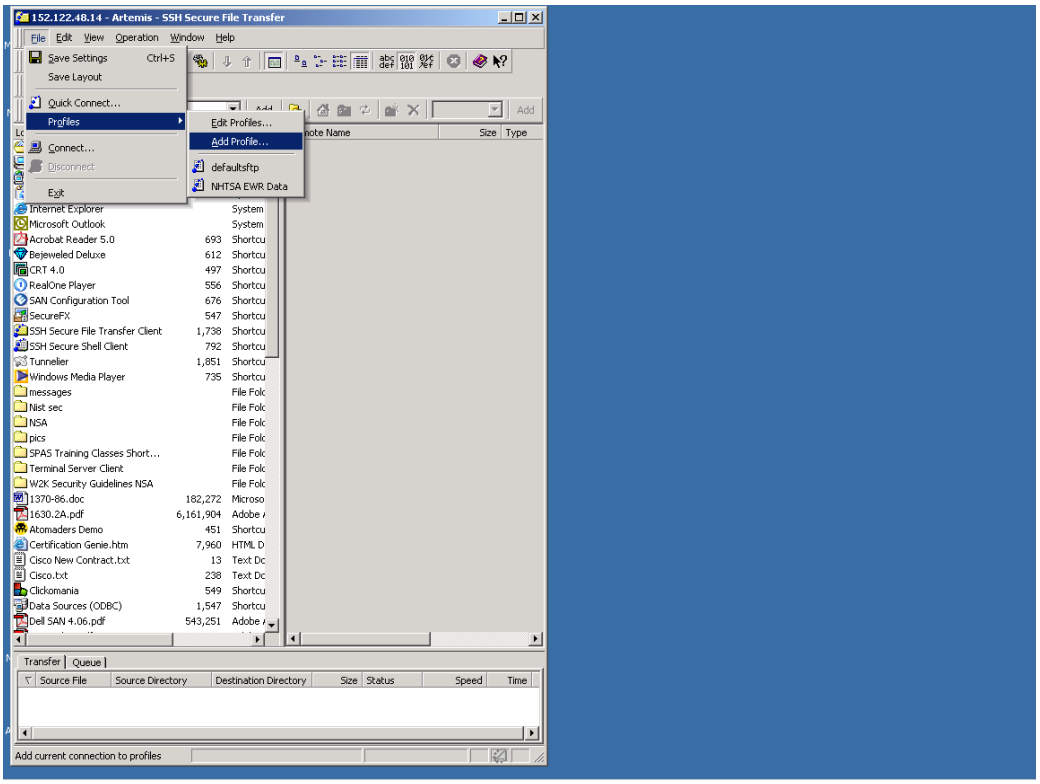
F. File Naming Convention Requirements for Submission:

Before the workbook is sent to NHTSA, it must be named using the file naming convention as described in Appendix B File Naming Convention.

G. How to Submit the Templates:

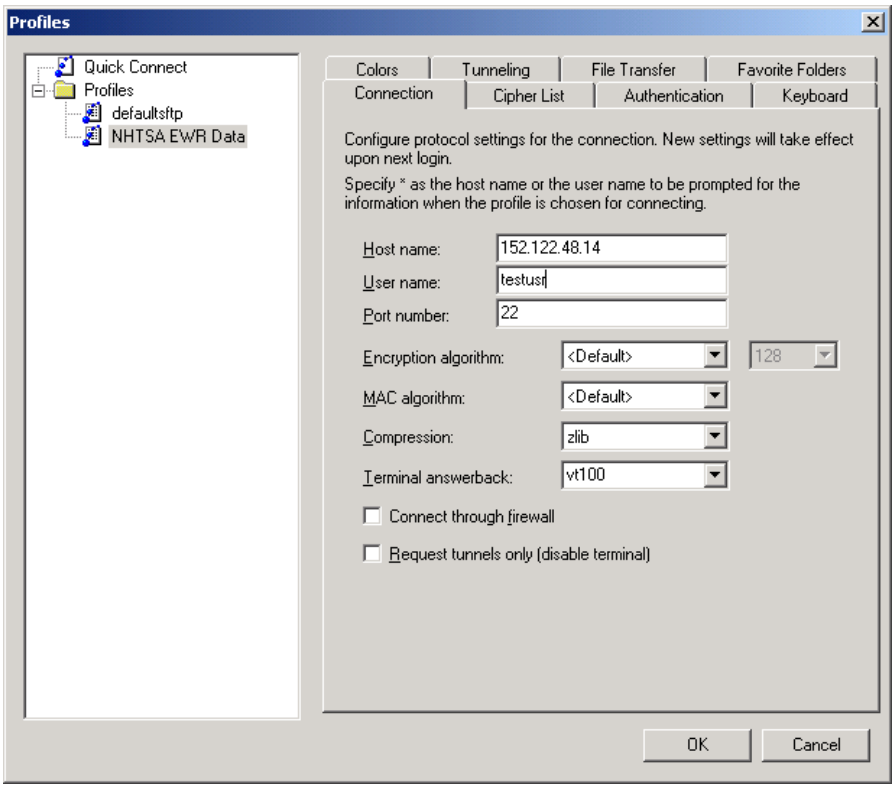
The first step is to configure the Client Tool. Using the SSH Secure Shell client you would create a profile for the NHTSA EWR Data submission

- Click **File**
- Mouse over to **Profiles**
- Click on **Add Profile**




Once the Profile is created you need to customize it for use.

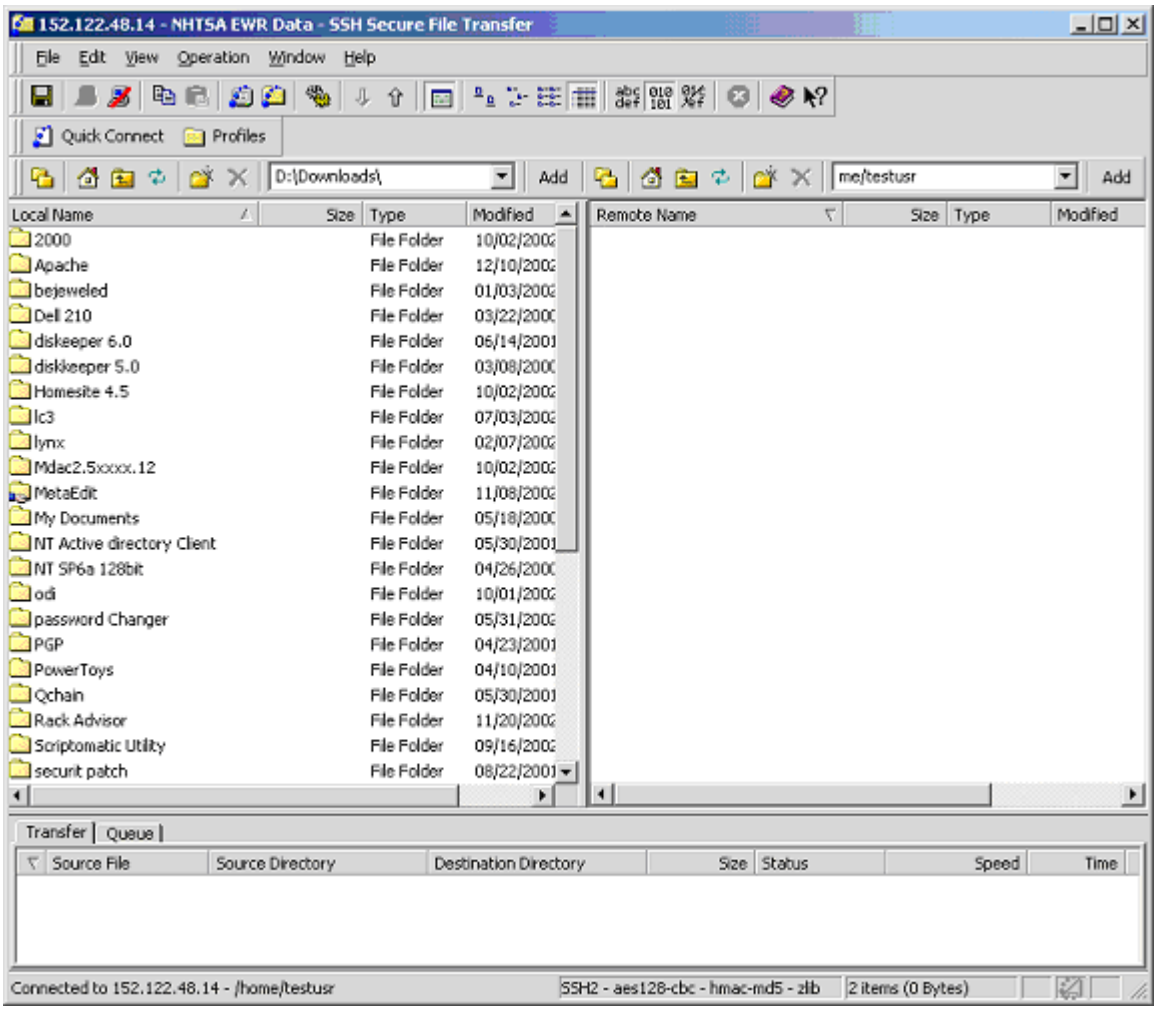
- Click on **File**
- Mouse over to **Profiles**
- Click on **Edit Profiles**




Highlight the Profile you created then configure the following:
Host name
User name
Then Click on **OK**

From the Main Menu select the profile you just created. You will be prompted to enter your password.

When you connect to the SFTP server this is what you will see, i.e. a window similar to your Windows explorer. The left side will be your desktop and the right side will be the remote server.




**Uploading Files**

To upload files you need to navigate to the location of the files on your desktop (left side) then drag and drop the files in the appropriate location on the SFTP server. For example if you are submitting EWR spreadsheets drop the files in the manufacturer's EWR home folder.

H. Validation of Submitted Data

As workbook data is submitted to NHTSA, a "validation" will automatically be executed to insure that the data is self-sustaining. If the file is uploaded to the secure server the manufacturers should receive notification typically within 48 hours whether the submitted data has passed validation. Where the data fails validation, a manufacturer will be provided with an error log via email to the primary and secondary contact. The manufacturer has two weeks to resubmit the data with the corrections.

At a minimum, validation will include:

- Verification that any cells or fields that require an entry are populated with an appropriately formatted character or string of characters.
- Verification that the worksheet, column or row titles, headers or formatting has not been altered.

**Note**: The data from workbooks that fail validation will not be entered into the NHTSA repository. Manufacturers receiving notice of a failed validation must correct the workbook and then resubmit the entire workbook using the original version number.

1. Initial Validation (Stage 1)

   Artemis validates each manufacturer's electronic file submission for adherence to the associated EWR Data file naming conventions. In addition, it performs additional checks based on the content encoded in the filename. The conclusion of this validation stage will result in either a 'Received' email notification being sent to the manufacturer and the submission scheduled for the data validation (Stage 2) process. Otherwise a 'Rejected' email notification with an attachment describing the error(s) causing the rejection will be sent to the manufacturer. The following steps are representative of the validation steps performed during Stage 1 validation.

   <u>Stage 1 Validation, File Naming Convention</u>:

   1. Checks that the file name is in upper case.
   2. Checks that the total file name length is 15 characters.
   3. Checks that the file size is greater than zero.
   4. Checks that the file extension is valid:
      a. For File Type of "D" allows XLS or XML extensions.
   5. Checks that the Manufacturer EWR ID (EWR ID) is 6 characters in length (left padded with zeros)
   6. Checks that the EWR ID given is correct for the submitting manufacturer.
   7. Checks that the Report Category identifier is a valid character and correct for the manufacturer.
   8. Checks that the Report Year is a valid 2-digit year:
      a. Min year: Current Calendar Year – 1 (for non-historic submissions)
      b. Max year: Current Calendar Year + 1
   9. Check that the Reporting Quarter is a valid 1 digit quarter (Range: 1-4)
   10. Check that the Version Number is a 3-digit number. The following rules apply:
      a. If there is a submission registered for the given criteria (given EWR ID, Reporting Category, Reporting Year, Reporting Quarter, and the Reporting Type) then the version number shall be one greater than the highest version registered for the given criteria.
      b. If there is no submission registered for the given criteria then the version number is to be "001."
      c. If the Report Type is Death & Injury data (Type "D") then the version cannot be greater than "999".
   11. If a <u>data</u> report is submitted as a Zip file, then checks that only one data file is present in the Zip file and the filename of the data file matches the Zip filename and has one of the following extensions: XLS or XML.

12. Checks that the Confidentiality Requested Indicator is a valid character. The following rules apply:
    a. If there is no submission registered for the quarter and given criteria then allow the "P" and "C" confidentiality indicators, but do not allow the "R" confidentiality indicator,
    b. If there is a submission registered for the given criteria with a "C" confidentiality indicator then allow a submission with an "R" confidentiality indicator; and
    c. If there is a submission registered with an "R" confidentiality indicator then do not allow any more submissions with the same version number or submission criteria.

2. Data Validation (Stage 2)

Once a submission has passed the Stage1 validation as delineated above, it is then subjected to the data validation process (Stage 2). In this stage, Artemis validates each manufacturer's electronic file submission for adherence to data structure and syntax rules. The conclusion of this validation stage will result in either an 'Accepted' email notification being sent to the manufacturer and the data being loaded into Artemis. Otherwise, a 'Rejected' email notification with an attachment describing the error(s) causing the rejection will be sent. The following steps are representative of the validation steps performed during Stage 2 validation.

<u>Stage 2 Validation, Data Element Syntax and Range Validation</u>

1. The TYPE codes are applicable to the manufacturer's reporting category and are in upper case.
2. All Date fields are in CCYY-MM-DD format.
3. NHTSA Template Revision Number of the ReportInfo worksheet is the most current.
4. That the ReportYear and ReportQuarter fields of the ReportInfo worksheet should be same as the ReportYear and ReportQuarter used in the File Name.
5. Check the report type and file type against the data elements or worksheets (e.g. Reporting Category of "E" for File Type "D" should contain 2 worksheets)
6. Check for the column headers contain valid column names.
7. Check that the columns are in valid order.
8. Check that all required fields are populated.
9. A four digit year format shall be used for the Model or Product year (Example: 1998) "9999" for unknown years.
10. Check all dates are valid.
11. Numeric range checks – All Deaths and Injuries: 2 digit (0-99);
12. Checks numeric data cells cannot contain any non-numeric data including commas and non-null values.
13. Checks the string "UNK" represents undefined or unknown character data.
14. The number of associated deaths and injuries per incident must be less than 100.
15. Deaths and Injuries data cells cannot be blank except in SysOrCompB through SysOrCompE columns (SysOrCompA must always be filled) ProductIdentifier, and StateOrFCntryand ManUniqueID field.

Stage 2. EWR Generic Data Validation

**Note**: One or more blank rows followed by data rows in any Excel worksheet will be considered an error and will be rejected.

Artemis validates each data submission electronically for adherence to the following constraints:

1. ReportGeneratedDate—the date cannot be a future date and should be in the current quarter.
2. For Product Year:
   a. Minimum Year: Current Calendar Year - 6 years (for Product Year not for D&I Vehicle Model Year); and
   b. Maximum Year: Current Calendar Year + 2.
3. If the data to be submitted does not meet the minimal specificity (make and model for equipment), you can not report the data until such time as the minimal specificity requirements are met. Production Year must be filled in as well. If the manufacturer does not know the production year use the string "9999". **Note** that string "UNK" is not allowed.

Stage 2. Death and Injury Validation

Artemis validates each manufacturer's data submission for adherence to associated EWR Death & Injury data validation as follows:

1. Checks that the Incident Date cannot be a future date – i.e., the date can not be greater that the date of the end of the quarter for the quarter being reported.
2. If the incident occurred in the U.S. or its territories, the manufacturer is to identify in where the incident took place.
   a. If the incident took place in the U.S., then the State/Foreign field entry is to be 2 characters, matching the USPS state codes; and
   b. If the incident took place outside the U.S., manufacturer is to provide a text (more than 3 characters) identification of the foreign country in the State/Foreign field. The State/Foreign field entry at least 3 characters in length.
3. There can be no duplicate component entries in Death&Injury SysOrCompA thru SysOrCompE for the same incident; i.e., cannot have the entry to SysOrCompA be the same as the entry to SysOrCompB.
4. Left to right precedence shall be given to the component codes, e.g. if there are only two component codes associated with an incident then:
   a. SysOrCompA and SysOrCompB should be filled in leaving remaining columns blank.
   b. If SysOrCompA has a blank value and SysOrCompB or other SysOrComp field has a non-blank value then the submission is rejected.
5. The manufacturer must enter the first applicable component category code in the SysOrCompA field. No priority is assigned, or presumed, to the order of entry in the form.
6. For a given Death&Injuries incident, at least one death or injury must be reported; i.e., either NumDeaths or NumInjuries must be non-zero.

3. Death and Injury Report Update:

   Regarding reports of deaths or injury, if the original submission for any incident failed to address all the data fields in the worksheet or the data has changed (i.e., additional deaths reported, component category change, etc.) an update for that submission must be prepared. When updating, data should be submitted on the death/injury template and submitted using the same file name as the original submission, except with the next sequential report version number in the file name. It is important to note that no new records or incidents can be reported on an update Death and Injury template. Also, none of the previously reported incidents can be deleted.

   **Note**: The update or revised Death and Injury report must contain the same records as those submitted in the original report.

## I. Temporary Submission Due Dates for Quarterly Reports for 2003 and the First Quarter 2004:

All quarterly reports are due within 60-days following the conclusion of a reporting quarter. Table D-7 below offers a quick reference for reporting due dates.

Table D-7. Reporting Due Dates for First 3 Reports

| Reporting Quarter | Months in Quarter | Report Due Date |
|---|---|---|
| 3 | July – September 2003 | December 1, 2003 |
| 4 | October – December 2003 | March 1, 2004 |
| 1 | January – March 2004 | June 1, 2004 |

## K. Routine Submission Due Dates for Quarterly Reports (After the First Quarter of 2004):

All quarterly reports are due within 30-days following the conclusion of a reporting quarter. Table D-8 below offers a quick reference for reporting due dates.

Table D-8. Reporting Due Dates (After the first 3 reports)

| Reporting Quarter | Months in Quarter | Report Due Date |
|---|---|---|
| 1 | January – March | April 30 |
| 2 | April – June | July 30 |
| 3 | July – September | October 30 |
| 4 | October - December | January 30 |

## Section X

## Appendix E

## Definitions and Terminology

Applicability: All Manufacturers subject to Part 579

Application: As used throughout the regulation, certain words and terminology are defined as indicated. Most of the terms are as promulgated section 579.4 – Terminology with amendments as required.

Statutory terms. The terms dealer, defect, distributor, motor vehicle, motor vehicle equipment, and State are used as defined in 49 U.S.C. 30102.

*Regulatory terms*. The term *Vehicle Identification Number (VIN)* is used as defined in **Sec. 565.3(o)** of this chapter. The terms *bus, Gross Vehicle Weight Rating (GVWR), motorcycle, multipurpose passenger vehicle, passenger car, trailer, and truck* are used as defined in **Sec. 571.3(b)** of this chapter. For ease of reference, these terms are also presented herein.

*Other terms*. The following terms apply to this part:

- ***Administrator*** means the Administrator of the National Highway Traffic Safety Administration (NHTSA), or the Administrator's delegate.
- ***Affiliate*** means, in the context of an affiliate of or person affiliated with a specified person, a person that directly, or indirectly through one or more intermediates, controls or is controlled by, or is under common control with, the person specified. The term person usually is a corporation.
- ***Air bag*** means an air bag or other automatic occupant restraint device (other than a ``seat belt'' as defined in this subpart) installed in a motor vehicle that restrains an occupant in the event of a vehicle crash without requiring any action on the part of the occupant to obtain the benefit of the restraint. This term includes inflatable restraints (front and side air bags), knee bolsters, and any other automatic restraining device that may be developed that does not include a restraining belt or harness. This term also includes all air bag-related components, such as the inflator assembly, air bag module, control module, crash sensors and all hardware and software associated with the air bag. This term includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Brand name owner*** means a person that markets a motor vehicle or motor vehicle equipment under its own trade name whether or not it is the fabricator or importer of the vehicle or equipment.
- ***Bus*** means a motor vehicle with motive power, except a trailer, designed for carrying more than 10 persons.
- ***Boat Trailer*** means a trailer designed with cradle-type mountings to transport a boat and configured to permit launching of the boat from the rear of the trailer.
- ***Claim*** means a written request or written demand for relief, including money or other compensation, assumption of expenditures, or equitable relief related to a motor vehicle crash, accident, the failure of a component or system of a vehicle or an item of motor vehicle equipment, or a fire originating in or from a motor vehicle or a substance that leaked from a motor vehicle. Claim includes, but is not limited to, a demand in the absence of a lawsuit, a complaint initiating a lawsuit, an assertion or notice of litigation, a settlement, covenant not to sue or release of liability in the absence of a written demand, and a subrogation request. A claim exists regardless of any denial or refusal to pay it, and regardless of whether it has been settled in the manufacturer's favor. The existence of a claim may not be conditioned on the receipt of

anything beyond the document(s) stating a claim. Claim does not include demands related to asbestos exposure, to emissions of volatile organic compounds from vehicle interiors, or to end-of-life disposal of vehicles, parts, or components of vehicles, equipment, or parts or components of equipment.

- ***Consumer complaint*** means a communication of any kind made by a consumer (or other person) to or with a manufacturer addressed to the company, an officer thereof or an entity thereof that handles consumer matters, a manufacturer website that receives consumer complaints, a manufacturer electronic mail system that receives such information at the corporate level, or that are otherwise received by a unit within the manufacturer that receives consumer inquiries or complaints, including telephonic complaints, expressing dissatisfaction with a product, or relating the unsatisfactory performance of a product, or any actual or potential defect in a product, or any event that allegedly was caused by any actual or potential defect in a product, but not including a claim of any kind or a notice involving a fatality or injury.
- ***Control (including the terms controlling, controlled by, and under common control with)*** means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract, or otherwise.
- ***Customer satisfaction campaign,*** consumer advisory, recall, or other activity involving the repair or replacement of motor vehicles or motor vehicle equipment means any communication by a manufacturer to, or made available to, more than one dealer, distributor, lessor, lessee, other manufacturer, or owner, whether in writing or by electronic means, relating to repair, replacement, or modification of a vehicle, component of a vehicle, item of equipment, or a component thereof, the manner in which a vehicle or child restraint system is to be maintained or operated (excluding promotional and marketing materials, customer satisfaction surveys, and operating instructions or owner's manuals that accompany the vehicle or child restraint system at the time of first sale); or advice or direction to a dealer or distributor to cease the delivery or sale of specified models of vehicles or equipment.
- ***Dealer field report*** means a field report from a dealer or authorized service facility of a manufacturer of motor vehicles or motor vehicle equipment.
- ***Electrical system*** means any electrical or electronic component of a motor vehicle that is not included in one of the other reporting categories enumerated in subpart C of this part, and specifically includes the battery, battery cables, alternator, fuses, and main body wiring harnesses of the motor vehicle and the ignition system, including the ignition switch and starter motor. The term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Engine and engine cooling*** means the component (e.g., motor) of a motor vehicle providing motive power to the vehicle, and includes the exhaust system (including the exhaust emission system), the engine control unit, engine lubrication system, and the underhood cooling system for that engine. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Equipment*** comprises original and replacement equipment:
    - (1) ***Original equipment*** means an item of motor vehicle equipment (other than a tire) that was installed in or on a motor vehicle at the time of its delivery to the first purchaser if the item of equipment was installed on or in the motor vehicle at the time of its delivery to a dealer or distributor for distribution; or the item of equipment was installed by the dealer or distributor with the express authorization of the motor vehicle manufacturer; and
    - (2) ***Replacement equipment*** means motor vehicle equipment other than original equipment, and tires.
- ***Exterior lighting*** mean all the exterior lamps (including any interior-mounted center high mounted stop lamp if mounted in the interior of a vehicle), lenses, reflectors, and associated equipment of a motor vehicle, including all associated switches, control units, connective elements (such as wiring harnesses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Field report*** means a communication in writing, including communications in electronic form, from an employee or representative of a manufacturer of motor vehicles or motor vehicle equipment, with respect to

a vehicle or equipment that has been transported beyond the direct control of the manufacturer, a dealer, an authorized service facility of such manufacturer, or an entity known to the manufacturer as owning or operating a fleet, to a manufacturer, regarding the failure, malfunction, lack of durability, or other performance problem of a motor vehicle or motor vehicle equipment, or any part thereof, produced for sale by that manufacturer, regardless of whether verified or assessed to be lacking in merit, but does not include a document covered by attorney-client privilege or work product exclusion.

- ***Fire*** means combustion or burning of material in or from a vehicle as evidenced by flame. The term also includes, but is not limited to, thermal events and fire-related phenomena such as smoke, sparks, or smoldering, but does not include events and phenomena associated with a normally functioning vehicle, such as combustion of fuel within an engine or exhaust from a vehicle.
- ***Fleet*** means more than ten motor vehicles of the same make, model, and model year.
- ***Fuel system*** means all components of a motor vehicle used to receive and store fuel, and to transfer fuel between the vehicle's fuel storage, engine, or fuel emission systems. This term includes, but is not limited to, the fuel tank and filler cap, neck, and pipe, along with associated piping, hoses, and clamps, the fuel pump, fuel lines, connectors from the fuel tank to the engine, the fuel injection/carburetion system (including fuel injector rails and injectors), and the fuel vapor recovery system(s), canister(s), and vent lines. The term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Foreign country*** means a country other than the United States.
- ***Foreign government*** means the central government of a foreign country as well as any political subdivision of that country.
- ***Good will*** means the repair or replacement of a motor vehicle or item of motor vehicle equipment, including labor, paid for by the manufacturer, at least in part, when the repair or replacement is not covered under warranty, or under a safety recall reported to NHTSA under part 573 of this chapter.
- ***Gross Vehicle Weight Rating (GVWR)*** means the value specified by the manufacturer as the loaded weight of a single vehicle.
- ***Handle*** means an element of a child restraint system that is designed to facilitate carrying the restraint outside a motor vehicle, other than an element of the seat shell.
- ***Identical or substantially similar motor vehicle****:*

  A motor vehicle sold or in use outside the United States is identical or substantially similar to a motor vehicle sold or offered for sale in the United States if--

  (i) Such a vehicle has been sold in Canada or has been certified as complying with the Canadian Motor Vehicle Safety Standards;

  (ii) Such a vehicle is listed in the VSP or VSA columns of Appendix A to part 593 of this chapter;

  (iii) Such a vehicle is manufactured in the United States for sale in a foreign country; or

  (iv) Such a vehicle uses the same vehicle platform as a vehicle sold or offered for sale in the United States.
- ***Incomplete light vehicle*** means an incomplete vehicle as defined in Sec. 568.3 of this chapter which, when completed, will be a light vehicle.
- ***Integrated child restraint system*** means a factory-installed built-in child restraint system as defined in S4 of Sec. 571.213 of this chapter and includes any factory-authorized built-in child restraint system.
- ***Latch*** means a latching, locking, or linking system of a motor vehicle and all its components fitted to a vehicle's exterior doors, rear hatch, liftgate, tailgate, trunk, or hood. This term also includes, but is not limited to, devices for the remote operation of a latching device such as remote release cables (and associated components), electric release devices, or wireless control release devices, and includes all components covered in FMVSS No. 206. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

- ***Light vehicle*** means any motor vehicle, except a bus, motorcycle, or trailer, with a **GVWR of 10,000 lbs or less**.
- ***Make*** means a name that a manufacturer applies to a group of vehicles.
- ***Manufacturer*** means a person manufacturing or assembling motor vehicles or motor vehicle equipment, or importing motor vehicles or motor vehicle equipment for resale. This term includes any parent corporation, any subsidiary or affiliate, and any subsidiary or affiliate of a parent corporation of such a person.
- ***Medium-heavy vehicle*** means any motor vehicle, except a trailer, with a **GVWR greater than 10,000 lbs**.
- ***Minimal specificity*** means
    - For a vehicle, the make, model, and model year,
    - For a child restraint system, the manufacturer and the model (either the model name or model number),
    - For a tire, the manufacturer, tire line and tire size,
    - For other motor vehicle equipment, the manufacturer and, if there is a model or family of models identified on the item of equipment, the model name or model number
- ***Model*** means a name that a manufacturer of motor vehicles applies to a family of vehicles within a make that have a degree of commonality in construction, such as body, chassis or cab type. For equipment other than child restraint systems, it means the name that the manufacturer uses to designate it. For child restraint system, it means the name that the manufacturer uses to identify child restraint systems with the same seat shell, buckle, base (if so equipped) and restraint system.
- ***Model year*** means the year that a manufacturer uses to designate a discrete model of vehicle, irrespective of the calendar year that a manufacturer uses to designate a discrete model of vehicle, irrespective of the calendar year in which the vehicle was manufactured. If the manufacturer has not assigned a model year, it means the calendar year in which the vehicle was produced.
- ***Motorcycle*** means a motor vehicle with motive power having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground.
- ***Multipurpose Passenger Vehicle*** means a motor vehicle with motive power, except a low-speed vehicle or trailer, designed to carry 10 persons or less which is constructed either on a truck chassis or with special features for occasional off road operation.
- ***Notice*** means a document, other than a media article, that does not include a demand for relief, and that a manufacturer receives from a person other than NHTSA.
- ***Other safety campaign*** means an action in which a manufacturer communicates with owners and/or dealers in a foreign country with respect to conditions under which motor vehicles or equipment should be operated, repaired, or replaced that relate to safety (excluding promotional and marketing materials, customer satisfaction surveys, and operating instructions or owner's manuals that accompany the vehicle or child restraint system at the time of first sale); or advise or direction to a dealer or distributor to cease the delivery or sale of specified models of vehicles or equipment.
- ***Parking brake*** means a mechanism installed in a motor vehicle which is designed to prevent the movement of a stationary motor vehicle, including all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Passenger Car*** means a motor vehicle with motive power, except a low-speed vehicle, multipurpose passenger vehicle, motorcycle or trailer designed for carrying 10 persons or less.
- ***Platform*** means the basic structure of a vehicle including, but not limited to, the majority of the floorpan or undercarriage, and elements of the engine compartment. The term includes a structure that a manufacturer designates as a platform. A group of vehicles sharing a common structure or chassis shall be considered to have a common platform regardless of whether such vehicles are of the same type, are of the same make, or are sold by the same manufacturer.
- ***Power train*** means the components or systems of a motor vehicle which transfer motive power from the engine to the wheels, including the transmission (manual and automatic), gear selection devices and associated linkages, clutch, constant velocity joints, transfer case, driveline, differential(s), and all driven

axle assemblies. This term includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

- ***Production year*** means, for equipment and tires, the calendar year in which the item was produced.
- ***Property damage*** means physical injury to tangible property.
- ***Property damage claim*** means a claim for property damage, excluding that part of a claim, if any, pertaining solely to damage to a component or system of a vehicle or an item of equipment itself based on the alleged failure or malfunction of the component, system, or item, and further excluding matters addressed under warranty.
- ***Rear-facing Infant Seat*** means a child restraint system that is designed to position a child to face only in the direction opposite to the normal direction of travel of the motor vehicle.
- ***Reporting period*** means for the aggregate early warning reporting a calendar quarter of three months. The first quarter is January through March, the second is April through June, the third is July through September, and the fourth is from October through December of each year. For the reporting of service bulletins, customer satisfaction campaigns and other external communications, the reporting period is a calendar month. For the reporting of foreign recalls, the reporting period is daily.
- ***Rollover*** means a single-vehicle crash in which a motor vehicle rotates on its longitudinal axis to at least 90 degrees, regardless of whether it comes to rest on its wheels.
- ***Safety recall*** (as related to foreign recall reporting) means an offer by a manufacturer to owners of motor vehicles or equipment in a foreign country to provide remedial action to address a defect that relates to motor vehicle safety or a failure to comply with an applicable safety standard or guideline, whether or not the manufacturer agrees to pay the full cost of remedial action.
- ***Seats*** means all components of a motor vehicle that are subject to FMVSS Nos. 202, 207, and 209, including all electrical and electronic components within the seat that are related to seat positioning, heating, and cooling. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Seat belts*** means any belt system, other than an air bag, that may or may not require the occupant to latch, fasten, or secure the components of the seat belt/webbing based restraint system to ready its use for protection of the occupant in the event of a vehicle crash. This term includes the webbing, buckle, anchorage, retractor, belt pretensioner devices, load limiters, and all components, hardware and software associated with an automatic or manual seat belt system addressed by FMVSS No. 209 or 210. This term also includes integrated child restraint systems in vehicles, and includes any device (and all components of that device), installed in a motor vehicle in accordance with FMVSS No. 213, which is designed for use as a safety restraint device for a child too small to use a vehicle's seat belts. This term includes all vehicle components installed in accordance with FMVSS No. 225. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Service brake system*** means all components of the service braking system of a motor vehicle intended for the transfer of braking application force from the operator to the wheels of a vehicle, including the foundation braking system, such as the brake pedal, master cylinder, fluid lines and hoses, braking assist components, brake calipers, wheel cylinders, brake discs, brake drums, brake pads, brake shoes, and other related equipment installed in a motor vehicle in order to comply with FMVSS Nos. 105, 121, 122, or 135 (except equipment relating specifically to a parking brake). This term also includes systems and devices for automatic control of the brake system such as antilock braking, traction control, stability control, and enhanced braking. The term includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***SKU (Stock Keeping Unit)*** means the alphanumeric designation assigned by a manufacturer to uniquely identify a tire product. This term is sometimes referred to as a product code, a product ID or a part number.
- ***Steering system*** means all steering control system components, including the steering system mechanism and its associated hardware, the steering wheel, steering column, steering shaft, linkages, joints (including tie-rod ends), steering dampeners, and power steering assist systems. This term includes a steering control

system as defined by FMVSS No. 203 and any subsystem or component of a steering control system, including those components defined in FMVSS No. 204. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

- ***Structure*** means any part of a motor vehicle that serves to maintain the shape and size of the vehicle, including the frame, the floorpan, the body, bumpers, doors, tailgate, hatchback, trunk lid, hood, and roof. The term also includes all associated mounting elements (such as brackets, fasteners, etc.).
- ***Suspension*** system means all components and hardware associated with a motor vehicle suspension system, including the associated control arms, steering knuckles, spindles, joints, bushings, ball joints, springs, shock absorbers, stabilizer (anti sway) bars, and bearings that are designed to minimize the impact on the vehicle chassis of shocks from road surface irregularities that may be transmitted through the wheels, and to provide stability when the vehicle is being operated through a range of speed, load, and dynamic conditions. The term also includes all electronic control systems and mechanisms for active suspension control, as well as all associated components such as switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Tire*** means an item of motor vehicle equipment intended to interface between the road and a motor vehicle. The term includes all the tires of a vehicle, including the spare tire. For purposes of section 579.21 through section 579.24 and section 579.27 of this part, this term also includes the tire inflation valves, tubes, and tire pressure monitoring and regulating systems, as well as all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Trailer*** means a motor vehicle with or without motive power, designed for carrying persons or property and for being drawn by another motor vehicle.
- ***Trailer Converter Dolly*** means a trailer chassis equipped with one or more axles, a lower half of a fifth wheel and a drawbar.
- ***Trailer hitch*** means all coupling systems, devices, and components thereof, designed to join or connect any two motor vehicles. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Truck*** means a motor vehicle with motive power, except a trailer, designed primarily for the transportation of property or special purpose equipment.
- ***Type*** means, in the context of a light vehicle, a vehicle certified by its manufacturer pursuant to Sec. 567.4(g)(7) of this chapter as a passenger car, multipurpose passenger vehicle, or truck, or a vehicle identified by its manufacturer as an incomplete vehicle pursuant to Sec. 568.4 of this chapter. In the context of medium-heavy vehicle and bus, it means one of the following categories: truck, tractor, transit bus, school bus, coach, recreational vehicle, emergency vehicle, or other. In the context of a trailer, it means one of the following categories: recreational trailer, van trailer, flatbed trailer, converter dolly trailer, lowbed trailer, dump trailer, tank trailer, dry bulk trailer, livestock trailer, boat trailer, auto transporter, or other.
- ***Vehicle speed control*** means the systems and components of a motor vehicle that control vehicle speed either by command of the operator or by automatic control, including, but not limited, to the accelerator pedal, linkages, cables, springs, speed control devices (such as cruise control) and speed limiting devices. This term includes, but is not limited to the items addressed by FMVSS No. 124 and all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).
- ***Visibility*** means the systems and components of a motor vehicle through which a driver views the surroundings of the vehicle including windshield, side windows, back window, and rear view mirrors, and systems and components used to wash and wipe windshields and back windows. This term includes those vehicular systems and components that can affect the ability of the driver to clearly see the roadway and surrounding area, such as the systems and components identified in FMVSS Nos. 103, 104, and 111. This

term also includes the defogger/defroster system, the heater core, blower fan, windshield wiper systems, mirrors, windows and glazing material, heads-up display (HUD) systems, and exterior view-based television systems, but does not include exterior lighting systems which are defined under ``Lighting.'' This term includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

- ***Warranty*** means any written affirmation of fact or written promise made in connection with the sale or lease of a motor vehicle or motor vehicle equipment by a manufacturer to a buyer or lessee that relates to the nature of the material or workmanship and affirms or promises that such material or workmanship is defect free or will meet a specified level of performance over a specified period of time (including any extensions of such specified period of time), or any undertaking in writing in connection with the sale or lease by a manufacturer of a motor vehicle or item of motor vehicle equipment to refund, repair, replace, or take other remedial action with respect to such product in the event that such product fails to meet the specifications set forth in the undertaking.
- ***Warranty adjustment*** means any payment or other restitution, such as, but not limited to, replacement, repair, credit, or cash refund, made by a tire manufacturer to a consumer or to a dealer, in reimbursement for payment or other restitution to a consumer, pursuant to a warranty program offered by the manufacturer or good will.
- ***Warranty claim*** means any claim paid by a manufacturer, including provision of a credit, pursuant to a warranty program, an extended warranty program, or good will. It does not include claims for reimbursement for costs or related expenses for work performed to remedy a safety-related defect or noncompliance reported to NHTSA under part 573 of this chapter, or in connection with an emissions-related recall under the Clean Air Act or in accordance with State law as authorized under 42 U.S.C. 7543(b) or 7507.
- ***Wheel*** means the assembly or component of a motor vehicle to which a tire is mounted. The term includes any item of motor vehicle equipment used to attach the wheel to the vehicle, including inner cap nuts and the wheel studs, bolts, and nuts.
- ***Work product*** means a document in the broad sense of the word, prepared in anticipation of litigation where there is a reasonable prospect of litigation and not for some other purpose such as a business practice, and prepared or requested by an attorney or an agent for an attorney.

# Section X

## Appendix F

## 49 CFR Part 579
## "Reporting of Information and Communications About Potential Defects"

TITLE 49--TRANSPORTATION
OF TRANSPORTATION

PART 579--REPORTING OF INFORMATION AND COMMUNICATIONS ABOUT POTENTIAL DEFECTS

Subpart A--General

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Authority: Sec. 3, Pub. L. 106-414, 114 Stat. 1800 (49 U.S.C. 30102-103, 30112, 30117-121, 30166-167); delegation of authority at 49 CFR 1.50.

Source: 67 FR 45873, July 10, 2002, unless otherwise noted.

## Subpart A--General

### Sec. 579.1 Scope.

This part sets forth requirements for reporting information and submitting documents that may help identify defects related to motor vehicle safety and noncompliances with Federal motor vehicle safety standards, including reports of foreign safety recalls and other safety-related campaigns conducted outside the United States under 49 U.S.C. 30166(l), early warning information under 49 U.S.C. 30166(m), and copies of communications about defects and noncompliances under 49 U.S.C. 30166(f).

### Sec. 579.2 Purpose.

The purpose of this part is to enhance motor vehicle safety by specifying information and documents that manufacturers of motor vehicles and motor vehicle equipment must provide to NHTSA with respect to possible safety-related defects and noncompliances in their products.

### Sec. 579.3 Application.

(a) This part applies to all manufacturers of motor vehicles and motor vehicle equipment with respect to all motor vehicles and motor vehicle equipment that have been offered for sale, sold, or leased in the United States by the manufacturer, including any parent corporation, any subsidiary or affiliate of the manufacturer, or any subsidiary or affiliate of any parent corporation, and with respect to all motor vehicles and motor vehicle equipment that have been offered for sale, sold, or leased in a foreign country by the manufacturer, including any parent corporation, any subsidiary or affiliate of the manufacturer, or any subsidiary or affiliate of any parent corporation, and are substantially similar to any motor vehicles or motor vehicle equipment that have been offered for sale, sold, or leased in the United States.

(b) In the case of any report required under subpart C of this part, compliance by the fabricating manufacturer, the importer, the brand name owner, or a parent or United States subsidiary of such fabricator, importer, or brand name owner of the motor vehicle or motor vehicle equipment, shall be considered compliance by all persons.

(c) With regard to any information required to be reported under subpart C of this part, an entity covered under paragraph (a) of this section need only review information and systems where information responsive to subpart C of this part is kept in the usual course of business.

### Sec. 579.4 Terminology.

(a) Statutory terms. The terms dealer, defect, distributor, motor vehicle, motor vehicle equipment, and State are used as defined in 49 U.S.C. 30102.

(b) Regulatory terms. The term Vehicle Identification Number (VIN) is used as defined in Sec. 565.3(o) of this chapter. The terms bus, Gross Vehicle Weight Rating (GVWR), motorcycle, multipurpose passenger vehicle, passenger car, trailer, and truck are used as defined in Sec. 571.3(b) of this chapter. The term Booster seat is used as defined in S4 of Sec. 571.213 of this

chapter. The term Tire Identification Number (TIN) is the ``tire identification number'' described in Sec. 574.5 of this chapter. The term Limited production tire is used as defined in Sec. 575.104(c)(2) of this chapter.

(c) Other terms. The following terms apply to this part:
Administrator means the Administrator of the National Highway Traffic Safety Administration (NHTSA), or the Administrator's delegate.

Affiliate means, in the context of an affiliate of or person affiliated with a specified person, a person that directly, or indirectly through one or more intermediates, controls or is controlled by, or is under common control with, the person specified. The term person usually is a corporation.

Air bag means an air bag or other automatic occupant restraint device (other than a ``seat belt'' as defined in this subpart) installed in a motor vehicle that restrains an occupant in the event of a vehicle crash without requiring any action on the part of the occupant to obtain the benefit of the restraint. This term includes inflatable restraints (front and side air bags), knee bolsters, and any other automatic restraining device that may be developed that does not include a restraining belt or harness. This term also includes all air bag-related components, such as the inflator assembly, air bag module, control module, crash sensors and all hardware and software associated with the air bag. This term includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Base means the detachable bottom portion of a child restraint system that may remain in the vehicle to provide a base for securing the system to a seat in a motor vehicle.

Bead means all the materials in a tire below the sidewalls in the rim contact area, including bead rubber components, the bead bundle and rubber coating if present, the body ply and its turn-up including the rubber coating, rubber, fabric, or metallic reinforcing materials, and
the inner-liner rubber under the bead area.

Brand name owner means a person that markets a motor vehicle or motor vehicle equipment under its own trade name whether or not it is the fabricator or importer of the vehicle or equipment.

Buckle and restraint harness means the components of a child restraint system that are intended to restrain a child seated in such a system, including the belt webbing, buckles, buckle release mechanism, belt adjusters, belt positioning devices, and shields.

Child restraint system means any system that meets, or is offered for sale in the United States as meeting, any definition in S4 of Sec. 571.213 of this chapter, or that is offered for sale as a child restraint system in a foreign country.

Claim means a written request or written demand for relief, including money or other compensation, assumption of expenditures, or equitable relief, related to a motor vehicle crash, accident, the failure of a component or system of a vehicle or an item of motor vehicle equipment, or a fire originating in or from a motor vehicle or a substance that leaked from a motor vehicle. Claim includes, but is not limited to, a demand in the absence of a lawsuit, a complaint initiating a lawsuit, an assertion or notice of litigation, a settlement, covenant not to sue or release of liability in the absence of a written demand, and a subrogation request. A claim exists regardless of any denial or refusal to pay it, and regardless of whether it has been settled or resolved in the manufacturer's favor. The existence of a claim may not be conditioned on the receipt of anything beyond the document(s) stating a claim. Claim does not include demands related to asbestos exposure, to
emissions of volatile organic compounds from vehicle interiors, or to end-of-life disposal of vehicles, parts or components of vehicles, equipment, or parts or components of equipment.

Common green tires means tires that are produced to the same internal specifications but that have, or may have, different external characteristics and may be sold under different tire line names.

Consumer complaint means a communication of any kind made by a consumer (or other person) to or with a manufacturer addressed to the company, an officer thereof or an entity thereof that handles consumer matters, a manufacturer website that receives consumer complaints, a manufacturer electronic mail system that receives such information at the corporate level, or that are otherwise received by a unit within the manufacturer that receives consumer inquiries or complaints, including telephonic complaints, expressing dissatisfaction with a product, or relating the unsatisfactory performance of a product, or any actual or potential defect in a product, or any event that allegedly was caused by any actual or potential defect in a product, but not including a claim of any kind or a notice involving a fatality or injury.

Control (including the terms controlling, controlled by, and under common control with) means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract, or otherwise.

Customer satisfaction campaign, consumer advisory, recall, or other activity involving the repair or replacement of motor vehicles or motor vehicle equipment means any communication by a manufacturer to, or made available to, more than one dealer, distributor, lessor, lessee, other manufacturer, or owner, whether in writing or by electronic means, relating to repair, replacement, or modification of a vehicle, component of a vehicle, item of equipment, or a component thereof, the manner in which a vehicle or child restraint system is to be maintained or operated (excluding promotional and marketing materials, customer satisfaction surveys, and operating instructions or owner's manuals that accompany the vehicle or child restraint system at the time of first sale); or advice or direction to a dealer or distributor to cease the delivery or sale of specified models of vehicles or equipment.

Dealer field report means a field report from a dealer or authorized service facility of a manufacturer of motor vehicles or motor vehicle equipment.

Electrical system means any electrical or electronic component of a motor vehicle that is not included in one of the other reporting categories enumerated in subpart C of this part, and specifically includes the battery, battery cables, alternator, fuses, and main body wiring harnesses of the motor vehicle and the ignition system, including the ignition switch and starter motor. The term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Engine and engine cooling means the component (e.g., motor) of a motor vehicle providing motive power to the vehicle, and includes the exhaust system (including the exhaust emission system), the engine control unit, engine lubrication system, and the underhood cooling system for that engine. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Equipment comprises original and replacement equipment: (1) Original equipment means an item of motor vehicle equipment (other than a tire) that was installed in or on a motor vehicle at the time of its delivery to the first purchaser if the item of equipment was installed on or in the motor vehicle at the time of its delivery to a dealer or distributor for distribution; or the item of equipment was installed by the dealer or distributor with the express authorization of the motor vehicle manufacturer. (2) Replacement equipment means motor vehicle equipment other than original equipment, and tires.

Exterior lighting mean all the exterior lamps (including any interior-mounted center highmounted stop lamp if mounted in the interior of a vehicle), lenses, reflectors, and associated equipment of a motor vehicle, including all associated switches, control units, connective elements (such as wiring harnesses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Field report means a communication in writing, including communications in electronic form, from an employee or representative of a manufacturer of motor vehicles or motor vehicle equipment with respect

to a vehicle or equipment that has been transported beyond the direct control of the manufacturer, or from a dealer, an authorized service facility of such manufacturer, or an entity known to the manufacturer as owning or operating a fleet, to a manufacturer regarding the failure, malfunction, lack of durability, or other performance problem of a motor vehicle or motor vehicle equipment or any part thereof produced for sale by that manufacturer, regardless of whether verified or assessed to be lacking in merit, but does not include a document covered by the attorney-client privilege or the work product exclusion.

Fire means combustion or burning of material in or from a vehicle as evidence by flame. The term also includes, but is not limited to, thermal events and fire-related phenomena such as smoke, sparks, or smoldering, but does not include events and phenomena associated with a normally functioning vehicle, such as combustion of fuel within an engine or exhaust from an engine.

Fleet means more than ten motor vehicles of the same make, model, and model year.

Fuel system means all components of a motor vehicle used to receive and store fuel, and to transfer fuel between the vehicle's fuel storage, engine, or fuel emission systems. This term includes, but is not limited to, the fuel tank and filler cap, neck, and pipe, along with associated piping, hoses, and clamps, the fuel pump, fuel lines, connectors from the fuel tank to the engine, the fuel injection/carburetion system (including fuel injector rails and injectors), and the fuel vapor recovery system(s), canister(s), and ventlines. The term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Good will means the repair or replacement of a motor vehicle or item of motor vehicle equipment, including labor, paid for by the manufacturer, at least in part, when the repair or replacement is not covered under warranty, or under a safety recall reported to NHTSA under part 573 of this chapter.

Incomplete light vehicle means an incomplete vehicle as defined in Sec. 568.3 of this chapter which, when completed, will be a light vehicle.

Integrated child restraint system means a factory-installed built-in child restraint system as defined in S4 of Sec. 571.213 of this chapter and includes any factory-authorized built-in child restraint system.

Handle means any element of a child restraint system that is designed to facilitate carrying the restraint outside a motor vehicle, other than an element of the seat shell.

Latch means a latching, locking, or linking system of a motor vehicle and all its components fitted to a vehicle's exterior doors, rear hatch, liftgate, tailgate, trunk, or hood. This term also includes, but is not limited to, devices for the remote operation of a latching device such as remote release cables (and associated components), electric release devices, or wireless control release devices, and includes all components covered in FMVSS No. 206. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Light vehicle means any motor vehicle, except a bus, motorcycle, or trailer, with a GVWR of 10,000 lbs or less.

Make means a name that a manufacturer applies to a group of vehicles.

Manufacturer means a person manufacturing or assembling motor vehicles or motor vehicle equipment, or importing motor vehicles or motor vehicle equipment for resale. This term includes any parent corporation, any subsidiary or affiliate, and any subsidiary or affiliate of a parent corporation of such a person.

Medium-heavy vehicle means any motor vehicle, except a trailer, with a GVWR greater than 10,000 lbs.

Minimal specificity means:

(1) For a vehicle, the make, model, and model year,

(2) For a child restraint system, the manufacturer and the model (either the model name or model number),

(3) For a tire, the manufacturer, tire line, and tire size, and

(4) For other motor vehicle equipment, the manufacturer and, if there is a model or family of models identified on the item of equipment, the model name or model number.

Model means a name that a manufacturer of motor vehicles applies to a family of vehicles within a make which have a degree of commonality in construction, such as body, chassis or cab type. For equipment other than child restraint systems, it means the name that the manufacturer uses to designate it. For child restraint systems, it means the name that the manufacturer uses to identify child restraint systems with the same seat shell, buckle, base (if so equipped) and restraint system.

Model year means the year that a manufacturer uses to designate a discrete model of vehicle, irrespective of the calendar year in which the vehicle was manufactured. If the manufacturer has not assigned a model year, it means the calendar year in which the vehicle was manufactured.

Notice means a document, other than a media article, that does not include a demand for relief, and that a manufacturer receives from a person other than NHTSA.

Parking brake means a mechanism installed in a motor vehicle which is designed to prevent the movement of a stationary motor vehicle, including all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Platform means the basic structure of a vehicle including, but not limited to, the majority of the floorpan or undercarriage, and elements of the engine compartment. The term includes a structure that a manufacturer designates as a platform. A group of vehicles sharing a common structure or chassis shall be considered to have a common platform regardless of whether such vehicles are of the same type, are of the same make, or are sold by the same manufacturer.

Power train means the components or systems of a motor vehicle whichtransfer motive power from the engine to the wheels, including the transmission (manual and automatic), gear selection devices and associated linkages, clutch, constant velocity joints, transfer case, driveline, differential(s), and all driven axle assemblies. This term includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Production year means, for equipment and tires, the calendar year in which the item was produced.

Property damage means physical injury to tangible property.

Property damage claim means a claim for property damage, excluding that part of a claim, if any, pertaining solely to damage to a component or system of a vehicle or an item of equipment itself based on the alleged failure or malfunction of the component, system, or item, and further excluding matters addressed under warranty.

Rear-facing infant seat means a child restraint system that positions a child to face in the direction opposite to the normal direction of travel of the motor vehicle.

Reporting period means a calendar quarter of a year, unless otherwise stated.

Rollover means a single-vehicle crash in which a motor vehicle rotates on its longitudinal axis to at least 90 degrees, regardless of whether it comes to rest on its wheels.

Seats means all components of a motor vehicle that are subject to FMVSS Nos. 202, 207, and 209, including all electrical and electronic components within the seat that are related to seat positioning, heating, and cooling. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Seat belts means any belt system, other than an air bag, that may or may not require the occupant to latch, fasten, or secure the components of the seat belt/webbing based restraint system to ready its use for protection of the occupant in the event of a vehicle crash. This term includes the webbing, buckle, anchorage, retractor, belt pretensioner devices, load limiters, and all components, hardware and software associated with an automatic or manual seat belt system addressed by FMVSS No. 209 or 210. This term

also includes integrated child restraint systems in vehicles, and includes any device (and all components of that device), installed in a motor vehicle in accordance with FMVSS No. 213, which is designed for use as a safety restraint device for a child too small to use a vehicle's seat belts. This term includes all vehicle components installed in accordance with FMVSS No. 225. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Seat shell means the portion of a child restraint system that provides the structural shape, form and support for the system, and for other components of the system such as belt attachment points, and anchorage points to allow the system to be secured to a passenger seat in a motor vehicle, but not including a shield.

Service brake system means all components of the service braking system of a motor vehicle intended for the transfer of braking application force from the operator to the wheels of a vehicle, including the foundation braking system, such as the brake pedal, master cylinder, fluid lines and hoses, braking assist components, brake calipers, wheel cylinders, brake discs, brake drums, brake pads, brake shoes, and other related equipment installed in a motor vehicle in order to comply with FMVSS Nos. 105, 121, 122, or 135 (except equipment relating specifically to a parking brake). This term also includes systems and devices for automatic control of the brake system such as antilock braking, traction control, stability control, and enhanced braking. The term includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Sidewall means the area of a tire between the tread and the bead area, including the sidewall rubber components, the body ply and its coating rubber under the side area, and the inner-liner rubber under the body ply in the side area.

SKU (Stock Keeping Unit) means the alphanumeric designation assigned by a manufacturer to uniquely identify a tire product. This term is sometimes referred to as a product code, a product ID, or a part number.

Steering system means all steering control system components, including the steering system mechanism and its associated hardware, the steering wheel, steering column, steering shaft, linkages, joints (including tie-rod ends), steering dampeners, and power steering assist systems. This term includes a steering control system as defined by FMVSS No. 203 and any subsystem or component of a steering control system, including those components defined in FMVSS No. 204. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Structure means any part of a motor vehicle that serves to maintain the shape and size of the vehicle, including the frame, the floorpan, the body, bumpers, doors, tailgate, hatchback, trunk lid, hood, and roof. The term also includes all associated mounting elements (such as brackets, fasteners, etc.).

Suspension system means all components and hardware associated with a motor vehicle suspension system, including the associated control arms, steering knuckles, spindles, joints, bushings, ball joints, springs, shock absorbers, stabilizer (anti sway) bars, and bearings that are designed to minimize the impact on the vehicle chassis of shocks from road surface irregularities that may be transmitted through the wheels, and to provide stability when the vehicle is being operated through a range of speed, load, and dynamic conditions. The term also includes all electronic control systems and mechanisms for active suspension control, as well as all associated components such as switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Tire means an item of motor vehicle equipment intended to interface between the road and a motor vehicle. The term includes all the tires of a vehicle, including the spare tire. For purposes of Sec. Sec. 579.21 through 579.24 and Sec. 579.27 of this part, this term also includes the tire inflation valves, tubes,

and tire pressure monitoring and regulating systems, as well as all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Tire line means the entire name used by a tire manufacturer to designate a tire product including all prefixes and suffixes as they appear on the sidewall of a tire.

Trailer hitch means all coupling systems, devices, and components thereof, designed to join or connect any two motor vehicles. This term also includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Tread (also known as crown) means all materials in the tread area of a tire including the rubber that makes up the tread, the sub-base rubber, when present, between the tread base and the top of the belts, the belt material, either steel and/or fabric, and the rubber coating of the same including any rubber inserts, the body ply and its coating rubber under the tread area of the tire, and the inner-liner rubber under the tread.

Type means, in the context of a light vehicle, a vehicle certified by its manufacturer pursuant to Sec. 567.4(g)(7) of this chapter as a passenger car, multipurpose passenger vehicle, or truck, or a vehicle identified by its manufacturer as an incomplete vehicle pursuant to Sec. 568.4 of this chapter. In the context of a medium heavy vehicle and bus, it means one of the following categories: Truck, tractor, transit bus, school bus, coach, recreational vehicle, emergency vehicle, or other. In the context of a trailer, it means one of the following categories: Recreational trailers, van trailers, flatbed trailer, trailer converter dolly, lowbed trailer, dump trailer, tank trailer, dry bulk trailer, livestock trailer, boat trailer, auto transporter, or other. In the context of a child restraint system, it means the category of child restraint system selected from one of the following: rear-facing infant seat, booster seat, or other.

Vehicle speed control means the systems and components of a motor vehicle that control vehicle speed either by command of the operator or by automatic control, including, but not limited, to the accelerator pedal, linkages, cables, springs, speed control devices (such as cruise control) and speed limiting devices. This term includes, but is not limited to the items addressed by FMVSS No. 124 and all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Visibility means the systems and components of a motor vehicle through which a driver views the surroundings of the vehicle including windshield, side windows, back window, and rear view mirrors, and systems and components used to wash and wipe windshields and back windows. This term includes those vehicular systems and components that can affect the ability of the driver to clearly see the roadway and surrounding area, such as the systems and components identified in FMVSS Nos. 103, 104, and 111. This term also includes the defogger/defroster system, the heater core, blower fan, windshield wiper systems, mirrors, windows and glazing material, heads-up display (HUD) systems, and exterior view-based television systems, but does not include exterior lighting systems which are defined under ``Lighting." This term includes all associated switches, control units, connective elements (such as wiring harnesses, hoses, piping, etc.), and mounting elements (such as brackets, fasteners, etc.).

Warranty means any written affirmation of fact or written promise made in connection with the sale or lease of a motor vehicle or motor vehicle equipment by a manufacturer to a buyer or lessee that relates to the nature of the material or workmanship and affirms or promises that such material or workmanship is defect free or will meet a specified level of performance over a specified period of time (including any extensions of such specified period of time), or any undertaking in writing in connection with the sale or lease by a manufacturer of a motor vehicle or item of motor vehicle equipment to refund, repair, replace, or take other remedial action with respect to such product in the event that such product fails to meet the specifications set forth in the undertaking.

Warranty adjustment means any payment or other restitution, such as, but not limited to, replacement, repair, credit, or cash refund, made by a tire manufacturer to a consumer or to a dealer, in reimbursement for payment or other restitution to a consumer, pursuant to a warranty program offered by the manufacturer or goodwill.

Warranty claim means any claim paid by a manufacturer, including provision of a credit, pursuant to a warranty program, an extended warranty program, or good will. It does not include claims for reimbursement for costs or related expenses for work performed to remedy a safety-related defect or noncompliance reported to NHTSA under Part 573 of this chapter, or in connection with a motor vehicle emissions-related recall under the Clean Air Act or in accordance with State law as authorized under 42 U.S.C. 7543(b) or 7507.

Wheel means the assembly or component of a motor vehicle to which a tire is mounted. The term includes any item of motor vehicle equipment used to attach the wheel to the vehicle, including inner cap nuts and the wheel studs, bolts, and nuts.

Work Product means a document in the broad sense of the word, prepared in anticipation of litigation where there is a reasonable prospect of litigation and not for some other purpose such as a business practice, and prepared or requested by an attorney or an agent for an attorney.

(d) Terms related to foreign claims. For purposes of subpart C of this part:

(1) A motor vehicle sold or in use outside the United States is identical or substantially similar to a motor vehicle sold or offered for sale in the United States if--

(i) Such a vehicle has been sold in Canada or has been certified as complying with the Canadian Motor Vehicle Safety Standards;

(ii) Such a vehicle is listed in the VSP or VSA columns of Appendix A to part 593 of this chapter;

(iii) Such a vehicle is manufactured in the United States for sale in a foreign country; or

(iv) Such a vehicle uses the same vehicle platform as a vehicle sold or offered for sale in the United States.

(2) An item of motor vehicle equipment sold or in use outside the United States is identical or substantially similar to equipment sold or offered for sale in the United States if such equipment and the equipment sold or offered for sale in the United States have one or more components or systems that are the same, and the component or system performs the same function in vehicles or equipment sold or offered for sale in the United States, regardless of whether the part numbers are identical.

(3) A tire sold or in use outside the United States is substantially similar to a tire sold or offered for sale in the United States if it has the same size, speed rating, load index, load range, number of plies and belts, and similar ply and belt construction and materials, placement of components, and component materials, irrespective of plant of manufacture or tire line.

Sec. 579.5 Notices, bulletins, customer satisfaction campaigns, consumer advisories, and other communications.

(a) Each manufacturer shall furnish to NHTSA a copy of all notices, bulletins, and other communications (including those transmitted by computer, telefax, or other electronic means and including warranty and policy extension communiques and product improvement bulletins) other than those required to be submitted pursuant to Sec. 573.5(c)(9) of this chapter, sent to more than one manufacturer, distributor, dealer, lessor, lessee, owner, or purchaser, in the United States, regarding any defect in its vehicles or items of equipment (including any failure or malfunction beyond normal

deterioration in use, or any failure of performance, or any flaw or unintended deviation from design specifications), whether or not such defect is safety-related.

(b) Each manufacturer shall furnish to NHTSA a copy of each communication relating to a customer satisfaction campaign, consumer advisory, recall, or other safety activity involving the repair or replacement of motor vehicles or equipment, that the manufacturer issued to, or made available to, more than one dealer, distributor, lessor, lessee, other manufacturer, owner, or purchaser, in the United States.

(c) If a notice or communication is required to be submitted under both paragraphs (a) and (b) of this section, it need only be submitted once.

(d) Each copy shall be in readable form and shall be submitted not later than five working days after the end of the month in which it was issued. However, a document of this section and issued before July 1, 2003, need not be submitted.

Sec. 579.6 Address for submitting reports and other information.

Information, reports, and documents required to be submitted to NHTSA pursuant to this part, if submitted by mail, must be addressed to the Associate Administrator for Enforcement, National Highway Traffic Safety Administration (NHTSA), 400 7th Street, SW., Washington, D.C. 20590. Information, documents, and reports that are submitted to NHTSA's early warning data repository shall be submitted in accordance with Sec. 579.29 of this part. Submissions must be made by a means that permits the sender to verify that the report was in fact received by NHTSA and the day it was received by NHTSA.

Secs. 579.7-579.10 [Reserved]

**Subpart B--Reporting of Defects in Motor Vehicles and Motor Vehicle Equipment in Countries Other Than the United States**

Sec 579.11 Reporting responsibilities

(a) *Determination by a manufacturer.* Not later than 5 working days after a manufacturer determines to conduct a safety recall or other safety campaign in a foreign country covering a motor vehicle, item of motor vehicle equipment, or tire that is identical or substantially similar to a vehicle, item of equipment, or tire sold or offered for sale in the United States, the manufacturer shall report the determination to NHTSA. For purposes of this paragraph, this period is determined by reference to the general business practices of the office in which such determination is made, and the office reporting to NHTSA.

(b) *Determination by a foreign government.* Not later than 5 working days after a manufacturer receives written notification that a foreign government has determined that a safety recall or other safety campaign must be conducted in its country with respect to a motor vehicle, item of motor vehicle equipment, or tire that is identical or substantially similar to a vehicle, item of equipment, or tire sold or offered for sale in the United States, the manufacturer shall report the determination to NHTSA. For purposes of this paragraph, this period is determined by reference to the general business practices of the office where the

manufacturer receives such notification, the manufacturer's international headquarters office (if involved), and the office reporting to NHTSA.

(c) *One-time historical reporting.* Not later than 30 calendar days after November 12, 2002, a manufacturer that has made a determination to conduct are call or other safety campaign in a foreign country, or that has received written notification that a foreign government has determined that a safety recall or other safety campaign must be conducted in its country in the period between November 1, 2000 and November 12, 2002, and that has not reported such determination or notification of determination to NHTSA in a report that identified the model(s)and model year(s) of the vehicles, equipment, or tires that were the subject of the foreign recall or other safety campaign, the model(s) and model year(s) of the vehicles, equipment, or tires that were identical or substantially similar to the subject of the recall or campaign, and the defect or other condition that led to the foreign recall or campaign, as of November 12, 2002,shall report such determination or notification of determination to NHTSA if the safety recall or other safety campaign covers a motor vehicle, item of motor vehicle equipment, or tire that is identical or substantially similar to a vehicle, item of equipment, or tire sold or offered for sale in the United States. However, a report need not be resubmitted under this paragraph if the original report identified the model(s)and model year(s) of the vehicles, equipment, or tires that were the subject of the foreign recall or other safety campaign, identified the model(s) and model year(s) of the identical or substantially similar products in the United States, and identified the defect or other condition that led to the foreign recall or other safety campaign.

(d) *Exemptions from reporting.* Notwithstanding paragraphs (a), (b), and(c) of this section a manufacturer need not report a foreign safety recall or other safety campaign to NHTSA if:

(1) The manufacturer has determined that for the same or substantially similar reasons relating to motor vehicle safety that it is conducting a safety recall or other safety campaign in a foreign country, a safety-related defect or noncompliance with a Federal motor vehicle safety standard exists in identical or substantially similar motor vehicles, motor vehicle equipment, or tires sold or offered for sale in the United States, and has filed a defect or noncompliance information report pursuant to Part 573 of this chapter, provided that the scope of the foreign recall or campaign is not broader than the scope of the recall campaign in the United States;
(2) The component or system that gave rise to the foreign recall or other campaign does not perform the same function in any vehicles or equipment sold or offered for sale in the United States; or
(3) The sole subject of the foreign recall or other campaign is a label affixed to a vehicle, item of equipment, or a tire.

(e) *Annual list of substantially similar vehicles.* Not later than November 1 of each year, each manufacturer of motor vehicles that sells or offers a motor vehicle for sale in the United States shall submit to NHTSA a document that identifies both each model of motor vehicle that the manufacturer sells or plans to sell during the following year in a foreign country that the manufacturer believes is identical or substantially similar to a motor vehicle sold or offered for sale in the United States (or to a motor vehicle that is planned for sale in the United States in the following year), and each such identical or substantially similar motor vehicle sold or offered for sale in the United States.

Sec 579.12 Contents of reports

(a) Each report made pursuant to§ 579.11 of this part must be dated and must include the information specified in § 573.6(c)(1), (c)(2), (c)(3), and (c)(5)of this chapter. Each such report must also identify each foreign country in which the safety recall or other safety campaign is being conducted, state whether the foreign action is a safety recall or other safety campaign, state whether the determination to conduct the recall or campaign was made by the manufacturer or by a foreign government, describe the manufacturer's program for remedying the defect or noncompliance (if the action is a safety recall), specify the date of the determination and the date there call or other campaign was commenced or will commence in each foreign country, and identify all motor vehicles, equipment, or tires that the manufacturer sold or offered for sale in the United States that are identical or substantially similar to the motor vehicles, equipment, or tires covered by the foreign recall or campaign. If a determination has been made by a foreign government, the report must also include a copy of the determination in the original language and, if the determination is in a language other than English, a copy translated into English.

(b) Information required by paragraph(a) of this section that is not available within the 5-working day period specified in § 579.11 of this part shall be submitted as it becomes available.

**Subpart C--Reporting of Early Warning Information**

Sec. 579.21 Reporting requirements for manufacturers of 500 or more light vehicles annually.

For each reporting period, a manufacturer whose aggregate number of light vehicles manufactured for sale, sold, offered for sale, introduced or delivered for introduction in interstate commerce, or imported into the United States, during the calendar year of the reporting period or during each of the prior two calendar years is 500 or more shall submit the information described in this section. For paragraphs (a) and (c) of this section, the manufacturer shall submit information separately with respect to each make, model, and model year of light vehicle manufactured during the reporting period and the nine model years prior to the earliest model year in the reporting period, including models no longer in production.

(a) Production information. Information that states the manufacturer's name, the quarterly reporting period, the make, the model, the model year, the type, the platform, and the production. The production shall be stated as either the cumulative production of the current model year to the end of the reporting period, or the total model year production for each model year for which production has ceased.

(b) Information on incidents involving death or injury. For all light vehicles manufactured during a model year covered by the reporting period and the nine model years prior to the earliest model year in the reporting period:

(1) A report on each incident involving one or more deaths or injuries occurring in the United States that is identified in a claim against and received by the manufacturer or in a notice received by the

manufacturer which notice alleges or proves that the death or injury was caused by a possible defect in the manufacturer's vehicle, together with each incident involving one or more deaths occurring in a foreign country that is identified in a claim against and received by the manufacturer involving the manufacturer's vehicle, if that vehicle is identical or substantially similar to a vehicle that the manufacturer has offered for sale in the United States. The report shall be submitted as a report on light vehicles and organized such that incidents are reported alphabetically by make, within each make alphabetically by model, and within each model chronologically by model year.

(2) For each incident described in paragraph (b)(1) of this section, the manufacturer shall separately report the make, model, model year, and VIN of the vehicle, the incident date, the number of deaths, the number of injuries for incidents occurring in the United States, the State or foreign country where the incident occurred, each system or component of the vehicle that allegedly contributed to the incident, and whether the incident involved a fire or rollover, coded as follows: 01 steering system, 02 suspension system, 03 service brake system, 05 parking brake, 06 engine and engine cooling system, 07 fuel system, 10 power train, 11 electrical system, 12 exterior lighting, 13 visibility, 14 air bags, 15 seat belts, 16 structure, 17 latch, 18 vehicle speed control, 19 tires, 20 wheels, 22 seats, 23 fire, 24 rollover, 98 where a system or component not covered by categories 01 through 22 is specified in the claim or notice, and 99 where no system or component of the vehicle is specified in the claim or notice. If an incident involves more than one such code, each shall be reported separately in the report with a limit of five codes to be included.

(c) Numbers of property damage claims, consumer complaints, warranty claims, and field reports. Separate reports on the numbers of those property damage claims, consumer complaints, warranty claims, and field reports which involve the systems and components that are specified in codes 01 through 22 in paragraph (b)(2) of this section, or a fire (code 23), or rollover (code 24). Each such report shall state, separately by each such code, the number of such property damage claims, consumer complaints, warranty claims, or field reports, respectively, that involves the systems or components or fire or rollover indicated by the code. If an underlying property damage claim, consumer complaint, warranty claim, or field report involves more than one such code, each shall be reported separately in the report with no limit on the number of codes to be included. No reporting is necessary if the system or component involved is not specified in such codes, and the incident did not involve a fire or rollover.

(d) Copies of field reports. For all light vehicles manufactured during a model year covered by the reporting period and the nine model years prior to the earliest model year in the reporting period, a copy of each field report (other than a dealer report) involving one or more of the systems or components identified in paragraph (b)(2) of this section, or fire, or rollover, containing any assessment of an alleged failure, malfunction, lack of durability, or other performance problem of a motor vehicle or item of motor vehicle equipment (including any part thereof) that is originated by an employee or representative of the manufacturer and that the manufacturer received during a reporting period. These documents shall be submitted alphabetically by make, within each make alphabetically by model, and within each model chronologically by model year. For purposes of this paragraph, if a field report refers to more than one make or model of light vehicle produced by a manufacturer on a particular platform, the manufacturer shall submit the report alphabetically by platform rather than by make or model. If such a field report refers to more than one platform, separate copies shall be submitted for each such platform. If a field report refers to more than one model year of a specified make/model or platform, the manufacturer shall submit it by the earliest model year to which it refers.

Sec. 579.22 Reporting requirements for manufacturers of 500 or more medium-heavy vehicles and buses annually.

For each reporting period, a manufacturer whose aggregate number of medium-heavy vehicles and buses manufactured for sale, sold, offered for sale, introduced or delivered for introduction in interstate commerce, or imported into the United States, during the calendar year of the reporting period or during either of the prior two calendar years is 500 or more shall submit the information described in this section. For paragraphs (a) and (c) of this section, the manufacturer shall submit information separately with respect to each make, model, and model year of medium-heavy vehicle and bus manufactured during the reporting period and the nine model years prior to the earliest model year in the reporting period, including models no longer in production.

(a) Production information. Information that states the manufacturer's name, the quarterly reporting period, the make, the model, the model year, the type, and the production. The production shall be stated as either the cumulative production of the current model year to the end of the reporting period, or the total model year production for each model year for which production has ceased. For each model that is manufactured and available with more than one type of fuel system (i.e., gasoline, diesel, or other (including vehicles that can be operated using more than one type of fuel, such as gasoline and compressed natural gas)), the information required by this subsection shall be reported separately by each of the three fuel system types. For each model that is manufactured and available with more than one type of service brake system (i.e., hydraulic or air), the information required by this subsection shall be reported by each of the two brake types. If the service brake system in a vehicle is not readily characterized as either hydraulic or air, the vehicle shall be considered to have hydraulic service brakes.

(b) Information on incidents involving death or injury. For all medium heavy vehicles and buses manufactured during a model year covered by the reporting period and the nine model years prior to the earliest model year in the reporting period:

(1) A report on each incident involving one or more deaths or injuries occurring in the United States that is identified in a claim against and received by the manufacturer or in a notice received by the manufacturer which notice alleges or proves that the death or injury was caused by a possible defect in the manufacturer's vehicle, together with each incident involving one or more deaths occurring in a foreign country that is identified in a claim against and received by the manufacturer involving the manufacturer's vehicle, if that vehicle is identical or substantially similar to a vehicle that the manufacturer has offered for sale in the United States. The report shall be submitted as a report on medium-heavy vehicles and buses and organized such that incidents are reported alphabetically by make, within each make alphabetically by model, and within each model chronologically by model year.

(2) For each incident described in paragraph (b)(1) of this section, the manufacturer shall separately report the make, model, model year, and VIN of the medium-heavy vehicle or bus, the incident date, the number of deaths, the number of injuries for incidents occurring in the United States, the State or foreign country where the incident occurred, each system or component of the vehicle that allegedly contributed to the incident, and whether the incident involved a fire or rollover, coded as follows: 01 steering system, 02 suspension system, 03 service brake system, hydraulic, 04 service brake system, air, 05 parking brake, 06 engine and engine cooling system, 07 fuel system, gasoline, 08 fuel system, diesel, 09 fuel system, other, 10 power train, 11 electrical, 12 exterior lighting, 13 visibility, 14 air bags, 15 seat belts, 16 structure, 17 latch, 18 vehicle speed control, 19 tires, 20 wheels, 21 trailer hitch, 22 seats, 23 fire, 24 rollover, 98 where a system or component not covered by categories 01 through 22 is specified in the

claim or notice, and 99 where no system or component of the vehicle is specified in the claim or notice. If an incident involves more than one such code, each shall be reported separately in the report with a limit of five codes to be included.

(c) Numbers of property damage claims, consumer complaints, warranty claims, and field reports. Separate reports on the numbers of those property damage claims, consumer complaints, warranty claims, and field reports which involve the systems and components that are specified in codes 01 through 22 in paragraph (b)(2) of this section, or a fire (code 23), or rollover (code 24). Each such report shall state, separately by each such code, the number of such property damage claims, consumer complaints, warranty claims, or field reports, respectively, that involves the systems or components or fire or rollover indicated by the code. If an underlying property damage claim, consumer complaint, warranty claim, or field report involves more than one such code, each shall be reported separately in the report with no limit on the number of codes to be included. No reporting is necessary if the system or component involved is not specified in such codes, and the incident did not involve a fire or rollover.

(d) Copies of field reports. For all medium heavy vehicles and buses manufactured during a model year covered by the reporting period and the nine model years prior to the earliest model year in the reporting period, a copy of each field report (other than a dealer report) involving one or more of the systems or components identified in paragraph (b)(2) of this section, or fire, or rollover, containing any assessment of an alleged failure, malfunction, lack of durability, or other performance problem of a motor vehicle or item of motor vehicle equipment (including any part thereof) that is originated by an employee or representative of the manufacturer and that the manufacturer received during a reporting period. These documents shall be submitted alphabetically by make, within each make alphabetically by model, and within each model chronologically by model year. For purposes of this paragraph, if a field report refers to more than one make or model of vehicle produced by a manufacturer on a particular platform, the manufacturer shall submit the report alphabetically by platform rather than by make or model. If such a field report refers to more than one platform, separate copies shall be submitted for each such platform. If a field report refers to more than one model year of a specified make/model or platform, the manufacturer shall submit it by the earliest model year to which it refers.

Sec. 579.23 Reporting requirements for manufacturers of 500 or more motorcycles annually.

For each reporting period, a manufacturer whose aggregate number of motorcycles manufactured for sale, sold, offered for sale, introduced or delivered for introduction in interstate commerce, or imported into the United States, during the calendar year of the reporting period or during either of the prior two calendar years is 500 or more shall submit the information described in this section. For paragraphs (a) and (c) of this section, the manufacturer shall submit information separately with respect to each make, model, and model year of motorcycle manufactured during the reporting period and the nine model years prior to the earliest model year in the reporting period, including models no longer in production.

(a) Production information. Information that states the manufacturer's name, the quarterly reporting period, the make, the model, the model year, and the production. The production shall be stated as either the cumulative production of the current model year to the end of the reporting period, or the total model year production for each model year for which production has ceased.

(b) Information on incidents involving death or injury. For all motorcycles manufactured during a model year covered by the reporting period and the nine model years prior to the earliest model year in the reporting period:

(1) A report on each incident involving one or more deaths or injuries occurring in the United States that is identified in a claim against and received by the manufacturer or in a notice received by the manufacturer which notice alleges or proves that the death or injury was caused by a possible defect in the manufacturer's motorcycle, together with each incident involving one or more deaths occurring in a foreign country that is identified in a claim against and received by the manufacturer involving the manufacturer's motorcycle, if that motorcycle is identical or substantially similar to a motorcycle that the manufacturer has offered for sale in the United States. The report shall be submitted as a report on motorcycles and organized such that incidents are reported alphabetically by make, within each make alphabetically by model, and within each model chronologically by model year.

(2) For each incident described in paragraph (b)(1) of this section, the manufacturer shall separately report the make, model, model year, and VIN of the motorcycle, the incident date, the number of deaths, the number of injuries for incidents occurring in the United States, the State or foreign country where the incident occurred, each system or component of the motorcycle that allegedly contributed to the incident, and whether the incident involved a fire, coded as follows: 01 steering, 02 suspension, 03 service brake system, 06 engine and engine cooling, 07 fuel system, 10 power train, 11 electrical, 12 exterior lighting, 16 structure,18 vehicle speed control, 19 tires, 20 wheels, 23 fire, 98 where a system or component not covered by categories 01 through 20 is specified in the claim or notice, and 99 where no system or component of the vehicle is specified in the claim or notice. If an incident involves more than one such code, each shall be reported separately in the report with a limit of five codes to be included.

(c) Numbers of property damage claims, consumer complaints, warranty claims, and field reports. Separate reports on the numbers of those property damage claims, consumer complaints, warranty claims, and field reports which involve the systems and components that are specified in codes 01 through 20 in paragraph (b)(2) of this section, or a fire (code 23). Each such report shall state, separately by each such code, the number of such property damage claims, consumer complaints, warranty claims, or field reports, respectively, that involves the systems or components or fire indicated by the code. If an underlying property damage claim, consumer complaint, warranty claim, or field report involves more than one such code, each shall be reported separately in the report with no limit on the number of codes to be included. No reporting is necessary if the system or component involved is not specified in such codes, and the incident did not involve a fire.

(d) Copies of field reports. For all motorcycles manufactured during a model year covered by the reporting period and the nine model years prior to the earliest model year in the reporting period, a copy of each field report (other than a dealer report) involving one or more of the systems or components identified in paragraph (b)(2) of this section or fire, containing any assessment of an alleged failure, malfunction, lack of durability, or other performance problem of a motorcycle or item of motor vehicle equipment (including any part thereof) that is originated by an employee or representative of the manufacturer and that the manufacturer received during a reporting period. These documents shall be submitted alphabetically by make, within each make alphabetically by model, and within each model chronologically by model year. For purposes of this paragraph, if a field report refers to more than one make or model of motorcycle produced by a manufacturer on a particular platform, the manufacturer shall submit the report alphabetically by platform rather than by make or model. If such a field report refers to more than one platform, separate copies shall be submitted for each such platform. If a field report refers

to more than one model year of a specified make/model or platform, the manufacturer shall submit it by the earliest model year to which it refers.

Sec. 579.24 Reporting requirements for manufacturers of 500 or more trailers annually.

For each reporting period, a manufacturer whose aggregate number of trailers manufactured for sale, sold, offered for sale, introduced or delivered for introduction in interstate commerce, or imported into the United States, during the calendar year of the reporting period or during either of the prior two calendar years is 500 or more shall submit the information described in this section. For paragraphs (a) and (c) of this section, the manufacturer shall submit information with respect to each make, model and model year of trailer manufactured during the reporting period and the nine model years prior to the earliest model year in the reporting period, including models no longer in production.

(a) Production information. Information that states the manufacturer's name, the quarterly reporting period, the make, the model, the model year, the type, and the production. The production shall be stated as either the cumulative production of the current model year to the end of the reporting period, or the total model year production for each model year for which production has ceased. For each model that is manufactured and available with more than one type of service brake system (i.e., hydraulic and air), the information required by this subsection shall be reported by each of the two brake types (i.e., ``H'' for hydraulic, ``A'' for air). If the service brake system in a trailer is not readily characterized as either hydraulic or air, the trailer shall be considered to have hydraulic service brakes. If a model has no brake system, it shall be reported as ``N,'' for none.

(b) Information on incidents involving death or injury. For all trailers manufactured during a model year covered by the reporting period and the nine model years prior to the earliest model year in the reporting period:

(1) A report on each incident involving one or more deaths or injuries occurring in the United States that is identified in a claim against and received by the manufacturer or in a notice received by the manufacturer which notice alleges or proves that the death or injury was caused by a possible defect in the manufacturer's trailer, together with each incident involving one or more deaths occurring in a foreign country that is identified in a claim against and received by the manufacturer involving the manufacturer's trailer, if that trailer is identical or substantially similar to a trailer that the manufacturer has offered for sale in the United States. The report shall be submitted as a report on trailers and organized such that incidents are reported alphabetically by make, with each make alphabetically by model, and within each model chronologically by model year.

(2) For each incident described in paragraph (b)(1) of this section, the manufacturer shall separately report the make, model, model year, and VIN of the trailer, the incident date, the number of deaths, the number of injuries for incidents occurring in the United States, the State or foreign country where the incident occurred, each system or component of the trailer that allegedly contributed to the incident, and whether the incident involved a fire, coded as follows: 02 suspension, 03 service brake system, hydraulic, 04 service brake system, air, 05 parking brake, 11 electrical, 12 exterior lighting, 16 structure, 17 latch, 19 tires, 20 wheels, 21 trailer hitch, 23 fire, 98 where a system or component not covered by categories 02 through 21 is specified in the claim or notice, and 99 where no system or component of the trailer is

specified in the claim or notice. If an incident involves more than one such code, each shall be reported separately in the report with a limit of five codes to be included.

(c) Numbers of property damage claims, consumer complaints, warranty claims, and field reports. Separate reports on the numbers of those property damage claims, consumer complaints, warranty claims, and field reports which involve the systems and components that are specified in codes 02 through 21 in paragraph (b)(2) of this section, or a fire (code 23). Each such report shall state, separately by each such code, the number of such property damage claims, consumer complaints, warranty claims, or field reports, respectively, that involves the systems or components or fire indicated by the code. If an underlying property damage claim, consumer complaint, warranty claim, or field report involves more than one such code, each shall be reported separately in the report with no limit on the number of codes to be included. No reporting is necessary if the system or component involved is not specified in such codes, and the incident did not involve a fire.

(d) Copies of field reports. For all trailers manufactured during a model year covered by the reporting period and the nine model years prior to the earliest model year in the reporting period, a copy of each field report (other than a dealer report) involving one or more of the systems or components identified in paragraph (b)(2) of this section or fire, containing any assessment of an alleged failure, malfunction, lack of durability, or other performance problem of a trailer or item of motor vehicle equipment (including any part thereof) that is originated by an employee or representative of the manufacturer and that the manufacturer received during a reporting period. These documents shall be submitted alphabetically by make, within each make alphabetically by model, and within each model chronologically by model year. For purposes of this paragraph, if a field report refers to more than one make or model of trailer produced by a manufacturer on a particular platform, the manufacturer shall submit the report alphabetically by platform rather than by make or model. If such a field report refers to more than one platform, separate copies shall be submitted for each such platform. If a field report refers to more than one model year of a specified make/model or platform, the manufacturer shall submit it by the earliest model year to which it refers.

Sec. 579.25 Reporting requirements for manufacturers of child restraint systems.

For each reporting period, a manufacturer whose has manufactured for sale, sold, offered for sale, introduced or delivered for introduction in interstate commerce, or imported child restraint systems into the United States, shall submit the information described in this section. For paragraphs (a) and (c) of this section, the manufacturer shall submit information separately with respect to each make, model, and production year of child restraint system manufactured during the reporting period and the four production years prior to the earliest production year in the reporting period, including models no longer in production. For paragraph (c) of this section, if any consumer complaints or warranty claims regarding a model of child restraint system do not specify the production year of the system, the manufacturer shall submit information for ``unknown'' production year in addition to the up-to-five production years for which the manufacturer must otherwise report the number of such consumer complaints/warranty claims.

(a) Production information. Information that states the manufacturer's name, the quarterly reporting period, the make, the model, the production year, the type, and the production. * * *

(b) Information on incidents involving death or injury. For all child restraint systems manufactured during a production year covered by the reporting period and the four production years prior to the earliest production year in the reporting period:

(1) A report on each incident involving one or more deaths or injuries occurring in the United States that is identified in a claim against and received by the manufacturer or in a notice received by the manufacturer which notice alleges or proves that the death or injury was caused by a possible defect in the manufacturer's child restraint system, together with each incident involving one or more deaths occurring in a foreign country that is identified in a claim against and received by the manufacturer involving the manufacturer's child restraint system, if the child restraint system is identical or substantially similar to a child restraint system that the manufacturer has offered for sale in the United States. The report shall be submitted as a report on child restraint systems and organized such that incidents are reported alphabetically by make, within each make alphabetically by model, and within each model chronologically by production year.

(2) For each such incident described in paragraph (b)(1) of this section, the manufacturer shall separately report the make, model, and production year of the child restraint system, the incident date, the number of deaths, the number of injuries for incidents occurring in the United States, the State or foreign country where the incident occurred, and each system or component of the child restraint system that allegedly contributed to the incident, coded as follows: 51 buckle and restraint harness, 52 seat shell, 53 handle, 54 base, 98 where a system or component not covered by categories 51 through 54 is specified in the claim or notice, and 99 where no system or component of the child restraint system is specified in the claim or notice. If an incident involves more than one such code, each shall be reported separately in the report. If the production year of the child restraint system is unknown, the manufacturer shall specify the number ``9999'' in the field for production year.

(c) Numbers of consumer complaints and warranty claims, and field reports. Separate reports on the numbers of those consumer complaints and warranty claims, and field reports, which involve the systems and components that are specified in codes 51 through 54 in paragraph (b)(2) of this section. Each such report shall state, separately by each such code, the number of such consumer complaints and warranty claims, or field reports, respectively, that involves the systems or components indicated by the code. If an underlying consumer complaint and warranty claim, or field report, involves more than one such code, each shall be counted separately in the report with no limit on the number of codes to be included. No reporting is necessary if the system or component involved is not specified in such codes.

(d) Copies of field reports. For all child restraint systems manufactured during a production year covered by the reporting period and the four production years prior to the earliest production year in the reporting period, a copy of each field report (other than a dealer report) involving one or more of the systems or components identified in paragraph (b)(2) of this section, containing any assessment of an alleged failure, malfunction, lack of durability, or other performance problem of a child restraint system (including any part thereof) that is originated by an employee or representative of the manufacturer and that the manufacturer received during a reporting period. These documents shall be submitted alphabetically by make, within each make alphabetically by model, and within each model chronologically by production year. For purposes of this paragraph, if a field report refers to more than one make or model of child restraint system produced by a manufacturer, the manufacturer shall submit the report under the first such model in alphabetical order. If a field report refers to more than one production year of a specified make/model, the manufacturer shall submit it by the earliest production year to which it refers.

Sec. 579.26 Reporting requirements for manufacturers of tires.

For each reporting period, a manufacturer (including a brand name owner) who has manufactured for sale, sold, offered for sale, introduced or delivered for introduction in interstate commerce, or imported tires into the United States shall submit the information described in this section. For purposes of this section, an importer of motor vehicles for resale is deemed to be the manufacturer of the tires on and in the vehicle at the time of its importation if the manufacturer of the tires is not required to report under this section. For paragraphs (a) and (c) of this section, the manufacturer shall submit information separately with respect to each tire line, size, SKU, plant where manufactured, and production year of tire manufactured during the reporting period and the four calendar years prior to the reporting period, including tire lines no longer in production. For each group of tires with the same SKU, plant where manufactured, and year for which the volume produced or imported is less than 15,000, or are deep tread, winter-type snow tires, space-saver or temporary use spare tires, tires with nominal rim diameters of 12 inches or less, or are not passenger car tires, light truck tires, or motorcycle tires, the manufacturer need only report information on incidents involving a death or injury, as specified in paragraph (b) of this section. For purposes of this section, the two-character DOT alphanumeric code for production plants located in the United States assigned by NHTSA in accordance with Sec. Sec. 574.5(a) and 574.6(b) of this chapter may be used to identify ``plant where manufactured." If the production plant is located outside the United States, the full plant name must be provided.

(a) Production information. Information that states the manufacturer's name, the quarterly reporting period, the tire line, the tire size, the tire type code, the SKU, the plant where manufactured, whether the tire is approved for use as original equipment on a motor vehicle, if so, the make, model, and model year of each vehicle for which it is approved, the production year, the cumulative warranty production, and the cumulative total production through the end of the reporting period. If the manufacturer knows that a particular group of tires is not used as original equipment on a motor vehicle, it shall state ``N" in the appropriate field, and if the manufacturer is not certain, it shall state ``U" in that field.

(b) Information on incidents involving death or injury. For all tires manufactured during a production year covered by the reporting period and the four production years prior to the earliest production year in the reporting period:

(1) A report on each incident involving one or more deaths or injuries occurring in the United States that is identified in a claim against and received by the manufacturer or in a notice received by the manufacturer which notice alleges or proves that the death or injury was caused by a possible defect in the manufacturer's tire, together with each incident involving one or more deaths occurring in a foreign country that is identified in a claim against and received by the manufacturer involving the manufacturer's tire, if that tire is identical or substantially similar to a tire that the manufacturer has offered for sale in the United States. The report shall be submitted as a report on tires and organized such that incidents are reported alphabetically by tire line, within each tire line by tire size, and within each tire size chronologically by production year.

(2) For each such incident described in paragraph (b)(1) of this section, the manufacturer shall separately report the tire line, size, and production year of the tire, the TIN, the incident date, the number of deaths, the number of injuries for incidents occurring in the United States, the State or foreign country where the incident occurred, the make, model, and model year of the vehicle on which the tire was installed, and each component of the tire that allegedly contributed to the incident, coded as follows: 71

tread, 72 sidewall, 73 bead, 98 where a component not covered by categories 71 through 73 is specified in the claim or notice, and 99 where no component of the tire is specified in the claim or notice. If an incident involves more than one such code, each shall be reported separately in the report.

(c) Numbers of property damage claims and warranty adjustments. Separate reports on the numbers of those property damage claims and warranty adjustments which involve the components that are specified in codes 71 through 73, and 98, in paragraph (b)(2) of this section. Each such report shall state, separately by each such code, the numbers of such property damage claims and warranty adjustments, respectively, that involve the components indicated by the code. If an underlying property damage claim or warranty adjustment involves more than one such code, each shall be reported separately in the report with no limit on the number of codes to be included. Numbers of property damage claims and warranty adjustments. No reporting is necessary if the system or component involved is not specified in such codes, or if the TIN is not specified in any property damage claim.

(d) Common green tire reporting. With each quarterly report, each manufacturer of tires shall provide NHTSA with a list of common green tires. For each specific common green tire grouping, the list shall provide all relevant tire lines, tire type codes, SKU numbers, brand names, and brand name owners.

Sec. 579.27 Reporting requirements for manufacturers of fewer than 500 vehicles annually, for manufacturers of original equipment, and for manufacturers of replacement equipment other than child restraint systems and tires.

(a) Applicability. This section applies to all manufacturers of vehicles with respect to vehicles that are not covered by reports on light vehicles, medium-heavy vehicles and buses, motorcycles, and trailers submitted pursuant to Secs. 579.21 through 579.24 of this part, to all manufacturers of original equipment, to all manufacturers of replacement equipment other than manufacturers of tires and child restraint systems, and to registered importers registered under 49 U.S.C. 30141(c).

(b) Information on incidents involving deaths. For each reporting period, a manufacturer to which this section applies shall submit a report, pertaining to vehicles and/or equipment manufactured or sold during the calendar year of the reporting period and the nine calendar years prior to the reporting period (four calendar years for equipment), including models no longer in production, on each incident involving one or more deaths occurring in the United States that is identified in a claim against and received by the manufacturer or in a notice received by the manufacturer which notice alleges or proves that the death was caused by a possible defect in the manufacturer's vehicle or equipment, together with each incident involving one or more deaths occurring in a foreign country that is identified in a claim against and received by the manufacturer involving the manufacturer's vehicle or equipment, if it is identical or substantially similar to a vehicle or item of equipment that the manufacturer has offered for sale in the United States. The report shall be organized such that incidents are reported alphabetically by make, within each make alphabetically by model, and within each model chronologically by model year. If a manufacturer has not received such a claim or notice during a reporting period, the manufacturer need not submit a report to NHTSA for that reporting period.

(c) For each incident described in paragraph (b) of this section, the manufacturer shall separately report the make, model, and model year of the vehicle or equipment, the VIN (for vehicles only), the incident date, the number of deaths, the number of injuries for incidents occurring in the United States, the State or

foreign country where the incident occurred, each system or component of the vehicle or equipment that allegedly contributed to the incident, and whether the incident involved a fire or rollover, as follows:

(1) For light vehicles, the system or component involved, and the existence of a fire or rollover, shall be identified and coded as specified in Sec. 579.21(b)(2) of this part.

(2) For medium-heavy vehicles and buses, the system or component involved, and the existence of a fire or rollover, shall be identified and coded as specified in Sec. 579.22(b)(2) of this part.

(3) For motorcycles, the system or component involved, and the existence of a fire, shall be identified and coded as specified in Sec. 579.23(b)(2) of this part.

(4) For trailers, the system or component involved, and the existence of a fire, shall be identified and coded as specified in Sec. 579.24(b)(2) of this part.

(5) For original and replacement equipment, a written identification of each component of the equipment that was allegedly involved, and whether there was a fire, in the manufacturer's own words.

(6) For original and replacement equipment, if the production year of the equipment is unknown, the manufacturer shall specify the number ``9999'' in the field for model or production year.

Sec. 579.28 Due date of reports and other miscellaneous provisions.

(a) Initial submission of reports. Except as provided in paragraph (n) of this section, the first calendar quarter for which reports are required under Sec. Sec. 579.21 through 579.27 of this subpart is the third calendar quarter of 2003.

(b) Due date of reports. Except as provided in paragraph (n) of this section, each manufacturer of motor vehicles and motor vehicle equipment shall submit each report that is required by this subpart not later than 30 days after the last day of the reporting period. Notwithstanding the prior sentence, the due date for reports covering the third and fourth calendar quarter of 2003 and the first calendar quarter of 2004 shall be 60 days after the last day of the reporting period. Except as provided in Sec. 579.27(b), if a manufacturer has not received any of the categories of information or documents during a quarter for which it is required to report pursuant to Sec. 579.21 through 579.26, the manufacturer's report must indicate that no relevant information or documents were received during that quarter. If the due date for any report is a Saturday, Sunday, or a Federal holiday, the report shall be due on the next business day.

(c) One-time reporting of historical information.

(1) No later than December 31, 2003:

(i) Each manufacturer of vehicles covered by Sec. Sec. 579.21 through 579.24 of this part shall file separate reports providing information on the numbers of warranty claims recorded in the manufacturer's warranty system, and field reports, that it received in each calendar quarter from July 1, 2000, to June 30, 2003, for vehicles manufactured in model years 1994 through 2003 (including any vehicle designated as a 2004 model);

(ii) Each manufacturer of child restraint systems covered by Sec. 579.25 of this part shall file separate reports covering the numbers of warranty claims recorded in the manufacturer's warranty system and consumer complaints (added together), and field reports, that it received in each calendar quarter from

July 1, 2000, to June 30, 2003, for child restraint systems manufactured from July 1, 1998, to June 30, 2003, and

(iii) Each manufacturer of tires covered by Sec. 579.26 of this part shall file separate reports covering the numbers of warranty adjustments recorded in the manufacturer's warranty adjustment system for tires that it received in each calendar quarter from July 1, 2000, to June 30, 2003, for tires manufactured from July 1, 1998, to June 30, 2003.

(2) Each report filed under paragraph (c)(1) of this section shall include production data, as specified in paragraph (a) of 579.21 through 579.26 of this Part and shall identify the alleged system or component covered by warranty claim, warranty adjustment, or field report as specified in paragraph (c) of 579.21 through 579.26 of this Part.

(d) Minimal specificity. A claim or notice involving death, a claim or notice involving injury, a claim involving property damage, a consumer complaint, a warranty claim or warranty adjustment, or a field report need not be reported if it does not identify the vehicle or equipment with minimal specificity. If a manufacturer initially receives a claim, notice, complaint, warranty claim, warranty adjustment, or field report in which the vehicle or equipment is not identified with minimal specificity and subsequently obtains information that provides the requisite information needed to identify the product with minimal specificity, the claim, etc. shall be deemed to have been received when the additional information is received. If a manufacturer receives a claim or notice involving death or injury in which the vehicle or equipment is not identified with minimal specificity and the matter is being handled by legal counsel retained by the manufacturer, the manufacturer shall attempt to obtain the missing minimal specificity information from such counsel.

(e) Claims received by registered agents. A claim received by any registered agent of a manufacturer under the laws of any State, or the agent that any manufacturer offering motor vehicles or motor vehicle equipment for import has designated pursuant to 49 U.S.C. 30164(a), shall be deemed received by the manufacturer.

(f) Updating of information required in reports.

(1) Except as specified in this subsection, a manufacturer need not update its reports under this subpart.

(2) With respect to each report of an incident submitted under paragraph (b) of Secs. 579.21 through 579.26 of this part:

(i) If a vehicle manufacturer is not aware of the VIN, or a tire manufacturer is not aware of the TIN, at the time the incident is initially reported, the manufacturer shall submit an updated report of such incident in its report covering the reporting period in which the VIN or TIN is identified.

(ii) If a manufacturer indicated code 99 in its report because a system or component had not been identified in the claim or notice that led to the report, and the manufacturer becomes aware during a subsequent calendar quarter that one or more of the specified systems or components allegedly contributed to the incident, the manufacturer shall submit an updated report of such incident in its report covering the reporting period in which the involved specified system(s) or component(s) is (are) identified.

(iii) If one or more systems or components is identified in a manufacturer's report of an incident, the manufacturer need not submit an updated report to reflect additional systems or components allegedly involved in the incident that it becomes aware of in a subsequent reporting period.

(iv) If the report is of an incident involving an injury and an injured person dies after a manufacturer has reported the injury to NHTSA, the manufacturer need not submit an updated report to NHTSA reflecting that death.

(g) When a report involving a death is not required. A report on incident(s) involving one or more deaths occurring in a foreign country that is identified in claim(s) against a manufacturer of motor vehicles or motor vehicle equipment involving a vehicle or equipment that is identical or substantially similar to equipment that the manufacturer has offered for sale in the United States need not be furnished if the claim specifically alleges that the death was caused by a possible defect in a component other than one that is common to the vehicle or equipment that the manufacturer has offered for sale in the United States.

(h) When a report involving a claim or notice is not required. If a manufacturer has reported a claim or notice relating to an incident involving death or injury, the manufacturer need not:
(1) Report a claim or notice arising out of the incident by a person who was not injured physically, and

(2) Include in its number of property damage claims a property damage claim arising out of the incident.

(i) Reporting on behalf of other manufacturers. Whenever a fabricating manufacturer or importer submits a report on behalf of one or more other manufacturers (including a brand name owner), as authorized under Sec. 579.3(b) of this part, the submitting manufacturer must identify each such other manufacturer. Whenever a brand name owner submits a report on its own behalf, it must identify the fabricating manufacturer of each separate product on which it is reporting.

(j) Abbreviations. Whenever a manufacturer is required to identify a State in which an incident occurred, the manufacturer shall use the two-letter abbreviations established by the United States Postal Service (e.g., AZ for Arizona). Whenever a manufacturer is required to identify a foreign country in which an incident occurred, the manufacturer shall use the English-language name of the country in non-abbreviated form.

(k) Claims of confidentiality. If a manufacturer claims that any of the information, data, or documents that it submits is entitled to confidential treatment, it must make such claim in accordance with part 512 of this chapter.

(l) Additional related information that NHTSA may request. In addition to information required periodically under this subpart, NHTSA may request other information that may help identify a defect related to motor vehicle safety.

(m) Use of the plural. As used in this part, the plural includes the singular and the singular includes the plural to bring within the scope of reporting that which might otherwise be construed to be without the scope.

(n) Submission of copies of field reports. Copies of field reports required under this subpart shall be submitted not later than 30 days after reports are due pursuant to paragraphs (a) and (b) of this section. The first calendar quarter for which copies of field reports are required to be submitted under Secs. 579.21(d), 579.22(d), 579.23(d), 579.24(d), and 579.25(d) of this subpart is the first calendar quarter of 2004.

Sec. 579.29 Manner of reporting.

(a) Submission of reports. (1) Except as provided in this paragraph, each report required under paragraphs (a) through (c) of Secs. 579.21 through 579.26 of this part must be submitted to NHTSA's early warning data repository identified on NHTSA's Internet homepage (www.nhtsa.dot.gov). A manufacturer must use templates provided at the early warning website, also identified on NHTSA's homepage, for submitting reports. For data files smaller than the size limit of the Internet e-mail server of the Department of Transportation, a manufacturer may submit a report as an attachment to an e-mail message to odi.ewr@nhtsa.dot.gov, using the same templates.

(2) Each report required under Sec. 579.27 of this part may be submitted to NHTSA's early warning data repository as specified in paragraph (a)(1) of this section or by manually filling out an interactive form on NHTSA's early warning website.

(b) Submission of documents. A copy of each document required under paragraph (d) of Secs. 579.21 through 579.26 of this part may be submitted in digital form using a graphic compression protocol, approved by NHTSA, to the NHTSA data repository, or as an attachment to an e-mail message, as specified in paragraph (a)(1) of this section. Any digital image provided by a manufacturer shall be not less than 200 or more than 300 dpi (dots per inch) resolution. Such documents may also be submitted in paper form. Each document shall be identified in accordance with the templates provided at NHTSA's early warning Web site, which is identified in paragraph (a)(1) of this section.

(c) Designation of manufacturer contacts. Not later than 30 days prior to the date of its first quarterly submission, each manufacturer must provide the names, office telephone numbers, postal and street mailing addresses, and electronic mail addresses of two employees (one primary and one back-up) whom NHTSA may contact for resolving issues that may arise concerning the submission of information and documents required by this part.

(d) Manufacturer reporting identification and password. Not later than 30 days prior to the date of its first quarterly submission, each manufacturer must request a manufacturer identification number and a password.

(e) Graphic compression protocol. Not later than 30 days prior to the date of its first quarterly submission, each manufacturer which wishes to submit a copy of a document in digital form, as provided in paragraph (b) of this section, must obtain approval from NHTSA for the use of such protocol.

(f) Information and requests submitted under paragraphs (c), (d), and (e) of this section shall be provided in writing to the Director, Office of Defects Investigation, NHTSA, 400 Seventh Street, SW., Washington, DC 20590.