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2005 FEB -7 AM 12:34 FEB 12, 2005

FROM:

TO: NHTSA

U. S. DEPARTMENT OF TRANSPORTATION

SUBJECT: SAFETY DEFECTS ON MY NEW 2004 KIA SPECTRA

I AM WRITING THIS LETTER TO REPORT SAFETY DEFECTS ON MY NEWLY PURCHASED 2004 KIA SPECTRA WHICH COULD CAUSE AN ACCIDENT OR CAUSE INJURY OR DEATH.

ON NOV 2, 2004 I ENTERED INTO A VEHICLE CASH PURCHASE AGREEMENT FOR A NEW 2004 KIA SPECTRA

ON NOV 4, 2004 I PAID, IN CASH, THE FULLY AGREED TO PRICE AND PICKED UP THE VEHICLE AT BRONX KIA, 3820 BOSTON ROAD, BRONX, N.Y 10469 (718)798-3200.

DURING THE NEXT FEW DAYS FOLLOWING THE PURCHASE OF SUBJECT VEHICLE, I NOTICED THE VEHICLE WOULD SUDDENLY ACCELERATE AT ANY GIVEN MOMENT. THE TACHOMETER WOULD POINT TO 6-7-8 AND OFTEN WITHIN THE TACHOMETER'S RED ZONE DURING THESE EPISODE OF SUDDEN ACCELERATION. IT HAS BEEN VERY DIFFICULT FOR ME TO MAINTAIN CONTROL OF SUBJECT VEHICLE DURING THESE PERIODS OF SUDDEN ACCELERATION.

FOR THE PAST THREE (3) MONTHS, ON FIVE (5) SEPARATE OCCASION, I TOOK SUBJECT VEHICLE TO BRONX KIA. ON EACH OF THE AFORESAID OCCASION, I HAD LEFT THE VEHICLE AT THEIR SERVICE DEPT FOR MANY HOURS AFTER DISCUSSING THIS SUDDEN ACCELERATION PROBLEM WITH THE FOLLOWING SERVICE DIRECTORS: IRWIN, ANTHONY, TAKUP, GARY, & AGI. AFTER EACH OF THE AFORESAID VISIT, I WAS TOLD THAT EVERYTHING WAS FINE AND THAT THE VEHICLE WAS RUNNING NORMAL.

DRIVING SUBJECT VEHICLE HAS BEEN HORRENDOUS FOR ME. I HAD TO CANCEL MY PLANNED TRIP TO FLORIDA. I CUILT DOWN ON MY DRIVING DRASTICALLY BECAUSE OF THIS PROBLEM OF SUDDEN ACCELERATION. Manny 2/12/05

I HAVE HAD SIXTY-FOUR (64) YEARS OF DRIVING EXPERIENCE. I AM EIGHTY-ONE (81) YEARS OF AGE AND HAVE BEEN CONTINUALLY DRIVING SINCE I WAS SEVENTEEN (17) YEARS OF AGE. I AM A WORLD WAR TWO VETERAN, AND HAVE DRIVEN MILITARY VEHICLES. AFTER WORLD WAR TWO, I JOINED THE NEW YORK CITY POLICE DEPT. I HAVE DRIVEN POLICE VEHICLES UP TO THE TIME I BECAME A SUPERVISOR.

IN ALL OF MY SIXTY-FOUR (64) YEARS OF DRIVING EXPERIENCE, I HAVE NEVER EXPERIENCED THIS TYPE OF PROBLEM, NOT BEING ABLE TO MAINTAIN CONTROL OF THIS VEHICLE DURING THE PERIODS OF SUDDEN ACCELERATION. THIS TYPE OF EXPERIENCE REALLY FRIGHTENS ME.

BASED ON CIRCUMSTANCES DESCRIBED ABOVE, WHAT OTHER OPTIONS ARE AVAILABLE TO ME AT THIS POINT AND TIME? I WOULD REALLY APPRECIATE IT VERY MUCH IF YOU WOULD KINDLY ADVISE ME AS TO WHAT FURTHER ACTION I SHOULD NOW TAKE IN ORDER TO ELIMINATE THIS DANGEROUS DEFECT FROM THIS BRAND NEW VEHICLE I HAVE RECENTLY PURCHASED FROM THE BRONX KIA DEALER.

HOPING TO HEAR FROM YOU SOON, I REMAIN  
VERY RESPECTFULLY YOURS

BRONX, NY

| TYPE OF SALE                                                                                                                         |  |
|--------------------------------------------------------------------------------------------------------------------------------------|--|
| <input type="checkbox"/> WHOLESALE OR <input checked="" type="checkbox"/> RETAIL                                                     |  |
| <input checked="" type="checkbox"/> New <input type="checkbox"/> Used <input type="checkbox"/> Demo <input type="checkbox"/> Salvage |  |

**New York State Department of Motor Vehicles  
RETAIL CERTIFICATE OF SALE**

**No. 00685137**

**VEHICLE INFORMATION:**

|                                                            |                    |                                              |                          |                                                           |                  |                                         |                       |                                             |
|------------------------------------------------------------|--------------------|----------------------------------------------|--------------------------|-----------------------------------------------------------|------------------|-----------------------------------------|-----------------------|---------------------------------------------|
| Year<br><b>2004</b>                                        | Make<br><b>KIA</b> | Model<br><b>SPECTRA</b>                      | Body Type<br><b>4DSD</b> | Color<br><b>BRONZE</b>                                    | Weight (Unladen) | Fuel Type<br><b>G</b>                   | Cylinders<br><b>4</b> | Adm. Seating Capacity<br><b>5</b>           |
| Vehicle Identification Number<br><b>KM A A 8 2 2 7 4 5</b> |                    |                                              | License<br><b>LO</b>     | Inspection Certificate Number<br><b>12629514</b>          |                  | Date of Inspection<br><b>11/04/2004</b> |                       | Inspection Station Number<br><b>7097569</b> |
| Plate/Permit Number<br><b>DAY1557</b>                      |                    | Number of Dealer Plates Loaned<br><b>N/A</b> |                          | <input type="checkbox"/> Lease Buyout (Imp. Not Required) |                  | Selling Price<br><b>\$ 15190.00</b>     |                       |                                             |

**DEALER INFORMATION (Print Name and Address)**

**BRONX KIA 3920 BOSTON POST RD BRONX NY 10475**

**PURCHASER INFORMATION (Print Name and Address)**

**BRONX NY**

Date of Sale  
**11/04/2004**

**PRIOR OWNER INFORMATION (Print Name and Address Source of Ownership)**

**ACTION MOTORS CORPORATION P.O. BOX 2600 DANBURY CT 06813**

Date of Purchase  
**09/02/2004**

**ODOMETER DISCLOSURE STATEMENT**

Federal and state laws require that you state the mileage of the vehicle described on this certificate, when transferring ownership. Failure to do so, or not telling the truth about the mileage may result in fines and/or imprisonment.

The odometer on the vehicle described above has: ☐ 5 digits ☒ 6 digits, not including tenths

☒ I certify that, to the best of my knowledge, this odometer reading reflects the "ACTUAL MILEAGE" of the vehicle described above.

☐ I certify that, to the best of my knowledge, this odometer reading "EXCEEDS MECHANICAL LIMITS."

☐ I certify that, to the best of my knowledge, this odometer reading is "NOT THE ACTUAL MILEAGE. WARNING: ODOMETER DISCREPANCY."

| ODOMETER READING |  |  |   |   |
|------------------|--|--|---|---|
|                  |  |  |   |   |
|                  |  |  | 6 | 0 |

(no tenths)

**DEALER CERTIFICATION:**

I certify: The vehicle described above was sold to the purchaser on the date indicated. At the time of delivery the purchaser was entitled to register the vehicle. This vehicle complied with equipment requirements of the Commissioner's Regulations. At the time of delivery, such equipment was in condition and repair to render satisfactory and adequate service on the public highway under normal use. Equipment certification does not apply to a vehicle sold as new, wholesale, or salvage. All New York State and local taxes due as a result of this sale have been collected from the purchaser. Full statements made herein are available as a Class A misdemeanor pursuant to Section 215.45 of the Penal Law.

DEALER (or authorized representative) - (SIGN AND PRINT)

PRINT full name of dealer or authorized rep.

**BRONX KIA**

Date  
**11/04/2004**

Dealer  
Facility  
No. **7097569**

PRINT full name of purchaser

Date  
**11/04/2004**

Selling  
Dealer  
NYB Sales  
Tax No.

**PART 3 - CUSTOMER COPY**

**ANY CHANGE OR ALTERATION VOID THIS CERTIFICATE**

**THE ATTACHMENTS TO THIS  
DOCUMENT HAVE BEEN REMOVED  
TO PROTECT UNWARRANTED  
INVASION OF PERSONAL PRIVACY  
PURSUANT TO EXEMPTION 6 OF  
THE FREEDOM OF INFORMATION  
ACT (FOIA), 5 U.S.C. 552(b)(6).**