

NEW MOTOR VEHICLE BOARD

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10167977

August 16, 2006

Dwayne Bertram
Mazda Motor of America, Inc.
Mazda North American Operations
7755 Irvine Center Drive
Irvine, CA 92626-9734

Re Complaint Of:

[REDACTED]
Folsom, CA
VIN #1YVHP82D

2006 AUG 29 AM 10:41

Case # C-0430-2006

Dear Mr. Bertram:

Thank you for your letter dated July 13, 2006, regarding the above-mentioned consumer.

We have received a subsequent letter (copy enclosed) from [REDACTED] and ask that you review it and provide us with a reply within 10 days. You may fax, mail, or e-mail your response. My e-mail address is [REDACTED] When corresponding, via e-mail, please reference the above case number in the subject line.

We appreciate your cooperation in this matter.

Respectfully,

H. Collins

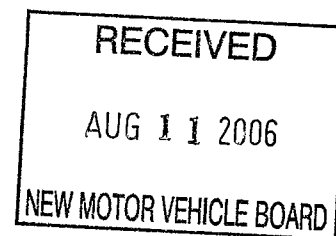
Heather Collins
Mediation Services Representative

HC:jg

Enclosure

cc: [REDACTED]

NAC
G29
8/30/06



Date: Aug. 11, 2006

To: Heather Collins, NMVB

From: [REDACTED]

Re: Written Response & Affidavits Case# C-0430-2006

Good Afternoon Heather,

Here is my written response and two eye witness accounts regarding my Complaint with Mazda. Please include in any written correspondence with them that there are multiple issues with this car, not just the car being stuck in gear.

Thank you for all your assistance.

I will mail out the originals to you.

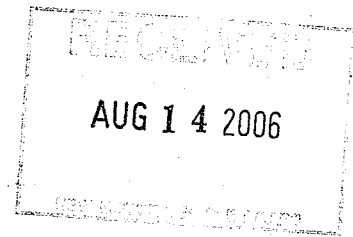
Sincerely,

[REDACTED]

Case #
C-0430-2006

August 11, 2006

Heather Collins
New Motor Vehicle Board
1507 21st Street, Ste. 330
Sacramento, CA 95814



Dear Heather,

I am responding to your letter on July 20, 2006, and our conversation that took place on July 27, 2006. Since I did not receive the initial letter, you faxed Mazda's response on July 27th. In speaking with you on the 27th, I had informed you that there were two times that I had individuals with me in the car when this situation with my Mazda Grand Touring Wagon would not accelerate or de-accelerate. You advised me to include these with my response to Mazda's letter. Per that conversation, I am faxing and sending the original letters of those individuals to you along with this response. It is understood that this situation is still not resolved with Mazda and that the file will stay open per our conversation.

I understand Mazda's position, but still feel that this car is unsafe and do not wish to remain in a vehicle that as Mazda states, "the extreme rare occurrence and apparent complexity of this issue (both brake and accelerator applications appear to have no affect when this condition is present.)." I do not want to experience the fear, panic and possibility of something catastrophic happening to others or myself. It is not comforting, as a representative of Mazda told me; at least you know you can switch into manual to get out of it. This is not ok with me. This car has had multiple problems since I purchased it. Maybe Mazda is forgetting about all the problems I have had with this car. If one reviews the complaint, the car has been in multiple times for the air conditioning/heating, the radio, and the condensation on the inside of the windshield. I think all this coupled together with the car sticking, shows that this car has more than one issue. The car being stuck in gear is a major safety issue and the one that causes the most concern, but has not been the only issue with it. This seems to be the only one we are all focusing on. It is the most significant, but putting all things together, there is a problem with the car as a "whole." The car has had the CD player replaced and has to go in again. I understand there is a "warranty," as is with all new cars, but this is ridiculous. A new car should not have this many defects in material and workmanship according to Mazda's letter. In Dwayne's letter, he states that it is "MNAO's policy to work with customers to satisfy all concerns regarding their vehicle." Dwayne did not want to work with me to be a satisfied customer and neither has Mazda. Mazda needs to review the complaint again, note that there are multiple problems with this vehicle, and consider those along with the car being stuck in gear.

I believe Mazda was willing to work with me in "replacing" this vehicle after I had stated how much I put down, how I was concerned about selling this vehicle knowing its numerous problems and how I believed it had serious safety issues. All was going well until I was asked if I had researched any cars. I told the representative that I had been doing some research. This individual then asked me what I was looking for. I told him I was interested in an Acura. He stated, oh, then that means we have already lost you. Once the person realized I was no longer interested in a Mazda it got very quite for a while. I believe Mazda would have "helped" me even more until I told them I didn't want another Mazda.

Again, I will fight to have this car taken off the road. I am presenting my case with two eyewitness accounts. I believe this is good enough for Mazda to reconsider their position since this particular situation is sporadic and the many other issues with this vehicle. I don't feel that as a consumer I am asking anything outrageous. These are not small issues. There is a serious safety concern and issue with others experiencing it as well. I believe this presents strong evidence that this situation has occurred and it is not just based on my accounts given. Mazda also needs to take into consideration the other incidents that have not been resolved completely.

I am asking that Mazda, in a goodwill effort, remove this vehicle from the road since there are others that experienced this besides me, and before something serious may occur jeopardizing others and their reputation.

Sincerely



[REDACTED]
Folsom, Ca [REDACTED]

August 10, 2006

To Whom It May Concern,

I am a witness to the problems with my mother's car. I was driving her car with her present when the car had problems accelerating and changing gears. We were heading eastbound on US-50 from the East Bidwell on ramp. This ramp has a very short ramp, which forces car to accelerate quickly.

That day I accelerated and when I had gotten to the third gear, it would not up shift. I tried releasing the gas and lightly pushing the breaks but nothing would get the car out of third gear. The only way it would go out of that gear was if I switched it to manual transmission. Once in manual control I tried to switch back to automatic and it rev-ed and went back to third drastically reducing our speed while on the freeway.

Luckily, we made it to where we were going without having an accident. This is what I remember about the events to the best of my knowledge.

Sincerely,
[REDACTED]

[REDACTED]
Folsom, CA [REDACTED]

August 8, 2006

To Whom It May Concern:

I am a witness to [REDACTED]'s transmission problems. I was riding with [REDACTED] in her car on March 8th, 2006 when I experienced that car having acceleration problems. We were entering US-50 freeway heading eastbound from the Folsom Boulevard eastbound on-ramp. This on-ramp has a short merge distance with the freeway mainline, forcing vehicles entering onto the freeway to quickly accelerate up to freeway traffic speed so they can enter the flow of freeway traffic without creating unsafe conditions for those already on the freeway and those entering onto the freeway.

On this day, [REDACTED] accelerated to merge onto the freeway, but I could tell that we accelerated to a certain speed but our speed was not increasing, and certainly was not to the speed that we would need to safely enter the flow of traffic already on the freeway. I looked over at her speedometer and saw that she was at 60 mile per hour and then looked over at her revolution gauge and saw that it was at 3000 rpm. The engine labored as it continued revving at 3000 rpm and would not change down in gear, thereby dropping the revolutions and allowing greater acceleration. The speed and revolutions did not change. Something needed to be done so [REDACTED] switched the operation into manual to try and make the transmission shift down. [REDACTED] switching to manual control is what got the transmission to change down and allow more speed to merge into the flow of freeway traffic. This is a very dangerous situation as there was no warning before the jam in the automatic transmission operation.

We were lucky to be able to try switching to manual operation and very lucky that by trying this we were able to accelerate at the last moment and merge onto the freeway without incident. This is my reconnection of the events to the best of my knowledge.

Sincerely,
[REDACTED]