

10048362

Form Approved: O.M.B. No. 2127-0008



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

Auto Safety Hotline

Vehicle Owner's Questionnaire

NATIONWIDE 1-800-424-8383
DC METRO AREA (202) 368-0123
INTERNET: <http://www.nhtsa.dot.gov>

Use a No. 2 pencil or a blue or black ink pen only.

CORRECT MARK: ●

FOR AGENCY USE ONLY

Date Received

Order

rdt

od-r

up-tr

OWNER INFORMATION

TELEPHONE NUMBER

STREET NO.

APT. NO.

Fresno

CA

CITY

STATE

ENTER ZIP CODE

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle?

☒ Yes
☐ No

In the absence of an authorization, NHTSA WILL NOT provide your name and address to the vehicle manufacturer.

SIGNATURE OF OWNER

DATE

VEHICLE INFORMATION

VEHICLE IDENT. NO. (VIN) (located at bottom of windshield on driver's side)

VEHICLE MAKE

VEHICLE MODEL

MANUFACTURE DATE

MODEL YEAR

JT2AE94VOM3013473

91 CYBMA

91 Toyota

1990

91

VEHICLE MANUFACTURER

☐ BMW ☐ Ford ☐ Honda ☐ Nissan ☐ Subaru ☐ Volvo ☐ Other
☐ Daimler/Chrysler ☐ General Motors ☐ Hyundai ☐ Saab ☒ Toyota ☐ VW

PURCHASE DATE

2/09/91

☒ New
☐ Used

DEALER'S NAME

Toyota/Isuzu

CITY

Fresno

STATE

CA

ZIP CODE

93710

ENGINE SIZE

(CID/CC/L)

NO. CYLINDERS

4

FUEL SYSTEM

☐ Turbo
☒ Fuel Injection

FUEL TYPE

☐ Diesel
☒ Gas

TRANSMISSION TYPE

☒ Manual
☐ Automatic

ANTILOCK BRAKES

☒ Yes
☐ No

RESTRAINT SYSTEM

☐ Driver's Side Airbag ☒ 2-Point Belt
☐ Passenger's Side Airbag ☐ Motorbelt
☐ 3-Point Belt

CRUISE CONTROL

☐ Yes
☒ No

DRIVETRAIN

☒ Front ☐ 4-Wheel
☐ Rear

VEHICLE TYPE

☐ Car ☐ Minivan ☐ Truck ☒ Other
☐ Van ☐ Sport Utility ☐ Motorcycle

CARS

4-Door
Wgn

DOORS

☐ 2-Door
☒ 4-Door

BODY STYLE

☐ Hatchback ☐ Sedan
☐ Pick Up Truck ☒ Stationwagon

FAILED COMPONENT(S)/PART(S) INFORMATION

COMPONENT

☐ Child Seat
☐ Electrical Lights & Alarms
☐ Engine & Cooling System
☐ Equipment
☐ Fuel System, Exhaust
☐ Heater, Defrost, Ventilation
☐ Interior
☐ Parking Brake
☐ Power Train
☐ Service Brakes
☐ Steering
☐ Structure
☐ Suspension
☐ Visual Systems
☐ Other

NO. OF FAILURES

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

INCIDENT DATE

7/5/03

MILEAGE AT INCIDENT

approx 110,703-04

VEHICLE SPEED AT INCIDENT

65-68 mph

FAILED PART(S)

☒ Original
☐ Replacement

To report defective or failed tires provide the following: Tire Brand, Tire Name, Tire Size (include all number and letters).

TIRE NAME General
AMER1-64 S

COMPLETE TIRE SIZE M+S
P185/70R13 85S

TIRE BRAND

☐ BF Goodrich
☐ Cooper
☒ Firestone
☐ Goodyear
☐ Kelly Springfield
☐ Michelin
☐ Yokohama
☐ Other

HANDICAPPED ADAPTIVE

☐ Yes ☒ No

FAILED PART(S) AVAILABLE?

☒ Yes ☐ No

NHTSA PREVIOUSLY CONTACTED?

☐ Yes ☒ No

INCIDENT INFORMATION

Please describe in detail the incident(s), failure(s), crash(es), and injury(ies) on the back of this form.

CRASH

☐ Yes
☒ No

NUMBER OF PERSONS INJURED

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

FIRE

☐ Yes
☒ No

NUMBER OF FATALITIES

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

CAUSE OF INCIDENT

☐ Wear/Corroded/Rust
☐ Weak/Poor Fit/Loose
☒ Cut/Torn
☐ Disconnect/Fall Off
☐ Erratic/Poor Performance
☐ Excessive Effort

☐ Nuts
☐ Leaks
☐ Short
☐ Loose/Sticks/Grabs
☒ Stability/Vibration
☒ Broken

RESULT OF INCIDENT

☐ Explosion/Fire
☐ Loss of Control
☐ Poor Visibility
☐ Inadvertent Start
☐ Rollover
☐ Stalls
☐ Sudden Acceleration

PLEASE DO NOT WRITE IN THIS AREA

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

09340

Narrative description of incident(s), failure(s), crash(es), location(s), and injury(ies). Include additional accidents if applicable.

While driving North on Hwy 41, there was a snapping, banging noise coming from the rear of the car (underneath). It sounded as if something was caught underneath.

I slowed down and move to the right shoulder and discovered a ripped top layer of the right rear tire had come off (as if it were sliced).

A Sheriff came to my assistance and changed my tire, call Firestone Clovis Store, reported the incident to Ken, Clovis Store Mgr. and directed me to go there immediately to replace the tire.

The next sat was Herndon and I exited. Drove approximately 5-6 miles to get to 750 Clovis Ave. Firestone Store.

Continue on additional page if necessary.

Describe any additional incidents. (Include date and mileage)

The Privacy Act of 1974—Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

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HS Form 350 (Rev. 8/98)

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POSTAGE WILL BE PAID BY NATL. HWY. TRAFFIC SAFETY ADMIN.

U.S. Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NSA-10.01
400 7th Street, SW
Washington, DC 20590

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

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

Official Business
Penalty for Private Use \$300



VEHICLE OWNER'S QUESTIONNAIRE (VOQ)

DOT AUTO SAFETY HOTLINE

TO REPORT VEHICLE SAFETY DEFECTS
COMPLETE THIS FORM
OR

DASH 2 DOT

and dial toll free at

1-888-DASH-2-DOT

1-888-327-4236

DOT Auto Safety Hotline
(DASH) 2 DOT



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

www.nhtsa.dot.gov/hotline

Complete and return or place in your car manual for future use


November 4, 2003

U.S. Department of Transportation
Nat'l Highway Traffic Safety Adm.
Office of Defects Investigation
NAS-10.01, 400 7th Street, SW
Washington D.C. 20590

Dear Sir:

Enclosed please find the Vehicle Owner's Questionnaire together with all the documentation of correspondence between myself and BFNT LLC (Firestone tires) 1102 Appleton, Nashville, Tennessee 37210 covering an incident on July 5, 2003 wherein a piece of the top outside strip of rubber layer of the right rear tire of my car came off, damaging the Right Quarter Outer Panel, the OTR quarter wheelhouse panel, the Quarter mudguard, rear rocker panel, etc. Called a BFNT rept on July 7th and was told a letter of instructions would follow.

After complying with their request (Ltr 7/7/03) with photographs of the damaged tire, two repair estimates, shipping the damaged tire in accordance with their selected shipper, plus a copy of the incident report and shipping cost invoices. They denied claim (Ltr July 28th) stating the damage was due to air pressure condition and informed me to turn this incident over to my vehicle insurance provider for their consideration and possible compensation.

I went back to the two auto repair firms of Fresno Body Works & Garage and Michael Automotive Center whom had seen the damaged tire when they issued the repair estimates. Each one stated it was totally impossible for them to make such a finding. It was because of their opinions and statements made that I then decided to ask for your help.

I am also asking the agencies listed below to consider helping me by investigating this matter.

Thanking you in advance, I remain

Very truly yours,


Better Business Bureau of San Joaquin, 2519 W. Shaw Ave., Fresno, CA.
Ch. 30 (KFSN-ABC) TV, 1777 G St., Fresno, CA.,
Attn: Consumer Assistance
Ch. 47 (KGPE - CBS) TV, 4880 N. First St., Fresno, CA.,
Attn: Consumer Assistance


September 7, 2003

BENT, LLC
1102 Appleton Drive
Nashville, TN 37210

Attn: Norma Y. Davis, Paralegal RE: (Tire F-570, 185/70R13 - DOT No. E2F57A387 -received and inspected by the Technical Services Manager .

Your letter dated 7/28/03 denying request for compensation due to **"This insufficient air pressure condition is evidenced by the deformation throughout the tire bead area. The tire failure did not result from a defect in either materials or workmanship."**, and then instructing me to turn it over to my vehicle insurance provider for their consideration., is unacceptable.

Due to personal medical health problems I was not able to answer your letter sooner than today.

I complied with all requests made by your representative - tech. Service Center RE: 824774, by sending a copy of the incident report, 2 copies of estimated repairs (Fresno Body works & Garage: \$1,247.09 and Michael Automotive Center: \$874.78), together with photographs, copies of receipts for replacement of the faulty tire \$64.23, shipping and packaging costs costs of \$37.75 via UPS in accordance with your instructions. The total costs for this incident ranges from \$976.78 to \$1,349.07.

Not being able to rely on the other three firestone tires, I purchased 3 tires from Goodguys Tires at 8652 No. Blackstone, Fresno 93720 on 8/8/03 in the amount of \$289.99.

For your information this type of inspection is impossible to make in accordance with my conversations with Michal Toyota and Fresno Body Works & Garage as when I went for the estimates they examined the tire and are both willing to put their opinions in writing.

I also want you to know that every 3-4 months I have my car serviced for Oil and Lube, whether it is needed it or not, by either Union 76 at 5780 N. Bullard, Fresno 93710 and/or Michale Toyota in Fresno, where part of their service is always to check tires for air-pressure and/or wear and tire of tires. I also had my tires rotated every 5,000 miles by the Firestone Store in Clovis. They never found the condition that you are speaking of because had they, they would have written it down on the service receipt when the car was serviced and picked up.

I would like you to reconsider your denial and let me know in writing as to your decision. If the decision is not to reimburse the monies spent on the tire and damages, I will be forced to mail, under separate letters, copies of letters, photographs, BFNT LLC correspondence, receipts of expenses, copies of maintenance records of oil and lube, and rotation of tires, to the following people. (copy to you of U.S. Dept. Nat'l Traffic, Safety Adm., Office of Defects Investigation).

U.S. Department of Transportation, Nat'l Hwy Traffic Adm. Safety Adm., Office of Defects Investigation, NSA-10.01, 400 7th Street, SW, Washington, D.C. 20590 (copy enclosed for your information), ✓
Better Business Bureau of San Joaquin, 2519 W. Shaw Avenue, Fresno, CA.,
Channel 30 (KFSN-ABC) TV, 1777 G Street, Fresno, CA., Attn: Consumer Assistance, and
Channel 47 (KGPE - CBS) TV, 4880 N. First Street, Fresno, CA., Attn: Consumer Assistance.

Very truly yours,


7/28/2003

[REDACTED]
Fresno, CA 93720

Subject: Inspection Of Tire

Dear [REDACTED]

Our office has received your tire (F-570, 185/70R13
DOT No.E2FM57A367) and it has been inspected by our Technical Services Manager.

We have carefully inspected the tire. That inspection showed that this tire was operated for an unknown period of time with insufficient air pressure to carry the load. This insufficient air pressure condition is evidenced by the deformation throughout the tire bead area. The tire failure did not result from a defect in either materials or workmanship.

While we regret that you have had this difficulty we must respectfully deny your request for compensation. You may consider turning this incident over to your vehicle insurance provider for their consideration and possible compensation.

If you would like your tire returned, please mail the attached tire return letter to Bridgestone/Firestone, Inc. within twenty-one (21) days from the date of this letter. If we have not heard from you within the twenty-one (21) day period, we will dispose of the tire.

Very truly your

Norma Y. Davis

Norma Y. Davis
Paralegal

Attachment

BFNT, LLC
1102 Appleton Drive
Nashville,TN 37210

Fresno, CA.
July 20, 2003

Attn: Technical Service Center - Doug, Representative

RE: [REDACTED]

Dear Sir:

On July 7, 2003, at approximately 8:05 a.m. I spoke to you concerning the top layer stripping off the right rear tire of my Toyota Corolla DX1991 model, plus outside panel, wheelhouse panel molding and mudguard came off. Your number was given to me by Ken, Firestone mgr.

You informed me that a letter would be following giving me instructions on how to handle this situation.

This incident occurred on July 5th, while travelling North on Highway 41, nearing the Herdon exit. I was extremely fortunate that I was able to move to the slow lane and move over to the extreme right without any trouble. I was doubly fortunate that a Sheriff came to my rescue and changed the tire for me, replacing it with the emergency tire. He also called Firestone located at 790 Clovis Ave. (where I originally purchased the tires), in Clovis, approximately 8-9 miles away, informing them that I would be arriving there for a tire replacement due to the incident.

I am now enclosing a copy of the incident report [REDACTED] along with two copies of repair estimates plus copy of the purchase of the new tire.

Also included are photos of the tire and mudguard plus photos under the car near the rear end of the right side of the car. A copy of each of the copies as listed in the enclosure will also be mailed with the tire and mudguard.

The shipping and packaging fees are not included. However I will try to jot it down in ink before mailing this information to you.

Sincerely yours,

Enc: Copy of Incident Report 824774
Copy of Purchase receipt of tire
Fresno Body Works & Garage estimate
Michael automotive Center (Toyota Dealers)
Six (6) photographs of tire and rear car area

INCIDENT REPORT

Time and Place April 3, 1993 Fresno, CA		Date of Incident 7/5/03		Time AM/PM Approx 3:15pm		Exact Location Where Incident Occurred NB on Hwy 41			
Customer Vehicle		Vehicle Make Toyota Corolla		Year 1991		Model Corolla DX		Mileage Approx 110,702	
				City Fresno		State CA			
				Minor Yes ☐ No ☒		Tel			
				City Fresno		State CA			
				Minor Yes ☐ No ☒		Tel			
				City Fresno		State CA			
Zip Code									
		Vin Number JT2AE94VOM3013475		Trail Hitch? Yes ☐ No ☒		What is Towed? ☐			
		Vehicle Usage Recreational ☐ Personal ☒ Commercial ☐							
		Is this a motorhome or conversion van? Yes ☐ No ☒		Has the vehicle been modified? Yes ☐ No ☒					
		If Yes? What is Model?		If so, how?					
		Did the vehicle rollover? Yes ☐ No ☒		Was the vehicle involved in a crash? Yes ☐ No ☒					
Property Damage to Customer's Car		Damage to Customer Vehicle		Replacement of tire required. Also		Curtain R-Quarter outside panel, wheelhouse panel, matching outside wheel damaged.		Tire 64.23 Estimated Cost 2875-1250.00	
		Have you submitted this to your insurance company? Yes ☐ No ☒							
		Are you planning to submit this claim to insurance company? Yes ☐ No ☒							
		Has your vehicle been repaired? Yes ☐ No ☒		DEDUCTIBLE AMOUNT \$					
		Customer Insurance Co. (Please include telephone number)							
Property Damage to Other Car (If applicable)		Was another Vehicle Involved? Yes ☐ No ☒		Name and Address					
		Damage						Estimated Cost	
		Does Owner of Vehicle Have Insurance? Yes ☐ No ☒		Covering Damages to Car? Yes ☐ No ☒		Covering Damages to Other Car? Yes ☐ No ☒			
		Other Property Damage							
Injured Person		Was Anyone Injured? Yes ☐ No ☒							
Nature of Injury		None							
Tire Data (If available)		Size-Type 185 70SR13 80T		Mileage on Tire 23,990		DOT Number (10 or 11 digit # located on sidewall) 185/70R13 80T		Position Mounted Right Rear tire	
Description of Incident		Traveling North on Hwy 41, heard a big continuous banging coming from under the car. Pulled over and noticed a layer of tire was separated from actual tire and mudguard and various panels were damaged. A Sheriff stopped behind me and removed & replaced the tire with the emergency tire. He also called Firestone located at 790 Clovis Ave. (Clovis 559) 323-0157 where the tires were originally purchased to let Mr Ken know that I was coming.							
Signature of Customer		Date Signed							

Date: 7/18/03 01:18 PM
Estimate ID: 8748
Estimate Version: 0
Preliminary
Profile ID: WALK-IN

A consumer is entitled to:

1. Select the auto body repair shop to repair auto body damage covered by the insurance company. An insurance company may not require the repairs to be done at a specific auto body repair shop.
2. An itemized written estimate for auto body repairs and, upon completion of repairs, a detailed invoice. The estimate and the invoice must include an itemized list of parts and labor along with the total price for the work performed. The estimate and invoice must also identify all parts as new, used, aftermarket, reconditioned, or rebuilt.
3. Be informed about the coverage for towing services. Unless the insurance company has provided the insured with the name of a specific towing company prior to the insured's use of another towing company, the insurance company must pay all reasonable towing charges of the towing company used by the insured.
4. Be informed about the extent of coverage, if any, for a replacement rental vehicle while a damaged vehicle is being repaired.
5. Be informed of where to report suspected fraud or other complaints and concerns about auto body repairs.

ESTIMATE OF REPAIRS: \$ _____

THE ESTIMATE OF REPAIR INCLUDES PARTS, LABOR AND DIAGNOSIS. IF, ON FURTHER INSPECTION, ADDITIONAL PARTS OR REPAIRS ARE NEEDED, YOU WILL BE CONTACTED FOR AUTHORIZATION. WE ARE NOT RESPONSIBLE FOR LOSS OR DAMAGE TO YOUR VEHICLE FROM FIRE, THEFT, ACCIDENTS OR ANY CAUSE BEYOND OUR CONTROL. ALL TESTS WILL BE MADE BY OUR EMPLOYEES AT YOUR RISK.

AUTHORIZED SIGNATURE: _____ DATE: _____

WARNING: Accidental air bag deployment is possible. Personal injury may result. Avoid area near steering wheel and instrument panel even if air bags have deployed. Dual-stage air bag modules may be present that could contain an undeployed stage. When disposing of a deployed dual-stage air bag, always treat it as a "live" module. See appropriate MITCHELL® AIR BAG SERVICE & REPAIR MANUAL, or OEM information.

ESTIMATE RECALL NUMBER: 7/15/03 13:08:50 8748

Mitchell Data Version: JUL_03_A
UltraMate Version: 4.8.012
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Page 3 of 3

BFNT, LLC1102 Appleton Drive
Nashville, TN 37210

7/7/2003

FRESNO, CA

Ref #: [REDACTED]

In response to your phone call regarding the situation you experienced with your tire, listed below are the items that are required to process your claim for consideration:

1. Complete and sign the enclosed Incident Report.
2. Two estimates for the repair of your vehicle from a repair facility you would use. Photos of the damage are helpful, and can also be sent with the estimates.
3. A copy of the replacement tire invoice and a legible shipping cost receipt.
4. Also, the tire that caused the damage must be shipped to us prepaid.

Upon receipt of all of the above items, we will advise you in writing of our decision, usually within 30 days. Please make a copy of the paperwork, estimates and receipts for your own files.

The tire that caused the alleged property damage to your vehicle must be shipped freight prepaid to the address shown on the enclosed shipping label. Your shipping cost will vary depending upon the shipment method you use. For reference, UPS, Ground Service, will cost about \$15 - \$30 for a passenger car tire. The freight company may require that you package the tire in a box for shipment. If we conclude that the claim should be accepted after we examine the tire, we will reimburse you for the cost of shipping the tire to us. If we conclude that the claim is denied and you request that your tire be returned after the inspection, it will be shipped by us freight collect. The estimated freight collect shipping cost is about \$30.

See the attached "Help Us Help You" for details regarding the process and instructions for Shipping Your Tire And The Requested Paperwork.

Following the included instructions and using the enclosed materials will expedite our review process.

Please keep in mind that any tire, no matter how well constructed, may fail in use as a result of punctures, impact damage, improper inflation, overloading, or other conditions resulting from use or misuse for which we are not responsible. Many of the submitted tires we receive failed for one of these reasons above and the claims are accordingly denied for payment.

Thank you for your cooperation. If you have any questions, please feel free to contact us at 1-800-356-4644.

7/7/03 at approx 8⁰⁵am
Tech Service Center
True

Tire size 70SR13
185 ~~70SR13~~ 86T

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BENT, LLC
1102 Appleton Drive
Nashville, TN 37210
Attn: Norma Y. Davis
Brazalegal

2. Article Number
(Donor's Use)

7003 1010 0002 6744 2711

PS Form 3811, August 2001

Domestic Return Receipt

105525-08-14

A. Signature

X *[Signature]* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

[Signature] ☐ Yes ☐ No

D. Is delivery address different from Item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

☐ Certified Mail ☐ Express Mail
☒ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ G.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •



33

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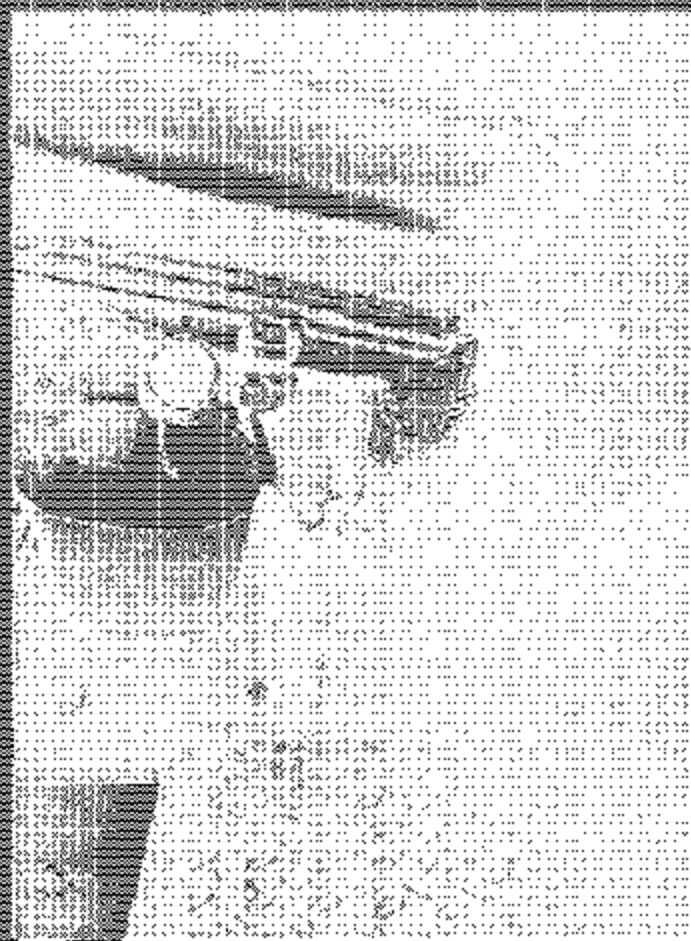
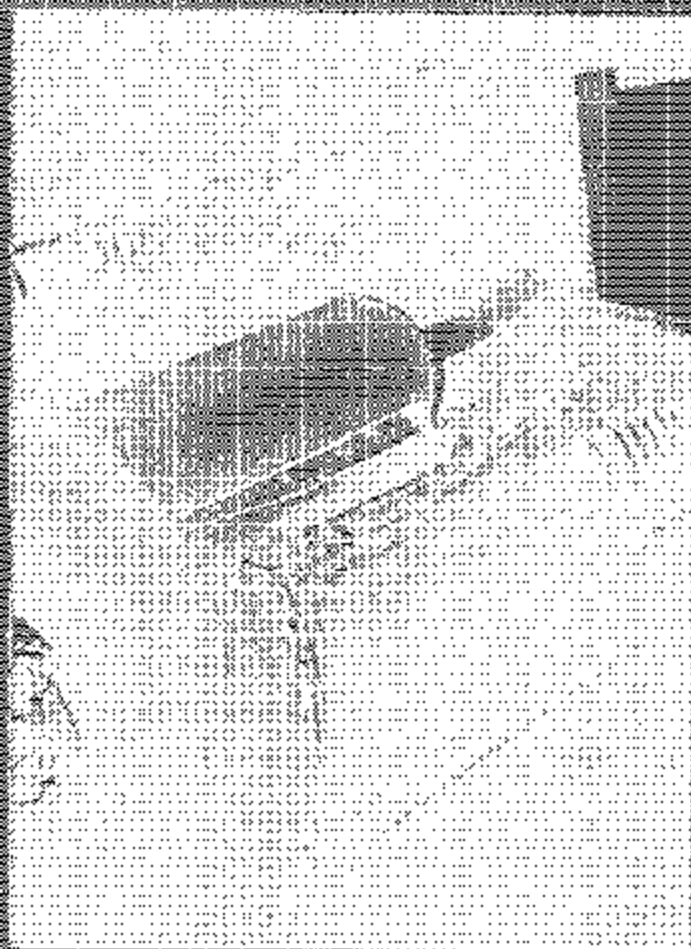
NASHVILLE TN 37210

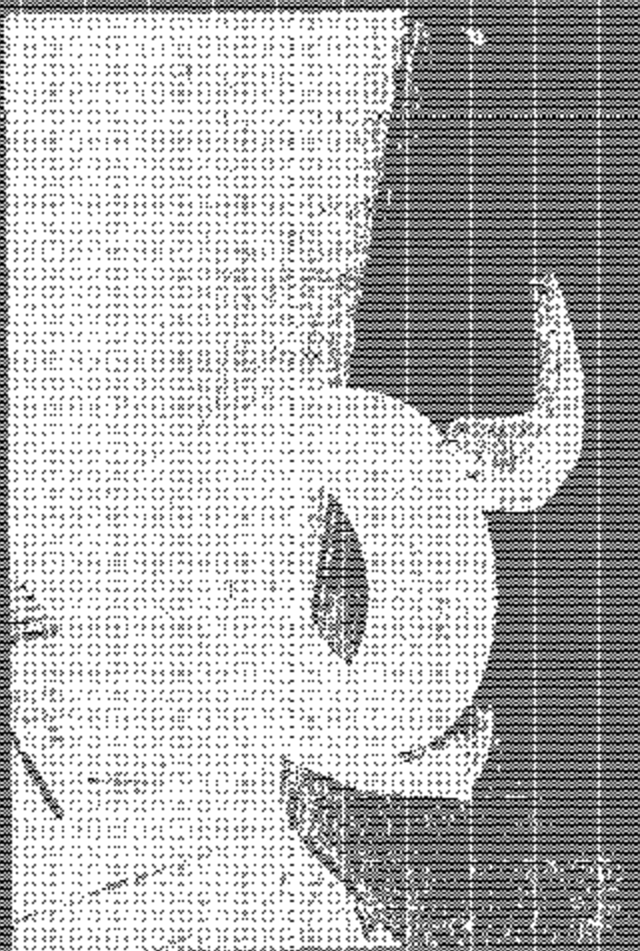
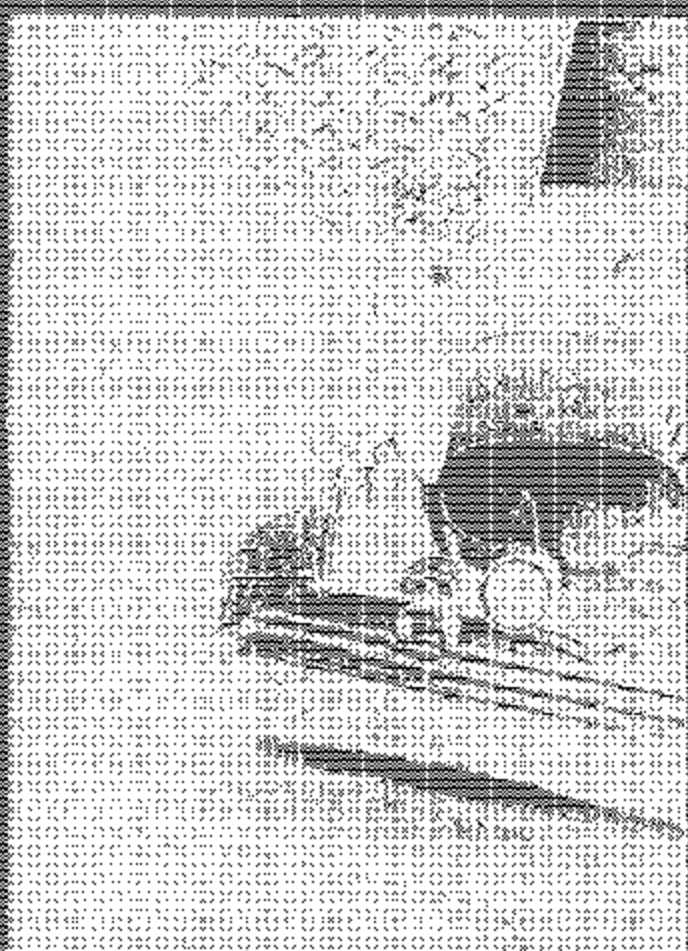
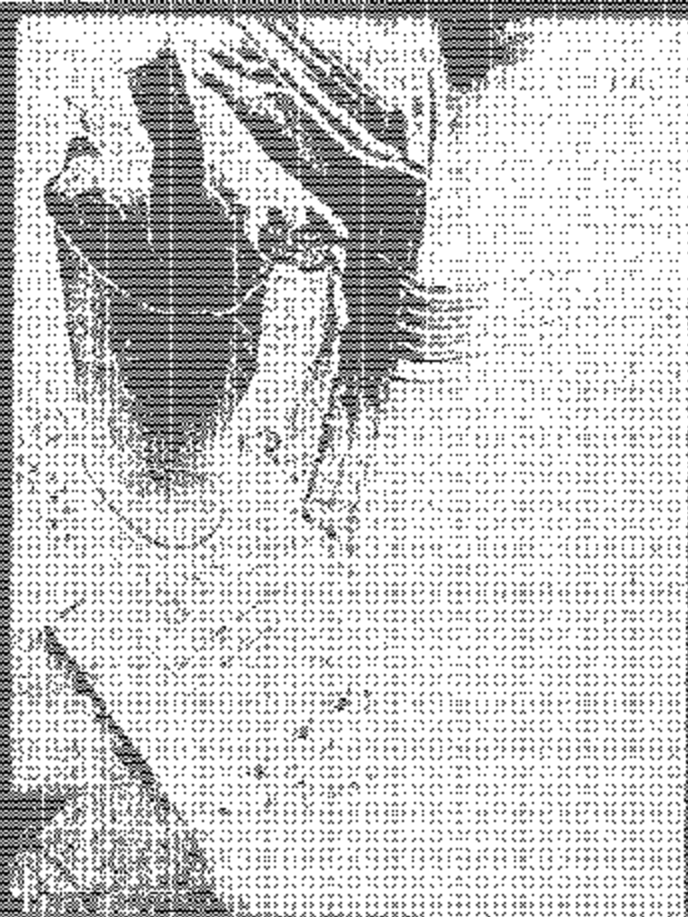
Postage	\$ 10.87
Certified Fee	\$2.00
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 14.62

0410
08
Postmark
Here
09/08/2003

Sign in
Signature
or PO
Box
PS Form 3811, August 2001

UNITED STATES POSTAL SERVICE





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THE FREEDOM OF INFORMATION
ACT (FOIA), 5 U.S.C. 552(b)(6).**