



JON S. CORZINE
Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
Consumer Service & Intake Center
124 Halsey Street, 3rd Floor, Newark, NJ 07102



ZULIMA V. FARBER
Attorney General

KIMBERLY S. RICKETTS
Director

February 1, 2006



Sparta, NJ

10151905

Mailing Address:
P.O. Box 45025
Newark, NJ 07101
(973) 504-8200

Re: Mazda Corporation, USA
File No.: 06-00665

Dear Sir/Madam:

Your letter to Attorney General Zulima V. Farber has been referred to us for review and response. Because the allegations you made in your letter are not within the Division's jurisdiction, we are referring this matter to:

National Highway Traffic Safety Administration
400 7th Street, SW Room 5232
Washington, DC 20590
(888) 324-4236

All future correspondence, including inquiries and copies of additional documents should be addressed to them.

Sincerely,

Patricia D. Pate
Supervisor
Consumer Service Center

PDP:aro
CSC11B.frm

12194
2/22/06

September 15, 2005

Hon. Peter C. Harvey
Attorney General of New Jersey
Richard J. Hughes Justice Complex
P. O. Box 080
Trenton, New Jersey 08625-0080

Re: Mazda Corporation USA

Dear Sir:

I am contacting you for help, concerning the actions of the above-listed corporation and its distributor, Grecco Mazda located on Route 46 in Rockaway, New Jersey. I am so angry and frustrated with the apathetic attitude of Mazda with regard to its duty to provide the consumer with a normally functioning, reliable automobile. I believe that the 2004 Mazda RX-8 was produced and marketed with an engine that has serious design defects making it impossible for the dealer to repair and return the vehicle to us in a sound and safe operating condition, even after replacing the entire engine.

I would like to provide the details of our nightmare situation and hope you will consider having the 2004 Mazda RX-8's engine investigated for its lack of conformity to performance and safe operation standards under the law. I would also like you to hold Mazda accountable to its consumers for production of an automobile with a significantly flawed engine marketed at a premium price of \$30,000.

October of 2003: My husband and I purchased the 2004 Mazda RX-8 as a gift for my son who had just completed Marine Corps boot camp at Parris Island. He liked the look of the vehicle and, even though it was the first year of production for this model, he wanted the car. The car was advertised as a "sports car like no other" with a "unique Renesis rotary engine" and "superb performance and handling." The problems began only 3 months later.

January 23, 2004: The RX-8 would not start, was finally jumpstarted and taken to the dealership where the battery was replaced.

October 13, 2004: The car would not start, was towed to Grecco. Spark plugs replaced, computer reprogrammed for inability to start and inadequate power conditions.

November 14, 2004: Towed in again. The battery was charged, the spark plugs fouled out, and the PCM Flash was rechecked. Problems starting vehicle were noted.

December 27, 2004: The RX-8 towed in again for starting problems. I have not been able to locate invoice for service for this date, but have the towing invoice.

January 28, 2005: Towed again. Spark plugs again replaced, battery charged and oil filter replaced.

March 11, 2005: Towed again. Battery replaced, starter replaced and spark plugs replaced. On

April 6, 2005: The car was towed to our home and jumpstarted.

August 12, 2005: The car was dropped off at Grecco Dealership because the vehicle was stalling in traffic and then taking multiple starting attempts to restart it. My son could have been seriously injured when the car stalled in traffic numerous times. The computer was sent to California and upon its return and replacement in the vehicle, the vehicle would not start and run properly. Grecco contacted Mazda to request replacement of the entire engine. The engine was replaced. The vehicle was picked up on September 15, 2005, over one month later.

September 16, 2005: Just one day later, my son contacted Grecco to let them know that the car was not starting smoothly, the check engine light was staying on, the dash lights were blinking on and off and the heat was not working. He dropped it off again at Grecco on Tuesday September 20th.

September 23, 2005: Catalytic Converter, O2 sensor and a/c amplifier replaced.

My husband wrote Mazda in November of 2004 demanding a final and permanent resolution to the problems with this vehicle. He received a call from a Mazda representative who told him that they felt that the dealership was doing all they could do for us and they were unable to help us.

My son has been deprived of his car for long periods of time. When he did have the car, he did not feel comfortable driving it. My son is striving to be successful in a new job, helping to raise a three-year-old daughter and fulfilling his military duties as well. He was not able to take the time to pursue this earlier and always thought that the next time would be the final repair. When we realized these problems were never ending and Mazda could not fix it successfully, we were over the mileage limit contained in the lemon law.

A car manufacturer should not get away with marketing a vehicle that will not start normally and will continually lose power and stall. If they do sell a car with a defective engine then they should, at least, be able to diagnose the problem and repair it expeditiously. We have given Grecco more than enough time to resolve the problems and they have been unsuccessful. Now they have replaced the entire engine, the problems still exist, and we are starting all over again. This is why I am asking that the history of the 2004 Mazda RX-8 be evaluated to see how many other buyers are suffering the same problems. I want Mazda to repurchase the vehicle from us. We don't want to take any more chances with it. Manufacturers of inferior products bank on the assumption that the

consumer is either too busy to go after them or that they would feel that they would need a lawyer, adding monetary hardship to an already draining situation.

I appeal to you to utilize the powers of your office to help us hold Mazda accountable for its apathetic attitude towards our predicament. Please help us to avoid being exploited further at the mercy of a powerful and arrogant corporate bully. My son overheard an employee of the Grecco dealership calling the car "a piece of crap" and one of the service representatives suggested that my son get an attorney.

I am forwarding copies of the service orders for this vehicle, a copy of our purchase agreement as well as an article in Automobile magazine discussing the same problems we had with this vehicle. I have also discovered Mazda websites with forums where angry owners of the Mazda RX-8 described having the same continual problems we had.

I have written to the I-Team with Channel 12 news and Shame on You, Arnold Diaz, with CBS Channel 2, hoping to bring public awareness to this situation and cause more people to come forward.

Your attention to this matter would be greatly appreciated.

Sincerely yours,

[REDACTED]

Sparta, New Jersey [REDACTED]

[REDACTED]

Enclosures

Cc: Kim S. Ricketts, Consumer Affairs Director
Grecco Mazda, Rockaway, NJ
Mazda North American Operations

1004-1004

WE'VE GOT TABS ON LEAN WHY

Mazda RX-8

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EAT. BREATHE. DRIVE.**Reviews: Coupe New Car Reviews****Four Seasons with the 2004 Mazda RX-8***By Mark Gillies*

Our year with the Mazda RX-8 was like spending time with young children: deeply rewarding most of the time but occasionally very frustrating and annoying.

Let's get the bad part out of the way first. The RX-8 is the first U.S.-market car to use a Wankel rotary engine since the Mazda RX-7 departed our shores after 1995. The rotary has a number of advantages over a reciprocating engine—notably its compactness, its simplicity, and the lack of moving parts that allows it to rev higher. But as with most things in life, you don't get something for nothing, and there are also a number of problems with rotary engines. First, they aren't very thermally efficient, which means they're thirsty for petrochemical products. We found the RX-8 guzzled premium gasoline at a rate of 19 mpg during its 34,305 miles with us.

**Advertisement**

Rotary engines also like to consume oil, because they use this particular hydrocarbon to lubricate rotor seals on a total-loss basis. The manual warns owners that they will need to check the oil level every couple of fill-ups, but it's odd to have to do that in this day and age—it reminded us of owning an old British sports car. It's not as if Mazda makes the task easy, either, as senior editor Joe Lorio observed: "For a car that needs such close monitoring of its oil level, its dipstick sure is buried. And



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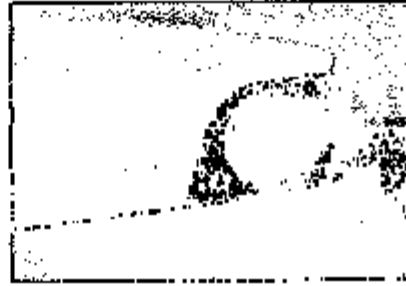
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should you actually need to add a quart of oil, you must first remove the engine cover. Now, that's convenient."

We probably wouldn't have cared too much about the RX-8's sheik-friendly ways, except that there was another problem. The car didn't like cold mornings. We're not fans of them, either, but we don't lie down and give up when the thermometer drops. We had to call Mazda's roadside assistance no fewer than three times when the rotary failed to start in winter. Jump-starting it worked once, but twice it was hauled away to our local dealer on a flatbed. Online editor Mike Dushane, savvy about the RX-8's aversion to the cold, parked it facing downhill so he could push-start it, which came in handy once.



It transpires that the Renesis 13B rotary is prone to flooding if you fire it up and then shut it down before it gets up to operating temperature. The RX-8's manual specifically states that you should warm up the engine in really cold weather—0 degrees Fahrenheit or lower—and use minimal throttle for starting. Once the engine is flooded, Mazda advises flooring the gas (which shuts off the fuel pump) or using no throttle at all. That sounds fine in theory, but in practice, our car just didn't respond to those wiles. One really cold afternoon, the car stalled when the traction control cut in while we were reversing out of a snowy driveway. We tried everything to restart the car, but it wouldn't fire up. To exacerbate the annoyance, getting to the battery terminals was a giant pain in the fingers, thanks to the aforementioned cover that must be removed for access to anything on the engine.

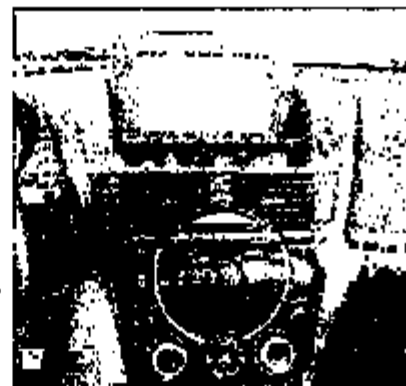
The starting problem wasn't unique to our car, as both Mazda and Internet chat rooms acknowledge. Mazda says that, weirdly, only some cars have been affected by cold-starting woes, which the company has partially redressed by changing the spark plugs and retrofitting batteries with more cranking power.



Our RX-8 also spent plenty of time at the dealership because of numerous check-engine-light issues, including a stuck thermostat, a wiring problem with the stability control switch, and a catalytic converter that died because its shield had failed. We also had to replace warped front brake rotors at 12,156 miles, which the warranty covered.

It was a shame the car let us down so often, because it is otherwise a terrific package and felt as solid at the end of 34,000 hard miles as it did when it was delivered.

The RX-8's unique selling proposition—that it's a four-door sports car—is certainly one of its most appealing features. The short suicide doors provide far better access to the rear seats than sliding the front seats forward in a conventional two-plus-two coupe. The rear seats are excellent for small kids and acceptable for adults on short trips. "During a weekend of wandering around Michigan," noted Web Intern Stuart Fowler, "there were no complaints from my back-seat passengers about the space."



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