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Rob McKenna

ATTORNEY GENERAL OF WASHINGTON

900 Fourth Avenue #2000 • Seattle WA 98164-1012

August 24, 2006

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
400 7TH ST SW
WASHINGTON, DC 20590

2006 SEP 13 AM 2:15

Re:
File



Dear National Highway Traffic Safety Administration:

Our office has received the enclosed information.

The nature of the complaint appears to involve a matter that is of interest to your agency. We are therefore bringing this matter to your attention. We have also informed other agencies that may have interest in this complaint.

Please contact me if you have any questions or need any further information.

NOTED 11/17/06
JARED LEMMON
CONSUMER SERVICE SPECIALIST
CONSUMER PROTECTION DIVISION
(206) 464-7010

Jared Lemmon
Consumer Service Specialist
Consumer Protection Division
(206) 464-7010

Enclosure(s)

cc:
Environmental Protection Agency
1200 6th AVE
Seattle, WA 98101

Federal Trade Commission
600 Pennsylvania AVE RM 394
Washington, DC USA 20580

NOTED 9/14/06
JARED LEMMON
CONSUMER SERVICE SPECIALIST
CONSUMER PROTECTION DIVISION
(206) 464-7010

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/17/06 BY 60322 JAL/STP

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DATE 11/17/06 BY 60322 JAL/STP

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State of Washington
Office of the Attorney General
900 Fourth Ave. Suite 2000
Seattle, WA. 98164-1012

SEA 256745
RECEIVED
AUG 21 2006

ATTORNEY GENERAL OFFICE
SEATTLE

Seattle, WA

(H)

(W)

RE: Potential Systematic Mileage Fraud

Dear Sirs:

My wife and I are the owners of a 2005 Honda Civic Hybrid. Approximately 3 months into our ownership of the car which we purchased in April 2005, we received notification from Honda that through a mistake in manufacturing, our new car's computer had been programmed with a fuel injector fuel flow rate that caused it to run too lean. It called for the immediate schedule of an appointment to reprogram the defective unit with an appropriate Honda service facility. The Honda owner was assured in that notification that there would be no cost to the consumer for this adjustment.

The recall service went smoothly, there was no charge for the service and indeed our local dealership even provided transportation for my wife while repairs were made. However, when the car was returned we experienced an immediate drop of approximately 10-15% in fuel efficiency. Nominal average mileage rates declined for the mixed freeway and city driving that I was doing at that time from around 50 mpg to the low forties. In town driving went from 45 mpg to about 35 miles per gallon. This decline in fuel efficiency performance, while disappointing, was not unexpected for the adjustment that had been made to the fuel flow rate computer. At the time I speculated with my wife that the recall had seemed a little too convenient and too planned on the part of Honda. I am suspicious that Honda may have been, and indeed may still be, purposely and systematically manipulating fuel flow rate in this series of automobiles to reflect better mileage numbers at the time of purchase than the design can sustain over the life of the car. A car engine that runs too lean for a sustained period can be damaged or destroyed from the too lean adjustment.

My suspicions may have been validated and confirmed the other day when another Honda Civic hybrid owner that I am acquainted with through my employment was comparing notes with me and we **mutually discovered that we had experienced the exact same recall, but nearly a year apart.** Tim Wear purchased his Honda Civic Hybrid in 2006 and just recently received and completed the same recall repair with substantially similar results to that which I experienced with my purchase in 2005. I would urge the attorney general's office to investigate whether other Honda Civic Hybrid owners have had similar experiences with this recall and over what range of time. In my mind, if there was a known problem with fuel flow rates then Honda should have been

addressing it before any car drives off the lot of any new car dealer. Any corrective action to this system that was required when I purchased my car in 2005 should have been well documented and in practice either at the time of manufacture, or at the very least by the time [REDACTED] would have purchased and taken delivery of his vehicle in 2006.

What possible motivation could there be for such an act? Let me suggest at least two possible explanations for such potential malfeasance that come to mind:

The hybrid and efficient compact car market is extremely competitive as a result of the current cost of fuel. Better mileage numbers maintained through the period in which industry publications such as the well known JD Powers and Motor Trend magazines, survey, monitor and track customer satisfaction; typically the first three months after purchase, could reflect a potentially huge marketing advantage.

Even more sinister, Honda may be fraudulently and systematically manipulating fuel efficiency performance so that their vehicle design can achieve minimally acceptable fuel efficiency to qualify for Federal standards for hybrid cars, that in turn results in a tax deduction or tax credit to the hybrid car buyer. If this can be proven, Honda may have defrauded the US government of millions of dollars paid out for the design of a car that does not qualify for such reimbursement. If this is the case I believe Honda, not the consumer, and certainly not the American taxpayer, should be held responsible for the money paid out in this boondoggle. Additionally I believe that every Honda Civic Hybrid owner who purchased their car with specific mileage expectations based on advertised fuel efficiency should be remedied by Honda with the difference in fuel consumption amortized over the expected life of the car.

Thanks for your attention and please feel free to contact me if I can be of assistance to investigation of this matter in any way.

Sincerely yours,

[REDACTED]

Johnson
8529 S. 114th St.
Seattle, WA 98178

State of Washington
Office of the Attorney General
900 Fourth Ave. Suite 2000
Seattle, WA. 98164-1012

