



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

1200 New Jersey Avenue SE.
Washington, DC 20590

DEC 27 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ken Debol
Valley Towing Products
2129 Austin Drive
Rochester Hills, MI 48309

NVS-214tb
PE10-048

Dear Mr. Debol:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE10-048) to investigate issues raised by a consumer complaint, VOQ 10368002, a copy of which was forwarded to Valley Towing Products on December 6, 2010.

VOQ 10368002 alleges that the tow hitch assembly that had been manufactured by Valley Towing Products and installed as original equipment in a model year 2006 Winnebago Itasca recreational vehicle had cracked and partially fractured.

ODI is also aware that Valley Products has obtained the fractured hitch that was the subject of the above-referenced VOQ 10368002 for prospective examination purposes in late-November, 2010.

ODI is concerned that a fractured hitch assembly may allow the towed vehicle to separate completely and uncontrollably from the towing vehicle at travel speeds and thereby pose a hazard to pedestrians and/or occupants of vehicles being operated in proximity to the separation event.

In order for my staff to evaluate this issue, ODI is requesting certain information pertinent to the issue of hitch breakage.



Information Requested –

Unless otherwise stated in the text, the following definitions apply to these information requests:

Subject Components: All hitch assemblies sold for use in North America manufactured by, or for, Valley Towing Products that are the same, or “essentially similar,” to the hitch assembly that is the subject of VOQ 10368002.

“Essentially similar” hitch assemblies are those hitch assemblies that would logically be grouped and analyzed in the context of a single product-line family since these assemblies exhibit approximately equivalent characteristics such as, but not limited to, vertical and horizontal load ratings (tow ratings / towing limits); intended applications; common mounting principles, components, configurations, geometries; appearance, etc.

Valley Towing Products (“Valley”): All of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated 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 directly or indirectly (e.g., employee to a consultant) by or under the control of Valley Towing Products (including all business units and persons previously referred to), who are or, in or after 2005 were involved in any way with any of the following related to the alleged defect in the “subject components”:

- a. Design, engineering, analysis, modification or production (e.g. quality control);
- b. Testing, assessment or evaluation;
- 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; or
- d. Communication to, from, or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.

Alleged defect: Complete or partial fracture of any portion of the vehicle-installed hitch assembly.

Document: “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, mailgrams, 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-builts, 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, electronic communications, including but not limited to, the Internet 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 Valley, 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(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by the manufacturer or not. If a document is not in the English language, provide both the original document and an English translation of the document.

Other Terms: To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

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. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and 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.

Please repeat the applicable request verbatim above each response.

After Valley's response to each request, identify the source of the information and indicate the last date the information was gathered.

To the extent possible, provide the requested information in Microsoft 2000 Access or Excel electronic format.

Component Identification -

1. Identify the hitch assembly part number that Valley Towing Products uses to designate the hitch assembly that is the subject of VOQ 10368002.
2. Identify those hitch assemblies that are "essentially similar" (part of a logical product line family) to the hitch assembly identified in response to Request No. 1 above.
3. For each hitch assembly identified in response to Request Nos. 1 and 2, provide a table that identifies:
 - (a) the date of first production;
 - (b) the date of final production;
 - (c) the principle distinguishing features / characteristics / differences among the "subject components" and "essentially similar" component assemblies listed.

Provide the table in Microsoft Access 2000, Excel 2000, or a compatible format, entitled "Request Number Three – PE10-048, Product Line History and Overview."

Production Data -

4. For each hitch assembly identified in response to Request Nos. 1 and 2, provide a table that identifies the total number (quantity) of hitch assemblies that Valley Towing has manufactured and sold for use in North America for installation in both (a) original equipment vehicles and (b) intended for after-market installations from start of production to date
 - (a) By hitch assembly part number;
 - (b) By year of sale;
 - (c) By purchaser (*).

(*). For after-market sales, rather than identify each individual purchasing dealer and/or distributor, group all after-market sales as a single line-item titled "aftermarket sales."

Provide the table in Microsoft Access 2000, Excel 2000, or a compatible format, entitled "Request Number Four – PE10-048, Sales Volumes of Hitch Assemblies."

Design and Function -

5. Provide a representative engineering drawing or sketch that depicts the hitch assembly identified in response to Request No. 1.

6. Provide a table that provides the hitch assembly ratings for each of the hitch assemblies listed in response to Requests No.1 and 2 including, but not limited to:
 - (a) Maximum rating for horizontal load or force;
 - (b) Maximum rating for horizontal bending moment, if any (state the location of the centroid from which the maximum rated bending moment is calculated);
 - (c) Maximum rating for vertical load or force;
 - (d) Maximum rating for vertical bending moment, if any (state the location of the centroid from which the maximum bending moment is calculated);
 - (e) All other rating information including, but not limited to load or usage limitations, restrictions, instructions, and the like;
 - (f) A copy of all installation instructions, warnings, and stated usage limitations or parameters;
 - (g) All description of all maintenance instructions and usage parameters intended for guiding owner (or dealer-provided) maintenance, including, but not limited to, recommendations to visually inspect the hitch for indications of deterioration and the recommended frequency for the identified / listed maintenance or inspection action.
7. Provide a table that briefly describes the technical basis by which Valley established each of the ratings, installation, and maintenance parameters listed in response to Request No. 6.
8. Provide a copy of all engineering documentation including, but not limited to, calculations, engineering testing, and/or supplier technical data, that Valley has used to establish the ratings listed in response to Request No. 6.

Complaint Information -

9. State the number of each of the following, by vehicle model year and vehicle model, whether or not confirmed, received by Valley, or of which Valley is otherwise aware, received since January 1, 2005, which relate to, or may relate to, the alleged defect in the hitch assemblies identified in responses to Request Nos. 1 and 2:
 - (a) Consumer and field reports, including dealer field reports;
 - (b) Reports involving an injury or a fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in the vehicle hitch assembly, property damage claims, consumer complaints, or field reports;
 - (c) Property damage claims;
 - (d) Third-party arbitration proceedings where Valley is, or was, a party to the arbitration; and,
 - (e) Lawsuits, both pending and closed, in which Valley is, or was, a party;
 - (f) Warranty claims, whether or not reimbursed, including requests for special policy adjustment, extended warranty, and/or other similar consumer considerations such as "good will" and/or any and all other reimbursement request programs.

State the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple reports of the same incident are to be counted separately (i.e., a consumer complaint and a field report involving the same incident are to be counted as a field report and a consumer complaint, etc.).

In addition, for items "c" through "e," provide a summary description of the alleged problem and causal and contributing factors and Valley's assessment of the problem, with a summary of the significant underlying facts and evidence.

For item "e," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other documents initiating the action was filed.

Provide the table in Microsoft Access or Excel 2003, or a compatible format, entitled "PE10-048, Request Number Nine - Complaint Summary."

10. For each consumer complaint, warranty claim report, etc. identified in response to Request No. 9 above, received by Valley, or of which Valley is otherwise aware, received since January 1, 2005, whether or not confirmed, that alleges, or may reasonably be inferred to describe the alleged defect in hitches identified in responses to Request Nos. 1 and 2, identify:
 - a. Valley's file number or other claim identifier used;
 - b. The category of the incident as identified in response to Request No. 9 (i.e., consumer complaint, field report, etc.);
 - c. The owner's name;
 - d. The owner's address;
 - e. The owner's phone number;
 - f. The incident date;
 - g. The incident location;
 - h. The report or claim date;
 - i. The complete vehicle 17 digit VIN;
 - j. The vehicle make;
 - k. The vehicle model;
 - l. The vehicle model year;
 - m. A brief description of the incident, including the observed condition of the affected hitch assembly;
 - n. The hitch assembly part number;
 - o. Whether the some or all of the hitch assembly components were examined by Valley representatives;
 - p. A summary of the examination findings;
 - q. Whether property damage is alleged;
 - r. The number of alleged injuries, if any;
 - s. The number of alleged fatalities, if any.

Provide the table in Microsoft Access 2000, Excel 2000 or a compatible format, entitled "Request Number Ten – PE10-048, Complaint Details."

Hitch Design / Changes -

11. Describe all modifications or changes made by, or on behalf of, Valley in the design, material composition, manufacture, quality control, supply, or installation of which relate to, or may relate to, the "alleged defect" in the "subject components." For each such modification or change, provide the following information:
 - (a) The date or approximate date on which the modification or change was incorporated into vehicle production;
 - (b) A detailed description of the modification or change;
 - (c) The reason(s) for the modification or change;
 - (d) The part numbers (service and engineering) of the original component;
 - (e) The part number (service and engineering) of the modified component;
 - (f) Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
 - (g) When the modified component was made available as a service component; and,
 - (h) Whether the modified component can be interchanged with earlier production components.

12. Describe all requested deviations from conformance to specifications received from all sources, the affected vehicle production, and provide a summary of the disposition for each of the requested deviations for the "subject components."

Field Return Information -

13. Provide a list that identifies by VIN each of the following associated with reported hitch cracking / fracturing incidents:
 - (a) A description of the returned parts;
 - (b) A copy of the inspection report / observations conducted by Valley, Valley's suppliers, and/or sub-contractors;
 - (c) The current location of the retained returned components (if known). State if the inspected components have been scrapped.

Be certain to include the inspection report pertaining to the hitch assembly installed in the vehicle described in VOQ 10368002.

Manufacturer's Assessment -

14. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the "subject components" that have been conducted, are being conducted, are planned, or are being planned by, or for, Valley. For each such action, provide the following information:

- (a) Action title or identifier;
- (b) The actual or planned start date;
- (c) The actual or expected end date;
- (d) Brief summary of the subject and objective of the action;
- (e) Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
- (f) A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

15. Furnish Valley's detailed opinion of the alleged defect in the "subject components." Include an assessment of the following:

- (a) The causal or contributing factors;
- (b) The failure mode;
- (c) The risk to motor vehicle safety that it poses;
- (d) What warnings, if any, are provided to the operator and other persons.

Be certain to include a discussion of the observations and/or issues that might explain the reasons for the cracking and/or fracturing of the hitch assembly installed in the vehicle described in VOQ 10368002.

16. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the "subject components," that Valley has issued to any owners, dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Valley is planning to issue within the next 120 days.

This letter is being sent to Valley 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 request reports and the production of things. It constitutes a new request for information. Valley's failure to respond promptly and fully to this letter could subject Valley 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 recent 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.

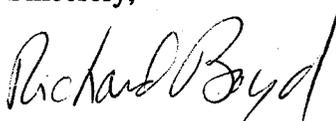
If Valley cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Valley does not submit one or more requested documents or items of information in response to this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

Valley's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by **February 9, 2011**. Please refer to PE10-048 in Valley's response to this letter. If Valley finds that it is unable to provide all of the information requested within the time allotted, Valley must request an extension from me at (202) 366-4933 no later than five business days before the response due date. If Valley is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Valley then has available, even if an extension has been granted.

If Valley 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, Valley 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-113), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Ave., S.E., Washington, D.C. 20590. Valley is required to submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.

If you have any technical questions concerning this matter, please call Mr. Tom Bowman of my staff at (202) 366-2583.

Sincerely,



Richard C. Boyd, Acting Director
Office of Defects Investigation
National Highway Traffic Safety Administration