



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

JUN 11 2003

BY FAX AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Richard Van Laar
Manager, Product Compliance
International Truck and Engine Corporation
3033 Wayne Trace
P.O. Box 10088
Fort Wayne, IN 46850-0088

NSA-14sjm
PE03-025

Dear Mr. Van Laar:

This is to advise you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation, (PE03-025) concerning a vehicle crash allegedly resulting from the pitman arm detaching from the steering gear's output shaft. The incident resulted in a rollover and injury to the driver.

Unless otherwise stated in the text, the following definitions apply to this information request:

- **Subject Vehicles:** 2003 4300 Series chassis and other chassis offered by International using the same component/assemblies design on the steering system.
- **Alleged defect:** any failure, loosening, malfunction, or otherwise unsatisfactory performance in the connection of the pitman arm to the steering gear assembly that causes or contributes to, or is likely to cause or contribute to, or is otherwise manifested by the loosening of the pitman arm retaining bolt or the retaining washer.
- **International:** International Truck and Engine Corporation, all of its past and present officers and employees, whether assigned to its principal offices or to any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises including, but not limited to, International, and all of their headquarters, regional, zone, and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged by or under the control of International (including all business units and persons previously referred to) who are or were involved in any way with any of the following related to the alleged defect in the steering components:
 - (a) design, analysis, modification, or production;
 - (b) testing, assessment, or evaluation;



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- (c) consideration or recognition of potential or actual defects, reporting, record-keeping and information management (e.g., complaints, field reports, warranty information, part sales) analysis, claims, or lawsuits;
 - (d) communications with motor vehicle manufacturers; or
 - (e) communication to or from zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
- **Document(s)**: is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as built, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by you, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document" also means any identical copies of the original and all non-identical copies thereof. If a document is not in the English language, provide both the original document and an English translation of the document.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Please repeat each request verbatim before the response. After the response to each request,

identify the source of the information and indicate the last date the source updated the information prior to the preparation of the response. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the Information Request letter (including the subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

If International cannot respond to any specific request or subpart thereof, please state the reason why it is unable to do so. If International claims that any document or other information or material responsive to any of the following items need not be divulged to NHTSA because it is privileged or the work product of an attorney, separately, by information request number, for each document or other information or material, state the nature of that information or material and identify any document in which it is found by date, subject or title, name and position of the person from, and the person to, whom it was sent, and the name and position of any other recipient. International must also describe any such privilege that it claims, and explain why International believes it applies.

1. By model year, model, chassis series, state the total number of subject vehicles sold in the United States.
2. By make, model and model year, identify the vehicles and their populations (other than the subject vehicles) sold in the United States that were equipped with the same steering gear assembly as the subject vehicle.
3. State the number and provide copies of all documents related to the following, from all sources, of which International is aware and which relate, or could relate to the alleged defect in the subject vehicles:
 - a. owner/fleet complaints;
 - b. field reports;
 - c. crash/incident claims;
 - d. subrogation claims;
 - e. lawsuits; and
 - f. third-party arbitration proceedings (where International is a party to the arbitration).

Please list and collate your response for each category ("a" through "f") by date of claim. Please provide for each item in this question the incident date, mileage of vehicle at time of incident (if known), approximate age of vehicle or model year, disposition of matter, owners name, address, phone number and, where a fleet vehicle is involved, the name of the fleet, and the name and telephone number of a contact person at that fleet. For items "a" through "d" please provide all related information and reports whether or not International has verified each one. For items "e" and "f," summaries are acceptable. Please identify in the summary the caption, court, docket number, and filing date of each lawsuit if a copy of the

complaint initiating the lawsuit is not provided. Multiple attempts to repair the complaint should be counted and listed separately.

4. State the total number of warranty claims, including extended warranty claims, and requests for "good will," field, or zone adjustments received by International that could relate to the alleged defect in the subject vehicles
5. Describe the process by which the pitman arm is installed onto the steering shaft during the chassis manufacturing process. Please include the torque process and torque calibration intervals.
6. Furnish International's assessment of the alleged defect in the subject vehicle, including:
 - a. all causal or contributory factors;
 - b. the failure mode;
 - c. model, model years affected and why the defect is limited to these particular model, model year vehicles;
 - d. the risk to motor vehicle safety that it poses; and
 - e. whether there are any circumstances that would provide vehicle operators or others with warning of its existence.
7. Furnish a copy of all documents not specifically requested herein, which International believes are relevant to, or which were used in formulating its assessment of, the alleged defect. Also, provide a copy of International's investigation report, including its findings, of the alleged crash.
8. Identify what action International intends to take on this matter.

This letter is being sent to International pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to require a manufacturer to make reports to enable NHTSA to decide whether the manufacturer is complying with that Chapter. Your failure to respond promptly and fully to this letter could subject International to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well). Please note that maximum civil penalties under 49 U.S.C. § 30165 have increased as a result of the enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Public Law No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$5,000 per day, with a maximum of \$15 million for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond to ODI information requests.

If International cannot respond to any specific request or subpart thereof, please state the reason why it is unable to do so. If, on the basis of attorney client, attorney work product, or other privilege, International does not submit one or more requested documents or items of information in response to this information request, International must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, name and position of the person(s) from and the person(s) to whom it was sent, and the name and position of any other

recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

Your response to this letter, in duplicate, must be submitted to this office by July 22, 2003. Please include in your response the identification codes referenced on page one of this letter. If you find that you are unable to provide all of the information requested within the time allotted, you must request an extension from Richard Boyd at (202) 366-4933 no later than five business days before the response due date. If you are unable to provide all of the information requested by the original deadline, you must submit a partial response by the original deadline with whatever information you then have available, even if you have received an extension.

If International claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, International must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, to the Office of Chief Counsel (NCC-30), National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590. International is required to submit two copies of the documents containing the purportedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.

Please contact Sonny Murianka of my staff at (202) 366-5196 upon receipt of this letter. Mr. Murianka will address any technical questions concerning this matter that you may have.

Sincerely,

Original Signed By

Richard Boyd, Chief
Medium and Heavy Truck Division
Office of Defects Investigation

