

# NHTSA Complete Record Information



Printed: 7/12/2005

<b>NHTSA #:</b> ES05-006095	<b>Rec'd Date:</b> 7/12/2005	<b>Referred By:</b> NEC-110
<b>XREF #:</b>	<b>Doc Type:</b> CNG	<b>Doc Date:</b> 4/18/2005
<b>Delivery:</b> MESSENGER ENV.	<b>Address To:</b> DOT/I	<b>Due Date:</b> 7/21/2005
<b>S10 #:</b>	<b>DOT/I #:</b> 2005-4127	<b>RMP #:</b>
<b>Subject:</b> FAX FM [REDACTED] (CT) INQUIRING WHY THERE WAS NOT A RECALL ON THE DEFECTIVE #8 CYLINDER OF THE 1999 HI HUMMER, REPLY TO THE WETHERSFIELD OFC, DOT/I# 2005-4127		
<b>Ack Date:</b>	<b>Ack By:</b>	<b>Signed For:</b>
<b>Sign Office:</b> EXTERNAL AFFAIRS	<b>Signature:</b> HARRINGTON	
<b>Cleared Date:</b>	<b>Cleared By:</b>	<b>Cleared For:</b>
<b>File Loc:</b>	<b>XREF File:</b>	<b>Closed Date:</b>
<b>Added By:</b> SHARRIS x62534	<b>Modified By:</b> LOGLESBY	

### COMPLETE CONTACT INFO:

CHRISTOPHER J DODD  
UNITED STATES SENATE  
100 GREAT MEADOW ROAD, ROOM 205  
WETHERSFIELD, CT 06109  
Tel: 860-258-6940 Fax: 860-258-6958 E-mail:

10129110

05 JUN 13 AM 3:01

### COMPLETE COMMENT INFO:

Comment Details	Comment
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### COMPLETE ROUTING INFO:

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	7/12/2005	7/21/2005	
	Return Process	7/12/2005		7/12/2005
ODI	REPLY	7/12/2005	7/19/2005	
NVS-010	INFORMATION	7/12/2005		7/12/2005
NOA-010	INFORMATION	7/12/2005		7/12/2005
NIA-110	INFORMATION	7/12/2005		7/12/2005
I10	INFORMATION	7/12/2005		7/12/2005
I20	INFORMATION	7/12/2005		7/12/2005

### COMPLETE ATTACHMENT INFO:

Description	Added By	Date & Time
6095.tif	SHARRIS	7/12/2005 11:50:54 AM

Assign to Edison  
[Signature]



APR 18 2005 3:56PM

CHRISTOPHER J DODD

NO. 356

P. 1

**CHRISTOPHER J. DODD**  
 CONNECTICUT

COMMITTEES

BANKING, HOUSING, AND  
 URBAN AFFAIRS

FOREIGN RELATIONS

HEALTH, EDUCATION, LABOR,  
 AND PENSIONS

RULES AND ADMINISTRATION

**United States Senate**  
 WASHINGTON, DC 20510-0702

*NHTSA*

WASHINGTON OFFICE  
 400 RUSSELL SENATOR OFFICE BUILDING  
 (202) 512-3200  
 FAX: (202) 512-3100  
 TDD: (202) 512-3400

STATE OFFICE:  
 100 LINCOLN MANSION ROAD  
 WYOMINGVILLE, CT 07108  
 (202) 512-3100  
 FAX: (860) 258-6940  
 TOLL FREE: (800) 258-6940  
 TDD: (860) 258-7400

Home Page: <http://dodd.senate.gov>

**FACSIMILE TRANSMITTAL SHEET**

*From the Connecticut Office of  
 U.S. Senator Christopher J. Dodd*

Telephone No. (860) 258-6940  
 Fax No. (860) 258-6958

DATE: April 18, 2005

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TO: Ms. Nicole Nason

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FROM: Ms. Del Greco

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Number of pages including cover: 10

RE: Constituent [redacted] and safety concerns he has with a 1999 Hummer.

*2005-4127*  
*ES05-006095*



MITCHELL CREEB, M.D.  
 DAVID POLKE, M.D.  
 S. MARK ALBANI, M.D.  
 LINDA MATONIS, M.D.  
 SUSAN FROST, M.D.  
 RILEY CATZ, CDM  
 DEBORAH GARBET, CDM  
 SARAH BUTTON, CDM

*Obstetrics & Gynecology*  
 133 South Street - Suite 509  
 Waterbury, Connecticut 06706  
 (203) 575-1811 • Fax (203) 575-1999  
 www.nvobgyn.net

05/18/05 - 2 14:12:20

March 31, 2005

The Honorable Christopher Dodd  
 U.S. Senator  
 100 Great Meadow Road  
 Room 205  
 Wethersfield, CT 06109

VIA: Federal Express, 1<sup>st</sup> Class Mail, Facsimile 860-258-6958

Dear Senator Dodd:

I purchased a new 1999 H1 Hummer approximately 5 years ago. Just recently, after a long arduous, and expensive diagnosis, with charges in the twenties of thousands of dollars, I was told that I had a crack in the #8 cylinder with only 14,000 miles on the vehicle. When I talked with AM General/Hummer, I was told that I was outside of the warranty period and that AM General/Hummer would not cover the repair of this #8 cylinder/engine.

I have enclosed information and correspondence from AM General/Hummer that indicated that AM General/Hummer was aware of this problem, but chose to ignore the problem. I don't understand why there was not a recall on this defective equipment. Because of this defective #8 cylinder, I believe that there are significant and undisputable public safety issues and concerns. This vehicle's curb weight is 8,000 lbs and if this #8 cylinder were to malfunction on the highway, disastrous results can occur.

I would like to request an immediate hearing with your office to discuss this matter further.

Thank you for taking time to review this matter.

Sincerely,

A large black rectangular redaction box covering the signature area.

Enclosures

A black rectangular redaction box covering the list of enclosures.

Mr. \_\_\_\_\_ CEO  
AM General Corporation]  
105 N Niles Ave  
P.O. Box 7025  
South Bend, IN 46634

February 21, 2005

Dear Mr. \_\_\_\_\_:

I am writing you today to make you aware of a very difficult situation I have been put in with respect to an AM General Hummer product, and to solicit your help, as CEO and chief decision maker for AM General, to resolve my problem.

I own two AM General products, an original Hummer purchased in February 1999, and a Hummer II purchased in March 2004. Much of the leisure time I spend away from my profession is outdoors; therefore, the Hummer with its robust design and near legendary reputation in the service of the United States Military became the obvious vehicle of choice.

The problem I am having is with the original Hummer, with approximately 13,000 odometer miles, has a blown engine, been marginally operational from March 2003 through December 2004, and totally out of service since December 2004.

Included herewith, as attachments, are a chronology of the Scheduled Maintenance on the vehicle as well as other repairs during its service life. Copies of the actual service documents from the dealership are also provided for your information.

My experience with the Hummer was very pleasant up until the time of notification from the dealer of AM General recalls #R0101 and R0102. At the time there were 11059 odometer miles, all very conservatively driven. I am absolutely convinced, subsequent mismanagement, with respect to installation of the above-mentioned recalls, contributed directly to the failure of the engine. As a result, I should NOT be held liable for the cost of \$21,000.00 to repair this vehicle.

It would not be the expectation and test of the "reasonable man" that the Hummer is an elegant on road product such as a Mercedes or BMW. On the other hand, one would hardly expect to experience such a serious /major defect to afflict a rugged vehicle like the Hummer, particularly with such few miles.

I have requested the Dealership secure the original engine for delivery to me and will delay pickup of the vehicle pending word from you.

Sincerely:

  


**CHRONOLOGY OF MAINTENANCE & REPAIRS**

1. Vehicle was purchased new from Lynch Hummer, St Louis, Mo and put into service on or about February 5, 1999.
2. Karl Chevrolet Hummer of New Canaan, CT. on or about February 15, 2000, performs the 3,000 mile scheduled maintenance service on the vehicle.
3. Karl Chevrolet Hummer Invoice # 81180, Dated 8-22-01. 6006 mile scheduled maintenance service is performed at a cost of \$641.25. In addition, repairs were performed in conjunction with recall R001.
4. David McDermott Chevrolet Invoice # 181933, Dated March 13, 2003. 11,059 odometer miles. Purpose of this visit is in response to AM General notification of recalls #R0101 and R0102. In addition, the wench was inoperative and required repairs not covered under warranty. Unfortunately, this failure to operate occurred on the very first occasion I attempted to use the wench. The 11,250 mile service was also performed. Cost to me (service and wench repair) was \$1888.18.  
~~NOTE: Parts required for the recall was not available at the dealership. I was informed the dealer would notify me when the parts arrived.~~
5. David McDermott Chevrolet Invoice # 183461, Dated April 28, 2003. 11,789 Odometer miles. This visit is in response to notification by the dealer that the parts required for Recalls #R0101 and R0102 had arrived and were available for installation.  
  
NOTE: Once again, the parts required for the recall were not available and I was sent away. The service technicians informed me it would be safe to use the vehicle until such time as the recall parts became available. During the period after this latest failed attempt to install the subject parts, continuing until March 24, 2004, I phoned the dealership several times to express my concerns over the failure to correct recalls specified by AM General.
6. David McDermott Chevrolet Invoice # 193835, Dated March 24, 2004. 12907 Odometer miles. Purpose of this visit is in response to notification by the dealer that the parts required for Recalls #R0101 and R0102 had arrived and were to be installed in my vehicle. The recall parts were installed; however, a total of 1848 miles had accumulated on the vehicle since the first notification 12 months earlier. In addition, a faulty oil pressure light was replaced (not under warranty) at a cost to me of \$105.89.
7. On or about June 4, 2004, the odometer reading was 13100 and the vehicle was now leaking what appeared to be transmission oil. I phoned David McDermott Chevrolet to advise them of the problem. The McDermott technician theorized it may be the result of a "loose fitting", and recommended I continue driving the

vehicle, but check oil and other fluid levels. I phoned three additional times to convey my concern over the continued fluid leak.

8. On or about December 4, 2004 I noticed another problem, antifreeze leakage. I informed the dealership and was instructed to drive the Hummer in for repair. I had serious reservations with this suggestion (driving several miles to McDermott Chevrolet) and requested the truck be flat bedded instead. Moreover, I offered to pay the cost of the flatbed. McDermott Chevrolet finally did provide a flatbed; however, the issue of cost has not been resolved as of this date.
9. On or about December 10, 2004 I was informed by McDermott Chevrolet a water pump failure was causing the leakage of antifreeze. I authorized replacement of the pump as a non-warranty repair at an estimated cost to me of \$1500.00. The pump was not in stock and the truck remained at the dealership.
10. On or about December 20, 2004 I phoned McDermott Chevrolet to inquire about the repair status of the vehicle. The service department technician responded they were now uncertain as to the exact problem causing the leaks.
11. On or about December 26, 2004 the McDermott Chevrolet service department technician phoned to inform me they had determined the head gasket was the problem and the cost to replace it would be \$5000.00. Once again, I authorized repairs in order have the vehicle roadworthy as soon as possible.
12. On or about the first week in January 2005, I phoned McDermott Chevrolet to inquire as to the repair status of the vehicle. I did not receive a definitive answer because the service technician was "at Hummer School".
13. On or about January 28, 2005 I spoke to a friend who had a personal relationship with someone in management at McDermott Chevrolet. He offered to call the dealer to get information on my Hummer. The word my received was the #8 cylinder in the engine "was shot," and a completely new engine was needed. The replacement was not covered under warranty and the estimated cost to me was \$21,000.00. The dealer alleged AM General was adamant, taking the position warranty repair was not an option. Also, in his opinion, he said AM General was very difficult to deal with.

March 2, 2005



Southbury, CT

Re: 1999 HUMMER H1  
VIN# 137ZA8436XB

Dear Dr. [REDACTED]

I am responding on behalf of [REDACTED] to your letter dated February 21, 2005. I understand from your letter that you are seeking assistance for an engine failure on the subject vehicle.

I have reviewed the history of your vehicle. Our records indicate that you purchased the vehicle on or about January 15, 2000. According to McDermott HUMMER, the engine failure is due to a cracked engine block and the engine must be replaced. The dealer contacted AM General on January 20, 2005, concerning the engine problem. AM General immediately looked into the issue and determined that the warranty had expired 24 months earlier on January 14, 2003. The decision to decline assistance was based on the warranty expiration.

After further review of this case, I do not find a correlation between the turn signal recall or the transfer case recall with the failure of the engine as you allege in your letter. I understand your reasoning based on the timing of the engine failure. The recalls were performed only eight months prior to the failure, however, neither recall would affect engine performance. At this time, we have not received new information to change our original decision to decline assistance based on the warranty expiration. Therefore, I must respectfully decline your request for assistance.

AM General appreciates your loyalty to the HUMMER brand and we are hopeful that your future experiences will be much more pleasurable. We regret that you are dissatisfied with our decision, however the evidence does not support that we assist with this matter. Thank you for allowing us the opportunity to review this case.

Sincerely,

Terry Cuzzocrea  
Manager, Owner Relations

**AM General**

Post Office Box 728 • Mishawaka, IN 46548-0728  
406 South Byrd Street • Mishawaka, IN 46544

MOBILITY SOLUTIONS FOR THE 21ST CENTURY

### McDermott Auto Group

655 Main St., - Connecticut Turnpike - I-95  
East Haven, CT 06512



David McDermott Chevrolet  
Tel. (203) 466-1000  
Fax (203) 466-0100

# HUMMER



David McDermott Lexus  
Tel. (203) 466-9999  
Fax (203) 466-9909

March 29, 2005

[Redacted]  
Southbury Ct. [Redacted]

Re: 99 Hummer H1  
Vin #137ZA8U36XE [Redacted]

Dear [Redacted]

We have attempted to contact you several times regarding the above captioned vehicle. Please be advised that at this point in time we have no choice but to request that you pick up your vehicle within 5 days from this date or we will apply to the state of Ct. For ownership of said vehicle through a mechanic lien ,plus any storage charges dating back to the time the vehicle repairs were completed.

Very truly yours,

Hummer Service Manager



MITCHEL CHERR, M.D.  
 DAVID POLKE, M.D.  
 S. MARIALBANE, M.D.  
 LINDA NEITONIS, M.D.  
 SUSAN FRIGO, M.R.  
 ANILA CATE, CNM  
 DEBORAH GARDNER, CNM  
 SARAH SUTTON, CNM

*Obstetrics & Gynecology*  
 138 Spruell Street - Suite 509  
 Waterbury, Connecticut 06706  
 (203) 575-1811 • Fax (203) 575-1995  
 www.nvobgyn.net

March 28, 2005

AM General Headquarters  
 C/O McDermott Chevrolet  
 655 Main Street  
 East Haven, CT 06512

VIA: Federal Express, 1<sup>st</sup> Class Mail, Facsimile [REDACTED]

Dear Sir/Madam:

We have reviewed market literature and information and the vehicle in question is defective. The contractual terms were not honored and misrepresentations have occurred.

As a result, I am requesting a new un-used vehicle without the problem associated with this vehicle's make, model and year (see enclosure). If necessary, I am fully prepared to bring these problems to light with the Office of Attorney General, the Consumer Product Safety Commission, and the Department of Transportation.

Please contact the under signed to arrange a meeting.

Sincerely,

[REDACTED SIGNATURE]

Enclosures

[REDACTED ENCLOSURE]

07-Jul-05

2005 Senate Report - Governmental Affairs Correspondence  
Control Sheet (E-10), Report 10408

Control Number: 2005 - 4127  
Date DOT Received: 6/18/2005  
Date DOT Entered: 6/18/2005  
Member's Office: 618/3405  
Member Last Name: Dodd  
Member First Name: Christopher J.  
Member Organization: United States Senator  
Address 1: 110 Great Neck Road, Room 205  
Address 2:  
City: Westport  
State: CT  
Zip: 06109  
Constituent File Name: [REDACTED]  
Constituent Title:  
Action Office: National Highway Traffic Safety Administration  
Subject: Re: 1999 Hummer HI  
Action Office Code: NHTSA  
Date Recd: 7/29/2005  
Member Contact: Del Greco  
Priority: Yes  
Member Contact Phone: (800) 258-6940  
Closed Date:  
Reopened:  
Direct Reply/Comback Code: Yes  
Congressional Affairs Contact: Mark Hamilton at (202) 364-4373

EXECUTIVE SECRETARIAT  
 2005 JUL 12: A D 21  
 NATIONAL HIGHWAY  
 TRAFFIC SAFETY ADMIN.

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).