

Somerville, Mass. [REDACTED]

May 30, 2005

U.S. Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation
NVS-210, 400 7th Street, SW
Washington, D.C., 20590

10126887

10126887
VIN
2004

Dear Sir/Madame:

On 28 April, 2004, I purchased a "New" Volvo S 40, a 2004.5 from Boston Volvo Village, 75 North Beacon Street, Boston, Mass., 02134. The VIN Number is YV4BS382442 [REDACTED] Starting in October, 2004, the Left Rear Tail Light Assembly has been Off/On/Off/On/Off/On. The Volvo S 40 has been in the Boston Volvo Village shop on 5 different occasions, plus 1 visit to a Volvo dealer in Wilmington, N.C. for a total of 10 business days and counting. This defect is a serious safety hazzard, does anyone know if the Volvo S 40 is there? has it stopped for a red light? there may be or there may not be Brake Lights while traveling at night with no Rear Tail Lights? The question is: When will someone plow into the rear of the Volvo S 40 and kill everyone in the car, because the car cannot be seen under a number of driving conditions? Blubs and connections have been cleaned, blubs have been replaced, wires have been disconnected/reconnected, the battery and the CEM have been replaced. The problem persit, Boston Volvo Village has determined the problem to be "Intermitten." This has neither soloved the problems nor prevented future problems. I have sent a letter to Volvo Corp. (see attach) under the Commonwealth of Massachusetts lemon law to have the Volvo S 40 declared a Lemon. I am writing to NHTSA for either a Recall Notice or a Safety Bulletin issued on this problem. Thank you.

Yours truly,
[REDACTED]

Annamari
6/24/05

[REDACTED]
Somerville, Mass., [REDACTED]

May 20, 2005

Anne Belec, President
Volvo Cars of North America
7 Volvo Drive
Rockleigh, New Jersey, 07647

Dear Ms. Belec:

I believe that my car is a "Lemon" under the Massachusetts Lemon Law (Massachusetts General Laws, C.90, Sec. 2N1/2). I am here by making a written demand for relief under the Lemon Law and the Massachusetts Consumer Protection Act (Massachusetts General Law, C.93A, Sec. 9).

I purchased my Volvo S 40, 2004.5 on 28th April, 2004, from Boston Volvo Village, 75 North Beacon Street, Boston, Mass., 02134. The VIN number is YV1MS382442 [REDACTED]. Since I bought the vehicle, I have had to return to the original dealership a total of 5 times, plus one time to a dealership in Wilmington, N.C. for the same problem; which is the Left Rear Tail Light Assembly, for warranty repair work. My vehicle has been out of service for repairs for a total of 10 business days so far and counting. My Volvo S 40, has been in Boston Volvo Village shop for repairs on the following dates: October 1-14, 2004, December 18-21, 2004, May 3-5, 10-11, 2005. Plus Parkway Volvo, 5920 Market Street, Wilmington, N.C., 28405 on April 1, 2005 for repair of the same defect.

The left rear tail lights were out/on/out/on/out/on, bulbs have been replaced, the wiring checked, the battery and the CEM have also been replaced. Starting in October, 2004, the left rear tail lights went out, the car spent two days in the shop. In December, 2004, the light went out one day, spent 20 minutes in the shop, 'loose bulb', three days latter a dead battery.

"Volvo or Call" had to be called, a jump start was required. My Volvo S 40 spent the next three days in Boston Volvo Village's shop while the electrical system was checked out and a new battery installed. When a new car with a 'new' battery lasts only 8 months, something is definitely wrong. In March, 2005, I took a trip thru the South. On the Norfolk/Portsmouth/Virginia Beach Expressways, there are a number of high speed Left Lane Exits/On Ramps, after taking the third or fourth one, a message flashed: "Left Rear Signal Burnt Out". Until I got off these roads, I could not check the situation out. I had the Left Turn Signal, but again no Left Rear Brake Light, nor Left Rear Tail Light. I had no intention of making a U-turn and going back looking for a Volvo dealer in the Norfolk, Va. Area, once was enough. For the next two days, everytime I stopped for a red light, but not at a stop sign, or I made a Left Turn, that message flashed. I could not find a Volvo dealer, until I got to New Bern, N.C. That dealer stated: "It would be a minimum of two weeks before I could get an appointment to have the Left Rear Tail Light checked out." "Suggested, that I should find another Volvo dealer, somewhere." From my list of Volvo dealers, I found one in Wilmington, N.C., Parkway Volvo. This dealer said they could squeeze me in, if I wanted to wait a while. No problem. I had several major fears, A) If it was dark and rainy, would someone run into my car at a traffic light, because there were no brake lights? B) Driving at night, would someone run into the car because there were no tail lights? C) With Massachusetts License Plates, I was already very high on every Southern Cops radar, add a bad tail light, I would be given tickets at every opportunity I did not want to take tours of every county courthouse in the Old Confederacy, plus, have the car under go various state motor vehicle inspections. Parkway Volvo checked and cleaned the bulbs, the sockets, the connections, disconnected/reconnected various wires. They could not find anything, but the Left Rear Lights now worked and no message. Parkway Volvo said: "Perhaps there is a faulty wire somewhere, sending bad messages to the computer. It will take time to track the problem down." I was extremely pleased with Parkway

Volvo Service, good people. After I returned to Boston, I bought a Fog Light Kit for my Volvo S 40 from Boston Volvo Village, made an appointment to have both the fog lights installed and have the electrical system checked out. On May 3, 2005, Boston Volvo Village installed the Fog Lights, BUT disregarded the electrical problems, saying: "The problem was solved by Parkway Volvo." When I picked the car up and started to drive away from Boston Volvo's shop, the lights went out. For the next 1½ hours, a Boston Volvo Service Rep., the mechanic who worked on the car, and myself went over both fuse boxes, the various connections, wires, and lights. A decision was made to keep my S 40, the problem was "Intermittent". After three long days in Boston Volvo Village's shop, they announced "Problem Solved", this was on May 5, 2005. I had a trip planned for the week of May 9th to Quebec City, Canada. On Tuesday, May 10, 2005 at 05:00 AM, I did my pre-trip walk around the car to see if there were any problems. I noticed the Left Rear Tail Light was again out, plus now the Right Front Park Light and the Yellow Side Marker Light were also out. Again, I immediately brought the S 40 back to Boston Volvo Village. Boston Volvo replaced the CEM, there was nothing about the wiring being checked for shorts, etc.. On Wednesday, May 11, 2005, Boston Volvo Village again claimed the problem was solved after only two days in the shop. Right, for how long?

These defects have substantially impaired the use of, the market value or the safety of my vehicle. I am here allowing you one final repair opportunity. I am then entitled to a replacement vehicle acceptable to me or a refund calculated in accordance with the Lemon Law. Failure to comply with the Lemon Law is a violation of Massachusetts General Laws, C.93 A, and you may be subject to double or treble damages as well as attorney's fees and court cost, if this matter is taken to court.

This automobile has been a major disappointment. I am looking forward to hearing from you.

Thank you.

I will submit copies of this letter along with a cover letter too: