



NEW MOTOR VEHICLE BOARD

1507 21ST Street, Suite 330, Sacramento, California 95814
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nmvp@pacbell.net

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June 28, 2006

10162663

National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC 20590

Case # C-0430-2006

Enclosed please find a copy of the complaint we received from [redacted]
concerning her 2005 Mazda 6 Grand Touring Wagon.

We are referring the complaint to you since the facts appear to raise a matter within
your jurisdiction. We are continuing our efforts on behalf of the complainant and have
suggested that the complainant contact you for additional assistance.

Sincerely, /

[redacted signature block]

WK:jg

Enclosure

cc: [redacted]

Maria
7/14/06



NEW MOTOR VEHICLE BOARD
Consumer Mediation Services Program
1507 - 21st Street, Suite 330
Sacramento, California 95814
(916) 445-1888 (916) 323-1631 Fax
E-Mail: nmvb@pacbell.net
Website: nmvb.ca.gov

JUN 22 2006

MEDIATION REQUEST FORM

CASE NO. C-0430-2006

COMPLAINANT NAME

FIRST [REDACTED] MI [REDACTED]
ADDRESS [REDACTED] CITY Folsom STATE CA ZIP CODE [REDACTED]
TELEPHONE [REDACTED] TELEPHONE # [REDACTED] FAX [REDACTED]

Please fill out all sections completely.

If address is unknown, leave blank.

Selling Dealer

Servicing Dealer

Manufacturer/Distributor

NAME	NAME	NAME
[REDACTED]	[REDACTED] AND	MAZDA NORTH AMER. Ops.
ADDRESS	ADDRESS	ADDRESS
[REDACTED]	[REDACTED]	7755 IRVINE CENTER
Folsom, CA [REDACTED]	ROSEVILLE, CA [REDACTED]	IRVINE, CA 92618-2922
TELEPHONE #	TELEPHONE #	TELEPHONE #
[REDACTED]	[REDACTED]	[REDACTED]

VEHICLE (Make)	(Model)	(Year)
MAZDA 6	Grand Touring Wagon	2005
DATE OF PURCHASE / LEASE	VEHICLE LICENSE NO.	CURRENT MILEAGE
10/9/04	[REDACTED]	15855
☒ Purchase ☐ Lease	MILEAGE AT PURCHASE / LEASE	VEHICLE I.D. NO.
	16	1YVHP82D15 [REDACTED]
☒ New ☐ Used	TYPE OF WARRANTY ON VEHICLE	
	☒ Manufacturer's ☐ Extended Warranty ☐ No Warranty	

Have you given written notice of defects to manufacturer? ☒ Yes ☐ NoHas manufacturer (or designated agent) attempted repairs? ☒ Yes ☐ No

If yes, list repair dates: 1/18/05, 4/18/05, 6/3/05, 12/2/05, 3/9/06

COMPLAINT

Please explain the details of your complaint and the action you are seeking on the reverse side of this form, or attach a typed 1-2 page letter.

IMPORTANT NOTICE: I understand a copy of this complaint may be sent to the dealer(s), manufacturer or distributor.

Sections 20 and 3000 of the California Vehicle Code make it unlawful to use a false or fictitious name or knowingly make false statement or knowingly conceal any material fact in any document filed with the New Motor Vehicle Board.

Signature [REDACTED]

Date 6/19/06
5/17/06

BASIS OF COMPLAINT		Sales:
<u>Mechanical Defects:</u>		
☐ Frame and Body	☐ Suspension system	☐ Contract
☒ Engine	☐ Tires	☐ Financing
☒ Transmission & drive shaft	☐ Wheels	☐ Fraud
☐ Brake system	☐ Exhaust system	☐ Advertising
☐ Steering	☐ Inoperable accessories	☐ Damage by dealer during servicing
☐ Fuel system	☒ Cooling system/heating	☐ Extended service contract
☒ <u>front windshield</u>	☐ Electrical system	
☒ <u>other Condensation/radio</u>		

COMPLAINT- Explain the details of this complaint.

The main Complaint is a serious safety issue. This vehicle has stuck in gear three times on the freeway. Two times was when I was on an on-ramp, accelerating up to freeway speed. The other time was when my son & I were already on the freeway. The vehicle gets stuck at a speed and will not accelerate or de-accelerate. The latest one occurred the night before the car was to be taken in and I had a passenger in the car with me. This was on 5/8/06. As we entered the on-ramp and were accelerating and just before merging into existing freeway traffic the car stuck @ 60MPH and @ 3,000 RPM's. This was frightening for us both. I could take my foot off the pedal and it still stayed @ 60MPH + 3,000 RPM's, or tap the brake like one would do with cruise control on and still the car stayed @ the same speed. This is a very short merge lane and this were traveling anywhere from 75-90MPH. I finally thought I'd try to put the car in the manual to speed for shifting and finally the car "heaved" out and I could accelerate into oncoming traffic. If I tried to go back into the automatic mode, the car once again would stick in gear all the way home. The first occurrence was just brought to my attention by my son. It was just after I purchased the car. I had forgotten this. The next time was January, 2005 and took it into Jolson Imports right away. That service was on 1/18/05. I have had problems with the heating fan conditioner. Condensation on the inside bottom of my windshield the check engine light radio and recently the car surging down a slight grade. I took the car in right away. I am attaching all my service orders and my certified letters to Mazda mediation and to the President and their response.

pg 2
6/19/06
NMVB Mediation

I have spoken with [REDACTED] my last
Contact at Mazda North American, after
receiving the letter from them on 4/26/06.
Scott and I spoke at length regarding the
Car. Scott told me he didn't know the Car did
not "kick" out of gear with this problem. I
informed Scott at this time how my son and I
were talking about the status of me pursuing a
buy-back on the car and he told me it
occurred before we moved into our house and
therefore it occurred three times total on this problem.
Scott asked me many of the same questions I had
gone over many times before. Scott told me
it was possible to let the dealer keep the car + try
to reproduce again or have me drive the car in
similar conditions and as we spoke I reminded him
this had all been done already + how unsettling
it was to drive this car. Scott added that Mazda
may be able to keep in a trade-in, financially,
since I told him how I put down 18,000 on the
car originally. He said meantime I know I
can drop the car into manual if it occurred
again for some piece of mind.

Scott continued + said the options with the vehicle he said he thought I had were as follows:

- 1) keep the car + try to recreate the problem
- 2) sell the vehicle to a private party
- 3) trade into Mazda dealer + with not buying a Mazda maybe getting a fair market price of 13K and Mazda would add 4K cash to that.
- 4) Or trade into Elk Grove Acura and still get 4K cash from Mazda.
- 5) Pursue legal action

Scott said this action was motivated by me being a decent human being. He said to consider these options and let him know.

On 5/11/06 I called Scott back after researching and really thinking about the options outlined. I still believed that this car had a grave safety issue + even though I was tempted to trade the car in or sell it, I did not want someone else to have this problem unknowingly. I still felt the car should be off the road. I didn't feel

PG 4
6/19/06
NMJBmediation

I thank you for reviewing this matter.

My concern is that this is a serious safety issue, especially because it is sporadic and one never knows when it will occur. It seems there are multiple problems with this vehicle. I do not feel it is right to let someone else, unknowingly, take on this problem. Either myself or others could be harmed in this vehicle. Also my concern that with all the update electronics, the car is not "Coding" these situations. I find that very disturbing and it troubles me and makes me even more uncertain of the quality + safety of this vehicle.

Sincerely

[REDACTED]

[REDACTED]

Folsom, Ca [REDACTED]



AutoWest MAZDA, SUBARU

100 Automall Drive • Roseville, CA 95661-3031

(916) 786-6611 (916) 772-5497 fax



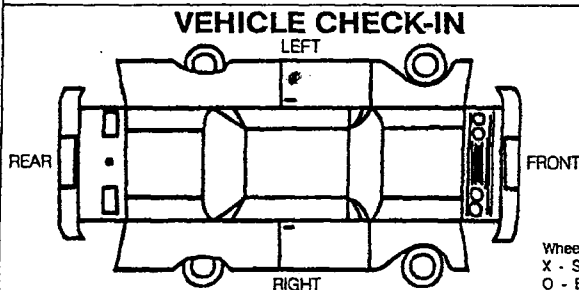
NOTICE TO CONSUMER: PLEASE READ IMPORTANT WARRANTY INFORMATION ON BACK.

CHECK IN SERVICE

HAT #	DATE	ADVISOR	MILEAGE	DEL. DATE	TIME PROMISED
9174	3-9-06	Rick	13562		
SER #	CUSTOMER I.D. #			CUSTOMER PAY ☐ WARRANTY ☐ INTERNAL ☐	
NAME			CITY/STATE		
			Folsom		
ADDRESS			ZIP CODE		LIC
YR.	MAKE	MODEL	COLOR	RES	BUS #
05	MAZDA	M-6	GRAY		

CUSTOMER CONCERN:

- ① Cust. States TRANS WILL NOT SHIFT OUT OF HIGHER GEARS AT TIMES. MAZDA DCSM, ASMC TECH HAVE ROADTESTED VEHICLE & DID NOT DUPLICATE CONCERN ON ROAD TEST. DCSM REQUESTS LIMITED 7 DAY SUSPENSION TESTING. L.A. PRESSING TESTS.
- ② CUSTOMER STATES WARM AIR FROM VENTS WHEN HEATER SYSTEM IS TURNED OFF.
- ③ CUST STATES VIBRATION FROM WHEELS AREA WHEN DRIVING SEEMS TO BE WORSE IN CITY SPEED DRIVING.
- ④ CUST. STATES VOLUME ON RADIO HAS TO BE HIGH TO HAVE A GOOD LISTENING VOLUME.



Comments:

1011 1000-025
Do

Customer Signature:

B.A.R. #AL066439

E.P.A. #CAR000012179

Initial Estimate \$

Init.

Estimate includes all Hazardous Material fees. All parts have a limited warranty of 12 months unlimited miles.

THE FORMS OUTLET, INC. © (916) 923-3676

⑤ RENTAL VEHICLE UPGRADE FROM COMPACT. OK Per J.H. 4:00 PM 3-9-06 #83461

Wheel Covers ☐
X - Small Dent
O - Big Dent

Spare ☐
= - Scrape
- - PLD

ALL PARTS WILL BE DISCARDED UNLESS SPECIFIED OTHERWISE
☐ SAVE ☐ DISCARD

ALL PARTS ARE NEW UNLESS SPECIFIED OTHERWISE.

"Our charges for labor are based on industry time allowances or our own judgement of the time to be charged."

"You will be charged no more than the estimated price approved by you. However, if we discover that different or additional repairs are indicated you will be contacted for your advance approval of a revised estimate."

I agree that you have an EXPRESS LIEN ON THE DESCRIBED VEHICLE FOR THE CHARGES FOR PARTS AND LABOR FURNISHED UNDER THIS REPAIR ORDER INCLUDING THOSE FROM ANY PRIOR REPAIR ORDERS ON THE VEHICLE. IF I FAIL TO PAY SUCH CHARGES, I AGREE THAT THE VEHICLE MAY BE HELD UNTIL ALL CHARGES ARE PAID IN FULL. IN THE EVENT OF LEGAL ACTION TO COLLECT ANY SUMS DUE, I AGREE TO PAY COSTS OF COLLECTION AND FEES INCLUDING REASONABLE ATTORNEY FEES.

By law, you may choose another facility to perform any needed repairs of adjustment which the smog check test indicates are necessary

SIGNED X



AutoWest MAZDA, SUBARU

100 Automall Drive • Roseville, CA 95661-3031

(916) 786-6611 (916) 772-5497 fax



NOTICE TO CONSUMER: PLEASE READ IMPORTANT WARRANTY INFORMATION ON BACK.

CHECK IN SERVICE

HAT # 9177	DATE 3-9-06	ADVISOR	MILEAGE	DEL. DATE	TIME PROMISED
SER #			MER I.D. #	CUSTOMER PAY ☐	WARRANTY ☐
				INTERNAL ☐	
NAME			CITY/STATE		
ADDRESS			ZIP CODE	LIC #	
YR. 20	MAKE MAZDA	MODEL 7116	COLOR 11111	RES # 714-2472	BUS #

CUSTOMER CONCERN:

Customer reports on 2 occasions there were cracks
HAS FORMED ON INSIDE LOWER PORTION OF WINDSHIELD
FROM 1-3" BAND FROM 1/2 TO 3/4 THE WIDTH OF THE WINDSHIELD

VEHICLE CHECK-IN

LEFT
RIGHT
REAR
FRONT

Wheel Covers ☐
X - Small Dent
O - Big Dent

Spare ☐
- - - Scrape
- - - PLD

Comments: _____

Customer Signature: _____

ALL PARTS WILL BE DISCARDED UNLESS SPECIFIED OTHERWISE
☐ SAVE ☐ DISCARD

ALL PARTS ARE NEW UNLESS SPECIFIED OTHERWISE.

"Our charges for labor are based on industry time allowances or our own judgement of the time to be charged."
"You will be charged no more than the estimated price approved by you. However, if we discover that different or additional repairs are indicated you will be contacted for your advance approval of a revised estimate."

I hereby authorize you to perform the repairs and furnish the necessary materials. I understand any costs quoted before is an estimate only. Your employees may operate vehicle for inspecting, testing, and delivery at my risk. You will not be responsible for loss or damage to vehicle or articles left in it. I agree to pay reasonable storage on vehicle left more than 3 days after notification that repairs are completed.

I AGREE THAT YOU HAVE AN EXPRESS LIEN ON THE DESCRIBED VEHICLE FOR THE CHARGES FOR PARTS AND LABOR FURNISHED UNDER THIS REPAIR ORDER INCLUDING THOSE FROM ANY PRIOR REPAIR ORDERS ON THE VEHICLE. IF I FAIL TO PAY SUCH CHARGES, I AGREE THAT THE VEHICLE MAY BE HELD UNTIL ALL CHARGES ARE PAID IN FULL. IN THE EVENT OF LEGAL ACTION TO COLLECT ANY SUMS DUE, I AGREE TO PAY COSTS OF COLLECTION AND FEES INCLUDING REASONABLE ATTORNEY FEES.

B.A.R. #AL066439

E.P.A. #CAR000012179

Initial Estimate \$ _____ Init. _____

Estimate includes all Hazardous Material fees. All parts have a limited warranty of 12 months unlimited miles.

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RO-047

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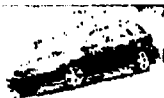
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TSB Quick Look



2005 Mazda MAZDA6 s Grand Touring 4dr Sport Wagon (3.0L 6cyl 6A)

1. ENGINE AND ENGINE COOLING
2. STRUCTURE:BODY
3. EQUIPMENT:ELECTRICAL:AIR CONDITIONER
4. EQUIPMENT:ELECTRICAL
5. VEHICLE SPEED CONTROL
6. ELECTRICAL SYSTEM
7. SEAT BELTS
8. POWER TRAIN:AUTOMATIC TRANSMISSION
9. ENGINE AND ENGINE COOLING:ENGINE:GASOLINE:BELTS AND ASSOCIATED PULLEYS
10. SEATS:FRONT ASSEMBLY:SEAT HEATER/COOLER
11. VISIBILITY:WINDSHIELD
12. ENGINE AND ENGINE COOLING:ENGINE
13. ENGINE AND ENGINE COOLING:EXHAUST SYSTEM:EMISSION CONTROL

Component Description:

1. ENGINE AND ENGINE COOLING

Vehicle: 2005 Mazda MAZDA6

Summary:

ENGINE MISFIRE DIAGNOSTIC PROCEDURES - SERVICE TIP. (NHTSA ITEM NUMBER - 10019253)

Bulletin Number: 0100206

Bulletin Date: JAN 2006

Component Description:

2. STRUCTURE:BODY

Vehicle: 2005 Mazda MAZDA6

Summary:

CENTER PANEL REMOVAL CAUTION. (NHTSA ITEM NUMBER - 10018889)

Bulletin Number: 01012006

Bulletin Date: JAN 2006

Component Description:

3. EQUIPMENT:ELECTRICAL:AIR CONDITIONER

Vehicle: 2005 Mazda MAZDA6

Summary:

Bulletin Number: 01012006

Bulletin Date: JAN 2006

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RECIRC AIR FUNCTION INOPERATIVE. (NHTSA ITEM NUMBER - 10018888)

Component Description:
4. EQUIPMENT:ELECTRICAL

Bulletin Number: 11012005
Bulletin Date: NOV 2005

Vehicle: 2005 Mazda MAZDA6

Summary:
INFORMATION DISPLAY FUNCTIONS. (NHTSA ITEM NUMBER - 10018520)



Component Description:
5. VEHICLE SPEED CONTROL

Bulletin Number: 0102205
Bulletin Date: SEP 2005

Vehicle: 2005 Mazda MAZDA6

Summary:
DELAYED THROTTLE RESPONSE DURING LOW SPEED ACCELERATION. (NHTSA ITEM NUMBER - 10016873)

Component Description:
6. ELECTRICAL SYSTEM

Bulletin Number: 10
Bulletin Date: SEP 2005

Vehicle: 2005 Mazda MAZDA6

Summary:
MAZDA SERVICE PROGRAM #10 - THE MALFUNCTION INDICATOR LIGHT (MIL) MAY ILLUMINATE DURING AN OBD CHECK AT AN INSPECTION/MAINTENANCE (I/M) STATION CAUSING THE VEHICLE TO FAIL THE INSPECTION/MAINTENANCE STATION (I/M) TEST EVEN THOUGH THE VEHICLE (NHTSA ITEM NUMBER - 10017995)

Component Description:
7. SEAT BELTS

Bulletin Number: 0800505
Bulletin Date: JUL 2005

Vehicle: 2005 Mazda MAZDA6

Summary:
DEACTIVATION OF SEAT BELT MINDER. (NHTSA ITEM NUMBER - 10015947)



Component Description:
8. POWER TRAIN:AUTOMATIC TRANSMISSION

Bulletin Number: 0520
Bulletin Date: JUL 2005

Vehicle: 2005 Mazda MAZDA6

Summary:
AUTOMATIC TRANSMISSION FLUID. (NHTSA ITEM NUMBER - 10015951)

Component Description:
9. ENGINE AND ENGINE COOLING:ENGINE:GASOLINE:BELTS AND ASSOCIATED PULLEYS

Bulletin Number: 0101805
Bulletin Date: JUN 2005

Vehicle: 2005 Mazda MAZDA6

Summary:
UNUSUAL NOISE FROM DRIVE BELT AUTO TENSIONER. (NHTSA ITEM NUMBER - 10015470)

Component Description:
10. SEATS:FRONT ASSEMBLY:SEAT HEATER/COOLER

Bulletin Number: 0900705
Bulletin Date: APR 2005

Vehicle: 2005 Mazda MAZDA6

Summary:

IMPROPER SEAT WARMER OPERATION. (NHTSA ITEM NUMBER - 10016592)



Component Description:

11. VISIBILITY:WINDSHIELD

Bulletin Number: 0700105

Bulletin Date: JAN 2005

Vehicle: 2005 Mazda MAZDA6

Summary:

FOGGING ON LOWER EXTERIOR OF WINDSHIELD. (NHTSA ITEM NUMBER - 10016684)

Component Description:

12. ENGINE AND ENGINE COOLING:ENGINE

Bulletin Number: 0100803

Bulletin Date: DEC 2004

Vehicle: 2005 Mazda MAZDA6

Summary:

OIL FILTER CARTRIDGE REMOVAL. (NHTSA ITEM NUMBER - 10002275)

Component Description:

**13. ENGINE AND ENGINE COOLING:EXHAUST
SYSTEM:EMISSION CONTROL**

Bulletin Number: 00204

Bulletin Date: OCT 2004

Vehicle: 2005 Mazda MAZDA6

Summary:

EVAPORATIVE EMISSIONS AND RECIVER ADAPTERS. (NHTSA ITEM NUMBER -
10010540)

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