



Timothy A. Blubaugh
Director
Government Technical Affairs

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OFFICE OF
DEFECTS INVESTIGATION

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July 3, 2003

Kenneth N. Weinstein
Associate Administrator for Safety Assurance (NSA-01)
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

03V-246 ① or ②

Re: Defect Information Report FL-416

Mr. Weinstein:

In accordance with Part 573 of Title 49 of the Code of Federal Regulations, Freightliner LLC herewith reports a safety campaign to recall 2 Freightliner Business Class trucks and 80 Thomas Built Saf-T-Liner ER, ER Transit, TL980 buses manufactured with Cummins C 8.3 Gas or Cummins L10 Gas engines.

Attached are Freightliner's Defect Information Report and the Part 573 Defect Report from Cummins.

Please contact me if you have any questions.

Sincerely yours,

Timothy Blubaugh

Cc: Ken Dodson, Thomas Built Buses
Michael Mason, CAL-OSHA
DOSH, Legal Unit
10th Floor
455 Golden Gate Avenue
San Francisco, CA 94102

Enclosures

Certified Mail Article Number:

Z 313 288 173

Defect Information Report
(Section 573.6)

03V-246 ② of ③

July 3, 2003

(c)(1) **Manufacturer:** Freightliner LLC
P.O. Box 3848
Portland, Oregon 97208
(503) 745-5219

Brands: Freightliner, Thomas Built

(c)(2) **Vehicles Identification:**

Model(s) affected:

Freightliner – Business Class FL60, FL70

Thomas Built – Saf-T-Liner ER, ER Transit, TL980

Manufacture Dates: See attached Part 573 defect report from Cummins

Basis for determining population: A list of engine serial numbers has been supplied by Cummins. Freightliner and Thomas Built production records will be used to identify the vehicles manufactured with the subject engines.

Component manufacturer if other than the vehicle manufacturer:

Cummins Inc.

Box 3005

Columbus IN 47202-3005

812/377-3713, Steven Butler

(c)(3) **Total number of vehicles potentially affected:** 62

(c)(4) **Percentage of vehicles estimated to contain the defect:** See attached Part 573 defect report from Cummins.

(c)(5) **Description of the defect:** See attached Part 573 defect report from Cummins.

(c)(6) **Chronology of principal events:** See attached Part 573 defect report from Cummins.

(c)(7) **Noncompliance-test or other data:** Not applicable.

(c)(8) **Remedial program:** Customers will be notified by Cummins. See defect report from Cummins. Cummins has provided a list of subject engine serial numbers. Freightliner production records will be used to identify the vehicles.

Estimated Owner Notification Date: Customers will be notified by Cummins. See defect report from Cummins.

Reimbursement Plan: Customers will be notified by Cummins.

(c)(9) **Communications sent to dealers and owners:** Customers will be notified by Cummins. See defect report from Cummins.

(c)(10) **Copy of proposed owner notification letter:** Customers will be notified by Cummins. See defect report from Cummins.

(c)(11) **Manufacturer's campaign number:** FL-416

PART 573 Defect and Noncompliance Report¹

On June 20, 2003, Cummins Inc. decided that (a defect which relates to motor vehicle safety)(~~a noncompliance with Federal Motor Vehicle Safety Standard No. _____~~) exists in items of motor vehicle equipment listed below, and is furnishing notification to the National Highway Traffic Safety Administration in accordance with 49 CFR Part 573 **Defect and Noncompliance Reports**.

Date this report was prepared: June 23, 2003

Furnish the manufacturer's identification code for this recall (if applicable): 0318

1. Identify the full corporate name of the fabricating manufacturer/brand name/trademark owner of the recalled item of equipment. If the recalled item of equipment is imported, provide the name and mailing address of the designated agent as prescribed by 49 U.S.C. §30164.

Cummins Inc.

Identify the corporate official, by name and title, whom the agency should contact with respect to this recall.

Steven R. Butler, Engine Certification Director

Telephone Number: 812-377-3713 Fax No.: 812-377-8739

Name and Title of Person who prepared this report.

Steven R. Butler, Engine Certification Director

Signed:

¹Each manufacturer must furnish a report, to the Associate Administrator for Safety Assurance, for each defect or noncompliance condition which relates to motor vehicle safety.

I. Identify the Recalled Items of Equipment

2. Identify the Items of Equipment Involved in this Recall, for each make and model or applicable item of equipment product line (provide illustrations or photographs as necessary to describe the item of equipment), provide:

Generic name of the item: C 8.3G Electronic Control Module/Calibration

Make: Cummins **Model:** C8.3G

Part Number: 3930507 **Size:** 3" x 6"

Function: Electronic Control Module

Other information which characterizes/distinguishes the items of equipment to be recalled:
Electronic control module (ECM) part number 3930507 is not capable of supporting throttle failure commands.

Generic name of the item: L10G Electronic Control Module/Calibration

Make: Cummins **Model:** L10G

Part Number: 3930507 **Size:** 3" x 6"

Function: Electronic Control Module

Other information which characterizes/distinguishes the items of equipment to be recalled:
Electronic control module (ECM) part number 3930507 is not capable of supporting throttle failure commands.

Identify the approximate percentage of the production of all the recalled models manufactured by your company between the inclusive dates of manufacture provided above, that the recalled model population represents. For example, if the recall involved Widgets equipped with certain items of equipment from January 1, 1996, through April 1, 1997, then what was the percentage of the recalled Widgets of all Widgets manufactured during that time period.

This recall represents 19% of the total 1,377 C8.3G engines manufactured between Q21995 and Q42001 and 60% of the total 1,342 L10G engines manufactured between Q21995 and Q31999.

II. Identifying the Recall Population

3. Furnish the total number of items of equipment recalled potentially containing the defect or noncompliance.

<u>Model</u>	<u>Year</u>	<u>Number of Items Potentially Involved</u>
<u>C8.3G 6 Cylinder Engines</u>	<u>April 95 -- December 97</u>	<u>262</u>
<u>L10G 6 Cylinder Engines</u>	<u>April 95 -- December 97</u>	<u>802</u>

Total Number Potentially Affected by the Recall 1064

4. Furnish the approximate percentage of the total number of items of equipment estimated to actually contain the defect or noncompliance; Approximately 73% of the 1064 engines contain ECM part number 3930507. It is estimated that 5% of the engines are no longer in-service. The remaining 22% have already had ECMs replaced for other reasons.

Identify and describe how the recall population was determined--in particular how the recalled models were selected and the basis for the beginning and final dates of manufacture of the recalled items of equipment:

ECM part number 3930507 was removed from production on both products in the 4th quarter of 1997. All engines built prior to December 31, 1997 were included in the population. Warranty claims were reviewed for the population, there are 232 documented ECM replacements with later model ECM's.

III. Describe the Defect or Noncompliance

5. Describe the defect or noncompliance. The description should address the nature and physical location of the defect or noncompliance. Illustrations should be provided as appropriate.

An electronic throttle plate actuator controls the engine power. The electronic throttle plate actuator is controlled by an electronic governor control module (GCM). Throttle fail-safe detects a throttle plate actuator failure and commands an engine shutdown. ECM part number 3930507 does not have the ability to detect a throttle fail-safe engine shutdown command.

Describe the cause(s) of the defect or noncompliance condition.

The ECM's inability to detect a throttle fail-safe command is due to an unrelated communication problem. The ECM and GCM communicate on the vehicle data link.

Describe the consequence(s) of the defect or noncompliance condition.

If the vehicle is in operation and an uncommanded open throttle actuator failure occurs, the engine speed will be uncontrollable by the vehicle operator.

Identify any warning which can (a) precede or (b) occur.

The engine speed will be uncontrollable by the operator. A sudden increase of engine speed can occur.

If the defect or noncompliance is in a component or assembly purchased from a supplier, identify the supplier by corporate name and address.

The defect is related to an electronic control module that was designed and developed by Cummins, Inc.

Identify the name and title of the chief executive officer or knowledgeable representative of the supplier:

Steven R. Butler, Engine Certification Director, Cummins Inc.

IV. Provide the Chronology in Determining the Defect/Noncompliance

If the recall is for a defect, complete item 6, otherwise item 7.

6. With respect to a defect, furnish a chronological summary (including dates) of all the principle events that were the basis for the determination of the defect. The summary should include, but not be limited to, the number of reports, accidents, injuries, fatalities, and warranty claims.

~~7. With respect to a noncompliance, identify and provide the test results or other data (in chronological order and including dates) on which the noncompliance was determined.~~

Five incidences of uncommanded open throttle with no response from the ECM have been reported from two L10G customers. Three of the incidences are documented in warranty claims and two were verbal complaints from the customer. In several of the cases, the vehicle was in operation. In one case the vehicle was involved in an accident with no reported personal injury.

The information from the warranty claims and the hardware from the most recent failures have been analyzed. In all of the documented cases the throttle fail-safe system would have prevented the uncontrolled throttle event from occurring.

V. Identify the Remedy

8. Furnish a description of the manufacturer's remedy for the defect or noncompliance. Clearly describe the differences between the recall condition and the remedy.

ECM Part number 3930507 became obsolete in the 4th quarter of 1997. The population of 1064 C8.3G and L10G engines will be inspected. Any engines with ECM part number 3930507 will have the ECM replaced and have the proper calibration (program) installed.

Clearly describe the distinguishing characteristics of the remedy component/assembly versus the recalled component/assembly.

The recalled electronic control module part number is 3930507 and the replacement electronic control module part number is 3934883. The part number is clearly stamped on the body of the module.

Identify and describe how and when the recall condition was corrected in production. If the production remedy was identical to the recall remedy in the field, so state. If the product was discontinued, so state.

New ECMs, with detection capability, were used in production starting in 4th quarter 1997. The L10 was discontinued in Q3 1999 and the C8.3 was discontinued in Q4 2001.

VI. Identify the Recall Schedule

Furnish a schedule or agenda (with specific dates) for notification to other manufacturers, dealers/retailers, and purchasers. Please, identify any foreseeable problems with implementing the recall.

Customer notification – to commence within 5 working days after NHTSA review of our draft communication.

Parts for the repair have been ordered and will be available for repairs immediately upon notification.

VII. Furnish Recall Communications

- 9. Furnish a final copy of all notices, bulletins, and other communications that relate directly to the defect or noncompliance and which are sent to more than one manufacturer, distributor, or purchaser. This includes all communications (including both original and follow-up) concerning this recall from the time your company determines the defect or noncompliance condition on, not just the initial notification. *A DRAFT copy of the notification documents should be submitted to this office by Fax (202-366-7882) for review prior to mailing.***

A draft copy of the letter to our customers is attached.

Note: These documents are to be submitted separately from those provided in accordance with Part 573.8 requirements.