

NHTSA Complete Record Information



Printed: 10/6/2005

2005 OCT -6 AM 5: 51

NHTSA #: ES05-008094

XREF #:

Delivery: MESSENGER ENV.

Rec'd Date: 10/6/2005

Doc Type: CNG

Address To: NHTSA

Referred By: NEC-110

Doc Date: 9/30/2005

Due Date: 10/18/2005

S10 #:

DOT/I #: 2005-5097

RMP #:

Subject: LTR FWD EMAIL FM [REDACTED] (MN) RE DEFECTIVE MICHELIN CROSS TERRAIN P235/70R-16 TIRES FOR A 2004 FORD EXPLORER, REQUESTS A DEFECT INVESTIGATION, DOT/I#2005-5097, REPLY ATTN. JILL OSTERREICH/FORT STERLING, MN OFC

Ack Date:

Sign Office: EXTERNAL AFFAIRS

Cleared Date:

File Loc:

Added By: NMOODY x62544

Ack By:

Signature: HARRINGTON

Cleared By:

XREF File:

Modified By: LOGLESBY

Signed For:

Cleared For:

Closed Date:

COMPLETE CONTACT INFO:

The Honorable MARK DAYTON
UNITED STATES SENATE

WASHINGTON, DC 20510

Tel: Fax: E-mail:

COMPLETE COMMENT INFO:

Comment Details

Comment

COMPLETE ROUTING INFO:

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	10/6/2005	10/18/2005	
	Return Process	10/6/2005		10/6/2005
NVS-010	INFORMATION	10/6/2005		10/6/2005
NIA-110	INFORMATION	10/6/2005		10/6/2005
NOA02	INFORMATION	10/6/2005		10/6/2005
I10	INFORMATION	10/6/2005		10/6/2005
I20	INFORMATION	10/6/2005		10/6/2005
ODI	REPLY	10/6/2005	10/13/2005	

COMPLETE ATTACHMENT INFO:

Description	Added By	Date & Time
8094.tif	NMOODY	10/6/2005 09:17:22 AM

*ama-meni
10/6/05*

MARK DAYTON
MINNESOTA

COMMITTEES:
AGRICULTURE, NUTRITION,
AND FORESTRY
ARMED SERVICES
GOVERNMENTAL AFFAIRS
RULES AND ADMINISTRATION

United States Senate
WASHINGTON, DC 20510-2306

METRO OFFICE:
FEDERAL BUILDING
1 FLEISCHER DRIVE, SUITE 200
PORT CARROLL, MINNESOTA 56111
(612) 727-5220
(800) 226-2843
Fax: (612) 727-5220
Health Care Help Line: (800) 226-4218

September 20, 2005

Ms. Nicole Nason
Assistant Secretary for Governmental Affairs
U.S. Department of Transportation
400 Seventh Street, S.W., Room 10408
Washington, DC 20590

Dear Ms. Nason:

Attached is a copy of recent correspondence I have received from my constituent, [REDACTED], regarding a dispute he is having with the Michelin Corporation.

While it is my understanding that [REDACTED] has already contacted the National Highway Transportation Safety Administration, I am forwarding this material for your consideration and response. Jill Oesterreich, a member of my Fort Snelling staff, may be contacting you as well to discuss this concern. If you have any questions, or need additional information in order to properly investigate this matter, you may contact Jill at (612) 727-5220.

Please direct your final response to Jill Oesterreich at my Fort Snelling office.

Your assistance is greatly appreciated.

My best regards.

Sincerely,


Mark Dayton
United States Senator

EXECUTIVE SECRETARIAT
SEP 21 2005
10:41 AM
TODAY'S SECRETARY

Attachment

MD:jpo:jmf

WASHINGTON OFFICE:
123 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-3244
Fax: (202) 224-3186

REGIONAL OFFICES:
401 DuSable Avenue
EAST GRAND FORKS, MINNESOTA 58721
(218) 773-1110
Fax: (218) 773-1868

223 Main Street, Suite 200
Port Office Box 200
BRAND, MINNESOTA 56708
(763) 885-4400
Fax: (763) 885-4687

PORT OFFICE BOX 200
BRAND, MINNESOTA 56708
(763) 885-4400

PRINTED ON RECYCLED PAPER

2005-5097
ES05-008094

To Jill

For [REDACTED]
Staff: eml E-mail MinnesotaMARK DAYTON
FOIA b7 - D, b7C - D, b7E - D

2005 SEP -6 PM 6: 58

Salutation: [REDACTED]
Address: [REDACTED]
Andover, MN 55304
Phone: [REDACTED]
[REDACTED]
[REDACTED]Email: [REDACTED]
Organization:
Title:
Personal Codes:Correspondence 409990:
Category: Corr
Interest Cd: CASE-EMAIL
Group: W050905
Description:

Received Date: 09/06/2005

In: EML

Due Date: 09/08/2005
Staff: eml
Print Date: 09/06/2005File Loc.: 408551
Letter Code:
Closed Date:

Comments:

Auto reply letter sent(E-MAIL RESPONSE-E)
Date Received: 9/3/2005 4:50:14 PM
Topic/Subject Desc: Transportation

Sent: Saturday, September 3, 2005, 04:49 PM

Start: This is a complaint regarding a Michelin tire failure on my 2004 Explorer. I also sent this message to the National Highway Transportation Safety Administration.

On 01Sept05, I had a complete failure of a Michelin Cross Terrain P235/70R-16 tire while on the highway. At about 55 mph, I heard and felt a slight vibration. Over 3-4 miles it progressively got worse. I took an exit ramp expecting to stop and inspect my tires. The tire body exploded as I was pulling over to the curb on the cross street. Fortunately, I was going very slowly. The flat tire had the side wall completely blown open. There was a massive tear about 20-24" along the wall.

I called Michelin several hours later and asked what I should do as I expected the tire to still be under warranty. My Explorer was 11 months old and the tires came with the vehicle. Total miles were just under 24,000. Peggy at Michelin told me that it was my fault for having low air in the tire. I disagreed and asked to have it inspected. She gave me the name of Discount Tire in Eden Prairie, MN (952/284-6220) as a store to have this done.

When I went to the store, I was helped by the assistant manager, Don Derazinski. He took the tire off the rim and concluded this was a manufacturing defect (interior liner separation, sidewall separation). We discussed this at length. There is no doubt that this is a manufacturing defect. He called Michelin on my behalf and requested replacement authorization. He clearly explained it was a defective tire. He was told I had to pay for it. After we discussed this again, he called Michelin back again and spoke with a manager. Again he was told I needed to pay for a new tire. I subsequently paid a pro-rated price for a new tire.

On 02Sept05, I sent an email customer complaint to Michelin. Within 50 minutes they offered to refund my money. I thanked them and told the gentleman (Dorley Smith) from the Michelin corporate office that I felt Michelin should inspect the remaining 3 tires. He became obstinate and badly refused and I was told it was my problem and that I had to pay to have the remaining 3 tires inspected.

The poor customer treatment is clearly not your issue. However, I am concerned about the remaining 3 tires falling at highway speed. The faulty tire was right rear, inside wall, and I was slowing down to inspect a vibration problem. If this had been a front tire at highway speed, the result may have been much different. This is a safety issue. I think Michelin is not taking accountability, and I think your organization should know this. I had a disposable camera with me and I took about 2 dozen photographs of the tire.

I would appreciate your thoughts on this and would appreciate knowing if your organization might take a closer look at this issue.
Thank you.

http://daytonia/Corr_Views/Correspondence_Snapshot.asp?ACTIVITYID=409990&PERS... 9/6/2005

04-Oct-05

**2005 Senate Report - Governmental Affairs Correspondence
Control Sheet (I-10), Room 10408**

Control Number: 2005 - 5097
Date DOT Received: 9/30/2005
Date DOT Entered: 9/30/2005
Member's Date: 9/28/2005
Member Last Name: Dayton
Member First Name: [REDACTED]
Member Organization: United States Senator
Address1: 1 Federal Drive, Suite 298
Address2:
City: Fort Snelling
State: MN
Zip: 55111
Constituent File Name: [REDACTED]
Constituent Date:
Action Office: National Highway Traffic Safety Administration
Subject: a dispute he is having with the Michelin Corporation
Action Office Code: NHTSA
Due Date: 10/25/2005
Member Contact: [REDACTED]
Read: Yes
Member Contact Phone: [REDACTED]
Closed Date:
Remarks:
Direct Reply/Comeback Copy: Yes
Congressional Affairs Contact: Maria Harrison at (202) 366-4573

EXECUTIVE SECRETARIAT
2005 OCT -6: A & 21
NATIONAL HIGHWAY
TRAFFIC SAFETY ADM.