

VOLVO

Volvo Cars of North America, LLC

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NVS-212

2005 SEP 16 P 3:19

OFFICE OF DEFECTS
INVESTIGATION

September 15, 2005

Mr. Jeffrey Quandt, Chief
Vehicle Control Division
Office of Defects Investigation
National Highway Traffic Safety Administration
Room 5326
400 Seventh Street, S.W.
Washington, D.C. 20590

NVS-212/fa
PE05-041

Dear Mr. Quandt:

This letter and its enclosure comprise the partial response of Volvo Cars of North America, LLC (VCNA) to your July 28, 2005 request for information relating to Preliminary Evaluation PE05-041 and clarification provided within the letter of August 17 from Steve McHenry of NHTSA. As agreed our response is now due on October 6, 2005. Enclosed is the information which is available September 15, 2005. We have responded to questions 1 through 3; 5 and 6 and 10.

In order to respond to questions 1, 2, 3, 5, 6, and 10 of PE05-041 Volvo (Volvo Car Corporation and VCNA) in good faith conducted a thorough and diligent search of Volvo systems. Our response is based upon this diligent and thorough search.

There is a system in place that if a Volvo consumer contacts Ford Motor Company (Ford), that contact is forwarded to the VCNA Consumer Care Department in Rockleigh, New Jersey. Therefore, we did not search Ford consumer contacts about this matter. All other "data" systems are Volvo systems.

As requested, our answer follows a repeat of the question:

1. State, by model, engine, and model year, the number of subject vehicles Volvo has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Volvo, state the following:
 - a. Vehicle identification number (VIN);
 - b. Make;
 - c. Model;
 - d. Engine;
 - e. Model Year;
 - f. Date of manufacture; and
 - g. Date warranty coverage commenced.

Refer to CD-ROM, enclosed.

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

Refer to CD-ROM, enclosed. Any blank fields seen within this section of the database are seen because the vehicle owner or the dealer has not provided certain information. After a thorough and diligent effort we have been unable to produce this specific information.

2. State the number of each of the following, received by Volvo, or of which Volvo is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:

- a. Consumer complaints, including those from fleet operators;
- b. Field reports, including dealer field reports;
- c. Reports involving a crash, injury, or 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 a subject vehicle, property damage claims, consumer complaints, or field reports;
- d. Reports involving a fire, 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 a subject vehicle, property damage claims, consumer complaints, or field reports;
- e. Property damage claims; and
- f. Third-party arbitration proceedings where Volvo is or was a party to the arbitration; and
- g. Lawsuits, both pending and closed, in which Volvo is or was a defendant or codefendant and;
- h. Proceedings involving any local, state or federal government agency.

For subparts "a" through "e" state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

Volvo is sending all information relating to an ETM issue in conjunction with a lack of performance while the vehicle is in motion, and relating to a lurching, surging or loss of power or similarly expressed behavior. In order to accomplish this for Consumer Reports and Field Reports a text mining search was used.

<u>Type</u>	<u>Number</u>
a. Consumer Reports	114
b. Field Reports - TIE	563
Tech Hotline	1915
<i>NOTE: At a certain point in time, in order for a dealer to obtain an ETM the Tech Hotline had to be contacted. This has resulted in a large number of the included Tech Hotline reports.</i>	
c. Claims involving a crash	3
Claims involving an injury	0
d. Notices involving a crash	0
Notices involving an injury	0
e. Property damage claims	0
f. Third-party arbitration proceedings	0
g. Lawsuits	1
h. Proceedings involving government agencies	1

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

To be provided in the October 6, 2005 submission.

For items "f" through "h" identify the parties to the action, as well as the caption, court, docket number, or file number, and date on which the complaint or other document initiating the action was filed.

<u>Type</u>	<u>Parties</u>	<u>Caption</u>	<u>Court Docket Number</u>	<u>Date Filed</u>
f. Third-party arbitration	None			
g. Lawsuits	Carole Trow	Trow vs. VCNA	2:05-cv-01379-DFL-PAN	5/12/2004
h. Government agencies	California Air Resources Board	NA	FIR 301	9/16/2003

As the above items (g) and (h) are not related to the alleged defect as defined on page one of your letter they are not included in this submission as per Bill Shapiro's discussion with Steve McHenry.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:

- a. Volvo's file number or other identifier used;
- b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
- c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
- d. Vehicle's VIN;
- e. Vehicle's make, model, engine and model year;
- f. Vehicle's mileage at time of incident;
- g. Incident date;
- h. Report or claim date;
- i. Whether a crash is alleged;
- j. Whether a fire is alleged;
- k. Whether property damage is alleged;
- l. Number of alleged injuries, if any; and
- m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA." See Enclosure 1, Data Collection Disc, for a preformatted table which provides further details regarding this submission.

Refer to CD-ROM, enclosed. After a thorough and diligent effort we have been unable to produce certain information in certain fields, such as the mileage or VIN for certain specific Customer Care records.

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) Describe the method Volvo used for organizing the documents.

To be provided in the October 6, 2005 submission.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Volvo to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

As requested, Volvo is sending all warranty claim information relating to replacements of ETMs for any reason and all warranty operations for the cleaning of the ETM and relating to the reprogramming of the ETM software.

Refer to CD-ROM, enclosed.

Separately, for each such claim, state the following information:

- a. Volvo's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;
- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and
- k. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

Refer to CD-ROM, enclosed. Any blank fields seen within this section of the database are seen because the vehicle owner or the dealer has not provided certain information. After a thorough and diligent effort we have been unable to produce this information.

6. Describe in detail the search criteria used by Volvo to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles.

The search criteria used by Volvo to identify the claims identified was to find any claim associated with any of the following part numbers:

Software:

8633202
8633203
8633204
8641997
8644182
8644184
8644185
8645425

8675890
9438290
9438298
9438425
9494714
30677001
30677007
30677023

Throttle Body

8644344
8644347
9188793
9451987

State, by make and model year, the terms of the new vehicle warranty coverage offered by Volvo on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered).

Volvo coverage under the New Car Warranty in the USA is four years or 50,000 miles, whichever occurs first. In addition, in California, Massachusetts and Vermont, the high cost emission component warranty is 7 years or 70,000 miles, whichever comes first. Vermont adopted this starting MY2000. The "Electronic Throttle Module" is covered under the high cost emission component warranty.

Describe any extended warranty coverage option(s) that Volvo offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

Volvo does not offer an extended warranty for the subject vehicles.

10. Produce one copy of the owner's manual for each of the subject vehicles.

Refer to owner's manuals enclosed. Within each manual is a section on warnings and warning lights in which the ETS or ETC or check engine lamps are described as well as an information warning in certain vehicles and certain manuals. If any additional warnings are found, these will be provided to NHTSA.

Please contact myself or Diana Lidgett if you have any questions concerning the above and the enclosed material.

Sincerely yours,

VOLVO CARS OF NORTH AMERICA, LLC
Customer Service Division



William Shapiro, P.E.
Manager, Regulatory and Product Compliance
Enclosure: CD-ROM