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212-416-8294

December 21, 2005

[Redacted]  
[Redacted]  
Rome, NY [Redacted]

Our File Number: 2005-525465  
Company: Navigation System

Dear [Redacted]

On behalf of Attorney General Eliot Spitzer, I am writing to notify you that we have received your correspondence.

We appreciate your alerting us to this matter. We believe the organization shown below may be able to assist you and we are forwarding your correspondence there.

If you do not receive a response in the near future, please follow up directly with that organization. I suggest you attach a copy of this letter or, if appropriate, mention that you are adding new information.

Thank you for contacting us.

Very truly yours,

*Philip Gamma/cl*

Philip Gamma  
Bureau of Consumer Frauds  
And Protection

cc: National Highway Traffic and Safety Administration  
400 7th Street SW  
Washington, DC 20590

*Annamari  
1-5-06*

December 10, 2005

New York State Office of the Attorney General Eliot Spitzer  
Consumer Protection Bureau  
120 Broadway, 3<sup>rd</sup> Floor  
New York, New York 10271

RECEIVED BY  
CONSUMER FRAUDS BUREAU

DEC 16 2005

THE ATTORNEY GENERAL'S OFFICE  
NEW YORK CITY OFFICE

Dear Sir or Madame:

My complaint:

*M.* The Navigation System (NAV) option which I purchased with my 2005 Chevrolet (Chevy) Suburban was supplied with a Version 3.0 (Ver3) Data Base Digital Video Disk (DVD). When operated with the Ver3 DVD the Nav exhibits numerous cases of totally missing, erroneous, and/or incomplete data. The great majority of these observed instances are not associated with any remotely recent infrastructure changes, e.g. new routes, roads, or housing developments.

- None of the pre-purchase Chevy provided information, i.e. dealer supplied glossy brochures, the supplied video CD describing the Suburban and its options, nor discussions with dealer sales personnel mentioned or suggested the potential for incomplete information, errors, or plentiful omissions relating to Nav destinations in the contiguous 48 states.
- When addressing my complaint to them Chevy chose to ignore the statement contained in their instruction book (see below and attachment 1) which was received with my vehicle. Rather, they cite the company "stance" of not providing updated DVD's which ignores the shortcomings of the Nav when operated with the Ver3 DVD which I strongly suspect that GM/Chevy are fully cognizant of.
- The Chevy Customer Service Representative suggested that I borrow the latest version DVD - Version 4.1(Ver4.1) - from the dealer to see if using Ver4.1 improved the situation. I did and it did - dramatically.
- When refusing to replace my unsatisfactory Ver3 DVD with the Ver4.1 DVD Chevy suggests that to ameliorate the problems I purchase a Ver4.1 DVD which, as noted above, dramatically improves the situation but the costs with tax that I've been quoted, are slightly less than four-hundred dollars (\$400). I've already paid twenty- one hundred fifteen dollars (\$2115) plus tax for a supposedly fully functional Nav which, I contend, should have included the most capable **available** DVD.
- In my opinion, the number of similar "fault" instances that must exist across all delivered product has to be staggering and would, I expect,

reasonably constitute a product defect requiring replacement.

**Complaint Details** - The deficiencies cited below are by no means all-inclusive but are representative examples of problems encountered during attempted normal use of my Nav. They are not the result of searching for problems, many more of which I am sure could easily be found.

I purchased my 2005 Chevrolet Suburban on June 23, 2005. It has nearly all of the options that I had "wish-listed" for some time including the Nav. Having read about Global Positioning System locating and the attendant capabilities, I thought that the system must be something special. The Nav, in theory, allows you to enter a destination and then via voice prompts and/or dash-mounted touch screen (Screen) maps and/or visual prompts you are directed to your desired destination. None of the information in the glossy Chevy brochures and the supplied video CD that I obtained from the dealership before my vehicle purchase did anything to dampen my enthusiasm for this option nor change the impression of its capabilities that I had. There was no mention - orally or in written or recorded form - of the potential for incomplete information, errors, or, just plain, plentiful omissions pertaining to destinations in the contiguous 48 states.

The system's heart is the previously mentioned DVD, which in my case, as supplied, was Ver3 (with most of the copyright dates being 2003). The latest version DVD shipping with 2006 Suburbans is Ver4.1 - in my opinion and experience operation with Ver4.1 is much improved over Ver3 as noted herein. The following is excerpted from the Chevrolet NAV instruction book (see Attachment 1):

**2005 Navigation System Avalanche, Tahoe, Suburban** states the following on Page 2-35, paragraph - **Ordering Map DVD's** - "The map DVD in your vehicle is the most up-to-date information **available** (emphasis added) when your vehicle **was purchased** (emphasis added). The map DVD is updated periodically, provided that the map information has changed. To order a new map DVD, contact your dealer."

Having been a manager of production related aerospace programs for nearly 20 years gives me some knowledge of production cycles/scheduling and leads me to conclude that the Ver4.1 DVD was most certainly physically available on the date that I purchased my vehicle - June 23, 2005 - since 2006 Chevy Suburbans and/or Tahoes, I am told, were being invoiced no later than the second week in July 2005, and quite possibly earlier. Therefore, it was my contention with Chevy that they should honor the letter of the above statement and provide me with a no cost onetime one-for-one exchange upgrade for my Ver3 DVD.

**A Few Examples of Noted Ver3 Deficiencies** - As I've come to understand it, if a desired destination's address, i.e. street name, avenue name, etc. or structure number is not contained on the DVD it cannot be

entered as a destination. When entering addresses per instructions contained in GM/Chevy documentation the following are some of the deficiencies noted when using the Ver3 DVD: 1) No addresses on Roosevelt Ave. an old avenue in Rome, NY, could be entered because the only Roosevelt Ave/Avenue addresses that show up on the Screen are in Connecticut: 2) 906 Cayuga Street in Rome, NY, where I lived over 50 years ago and where my son now lives, cannot be entered in my Nav because the limited range of house numbers for Cayuga St. that can be entered as destinations. The house numbers 123-2099 are displayed on the Screen as possible structure numbers but only the numbers 1 and 2 are available for entry on the Screen's displayed touch pad, therefore 906 cannot be entered as a destination: and a final example 3) I presently reside at 7712 Sunset Dr., that address cannot be entered as a destination because the only numbers that are selectable are 1-99. When I inputted 1 Sunset Drive I ended up with two addresses in Connecticut. When I used the dealer loaned Ver4.1 I was able to specify the above destinations.

If current road information is not contained on the DVD, the roads are not accessible and the roads are not shown on the Screen, further these missing newer roads, obviously, cannot be considered in calculating more efficient routes to selected destinations. Case in point, Route 825, which was constructed largely over an existing roadbed through the former Griffiss Air Force Base, was designated Route 825 in 2002 per the NYS DOT web site. Route 825 is not shown in the Ver3 Screen presentation. In Ver4.1 Route 825 is shown and is used in route calculations.

The Points Of Interest (POI) Category is another feature of the system. A POI Category can be selected and then all POI's of the particular category in the selected area/locale can then be scrolled through and the one of interested can be chosen as a destination. Alternately the name of a particular POI can be entered as follows: 1) In the following sequence of entries "Turning" can't be entered POI>Category>Leisure>Casino>Turning (**Turning Stone Casino**) cannot be entered as a destination. When the letter "T" is entered on the Screen's touchpad, "TRUMP" is immediately displayed precluding entering the rest of the word "Turning" (Turning Stone Casino has been in existence for well over 10 years): 2) In the following sequence of entries POI>Category>Other>Historical Monument - "Oriskany" (**Oriskany Battlefield**) cannot be entered: and a last example 3) In the following sequence of entries POI>Category>Other>Historical Monument - "Fort Stanwix" (**Fort Stanwix National Monument**) cannot be entered, again Fort Stanwix National Park has been open for more than 10 years.

It is interesting that Chevy, according to a 2006 model Tahoe sticker that I recently saw, now includes two free DVD updates for the exact same option list price as my Nav (\$2115). It could be that others have expressed dissatisfaction with the accuracy of the DVD's and the expense of upgrading?

I apologize for the length of this complaint letter but the subject is rather involved. I would have much preferred that Chevy owned up to the deficiencies in the supplied product (Ver3), recognized the reasonableness of my request and just provide the onetime one-for-one replacement that I requested and let it go at that. It would have been much less effort and bother for all involved.

If I can provide further information or assist in any way, please contact me at the below address, telephone me at [REDACTED], or e-mail me at [REDACTED]

Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]  
Rome, NY [REDACTED]

Attachment: 1. Photocopy of page 2-35 (Ordering Map DVD's) and Cover of 2005 Navigation System Avalanche, Tahoe, Suburban instruction book

## Attachment 1.

# 2005 Navigation System Avalanche, Tahoe, Suburban

## CHEVROLET

- » vehicle is being driven on a long straight road.
- » vehicle is approaching a tall building or a large vehicle.
- » surface streets run parallel to a freeway.
- » vehicle has just been transferred by a vehicle carrier or a ferry.
- » current position calibration is set incorrectly.
- » vehicle is being driven at high speeds.
- » vehicle is repeating a change of direction by going forward and backward, or turning on a turn in a parking lot.
- » vehicle is entering and/or exiting a parking lot or garage with a roof.
- » vehicle has a roof carrier, ski, or bike rack attached on it.
- » vehicle has tire chains on it.
- » tires have been replaced.
- » tire pressure is incorrect.
- » tires are worn.
- » battery is disconnected.
- » vehicle is driven in heavy traffic where driving is at low speeds and the vehicle is stopped and started repeatedly.

### Problems with Route Guidance

Inappropriate route guidance may occur under any of the following conditions:

- You have not turned onto the road indicated by the system.
- Route guidance is not available for the next turn.
- The route is not changed during automatic rerouting.
- Plural names of places are displayed.
- You are driving at high speeds, which may cause the automatic rerouting to operate more slowly.
- The route prohibits the entry of a vehicle due to a regulation by time or season or any other regulation which may be given.
- A route cannot be found.
- A road is new, was recently changed or is not listed on the DVD. The route to the destination may not be shown. See *Ordering Map DVDs on page 2-35*.

### If the System Needs Service

If you are still experiencing difficulty with the navigation system after reading this information, see your GM dealer for assistance.

### Ordering Map DVDs

The map DVD in your vehicle is the most up-to-date information available when your vehicle was purchased. The map DVD is updated periodically, provided that the map information has changed. To order a new map DVD, contact your dealer.

### Database Coverage Explanations

Coverage areas vary with respect to the level of map detail available for any given area. Some areas will feature greater levels of detail than others. If this happens, it does not mean there is a problem with the system. As the map DVD is updated, more detail may become available for areas which previously had limited detail. See *Ordering Map DVDs on page 2-35*.