

## Defect Information Report

(Section 573.6)

**FL-859**

**Date of Submission:** August 14, 2020 (amended July 15, 2021)

**Manufacturer:** Daimler Trucks North America LLC  
P.O. BOX 3849  
Portland, Oregon 97208

**Type of Report:** ☐ Safety Defect ☒ Non-Compliance

### Vehicle Information

**Model Yr. Start:** 2018 **Model Yr. End:** 2019

**Make:** Freightliner Custom Chassis

**Model:** XCL chassis

**Model Yr. Start:** 2015 **Model Yr. End:** 2019

**Make:** Freightliner Custom Chassis

**Model:** XCM chassis

**Model Yr. Start:** 2018 **Model Yr. End:** 2019

**Make:** Freightliner Custom Chassis

**Model:** XCP chassis

**Model Yr. Start:** 2018 **Model Yr. End:** 2019

**Make:** Freightliner Custom Chassis

**Model:** XCR chassis

**Model Yr. Start:** 2018 **Model Yr. End:** 2019

**Make:** Freightliner Custom Chassis

**Model:** XCS chassis

**Production Dates:** **Begin:** 10/21/2014 **End:** 05/07/2019

**Type:** Buses, Medium & Heavy Duty Vehicles

**Descriptive Information:**

Vehicles equipped with certain dash instrument panel (IP) controller built between the above dates with a certain software release.

**Number potentially involved:** 1715   **Estimated percentage of involve with defect:** 100%

**Defect / Noncompliance Description****For this Defect/Noncompliance:****Describe the defect or noncompliance:**

On the affected vehicles, the illumination of the IP may not meet the requirements of FMVSS 101 which states:

S5.3.2 Brightness of illumination of controls and indicators

(b) At a level of brightness other than the highest level, the identification of controls and indicators must be barely discernible to the driver who has adapted to dark ambient roadway condition;

**If a noncompliance, provide the applicable FMVSS:**

FMVSS 101 - Controls and displays

**Describe the safety risk:**

A display that does not dim to a level barely discernable as required in FMVSS 101, may create glare, that could reduce certain drivers visibility of the road, thus increasing the risk of a crash.

**Identify any warning which can precede or occur:** NA

**If applicable, identify the manufacture of the defective or noncompliant component.** NA

**Involved Components**

Component Name: Instrument Cluster Module (ICU)

Component Description: IP controller

Component Part Number: 66-15475-000

Component Name: Instrument Cluster Module (ICU)

Component Description: IP controller

Component Part Number: 66-15475-001

Component Name: Instrument Cluster Module (ICU)

Component Description: IP controller

Component Part Number: 66-15475-002

Component Name: Instrument Cluster Module (ICU)

Component Description: IP controller

Component Part Number: 66-15475-003

## **Chronology of Defect / Noncompliance Determination**

**Provide the chronology of events leading up to the defect decision or test data for the noncompliance decision:**

In December 2018, DTNA was made aware of 6 reports from the field, indicating potential customer concern regarding instrument panel (IP) brightness. DTNA reviewed these reports and evaluated the issue, including potential non-compliance with FMVSS 101. Following that evaluation, in January 2019, DTNA reasonably determined, in good faith, that the IPs complied with FMVSS 101 and did not otherwise present a safety concern under applicable law. In June 2019, DTNA released a product improvement into production, allowing further dimming beyond that in existing IPs. At that time, DTNA reasonably affirmed its prior good faith analysis that the IPs complied with FMVSS 101 and did not otherwise present a safety concern.

May 2020, NHTSA requested additional information following more recent VOQ reports. DTNA promptly responded, and cooperated with the agency between May and July 2020. During this time, DTNA explained its analysis of the issue, and the grounds for its analysis that the IPs complied with FMVSS 101 and did not otherwise present a safety concern. Appreciating customer and agency concerns, in mid-July 2020, DTNA proposed to a field software update as a field service campaign to address customer concerns. Shortly thereafter, DTNA further discussed this issue with the agency. Following all these discussions between DTNA and NHTSA, on August 10, 2020, NHTSA's Office of Vehicle Safety Compliance (OVSC) expressed its view to DTNA, in writing, of its interpretation that the adjustment increments for the IP brightness did not comply with FMVSS 101, 49 CFR 571.101, S5.3.2.2(b), and requested a non-compliance report under 49 CFR Part 573. While DTNA has consistently, and in good faith, reasonably determined compliance under FMVSS 101, including S5.3.2.2(b) of the standard, with great respect for NHTSA and the process, DTNA agreed to the agency's request, and decided to conduct a voluntary recall on August 14, 2020.

March 2021, as DTNA was nearing release of this recall, it was found that the remedy was not effective for certain configurations due to legacy and successor software. The recall with the proper remedy will be released in the near future. April 1 2021, DTNA released the new remedy with the updated software and began field action.

## Identify the Remedy

**Describe the defect/noncompliance remedy program, including the manufacture's plan for reimbursement.**

Vehicles will inspected for software versions, and based on the software version vehicles will receive a software update in some cases the vehicle will receive a processor and software update. Repairs will be performed by Daimler Trucks North America authorized service facilities. Details of the reimbursement plan will be included in the owner's notification letter.

## Identify the Recall Schedule

**Describe the recall schedule for notifications:**

Customer notification will be made by first class mail using Daimler Trucks North America records to determine the customers affected.

**Planned Dealer Notification Begin Date:** 10/12/2020

**Planned Dealer Notification End Date:** 10/12/2020

**Planned Owner Notification Begin Date:** 10/12/2020

**Planned Owner Notification End Date:** 10/12/2020

**Manufacture's identification code for this recall (if applicable):** FL-859

**DTNA Representative;**



Larissa Stoffels

Executive Manager, Vehicle Safety  
Compliance and Regulatory Affairs