



U.S. Department of Transportation
National Highway Traffic Safety Administration

DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
 To Report Vehicle Safety Defects
 1-888-DASH-2-DOT
 (1-888-327-4236)
 INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received

Repository

2007 FEB 15 AM 9:40
 22-JAN-2007

Reference No.
 10179339

OWNER INFORMATION (Type or Print)

Name [REDACTED]
 Address [REDACTED]
 City STATEN ISLAND State NY Zip Code [REDACTED]

Daytime Telephone Number [REDACTED]

E-mail Address

Evening Telephone Number

Do you authorize NHTSA to contact the vehicle manufacturer in the absence of your signature?
 Signature of Owner [REDACTED]

Vehicle? YES NO
 Date 2/4/07

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side
 SAJHX1249WC [REDACTED] Make JAGUAR Model XJ8 Model Year 1998

Date Purchased 04-APR-01 Dealer's Name and Telephone Number [REDACTED] Engine: No: Cylinders 8 Fuel Type: Gas

Original Owner Dealer's City [REDACTED] State [REDACTED] Zip Code [REDACTED]

Transmission Type AUTOMATIC Antilock Brakes Cruise Control Powertrain REAR WHEEL DRIVE Vehicle Component Code 075000 FUEL SYSTEM, GASOLINE: CARBURETOR SYSTEM Multiple Failure: 6

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s) 15-DEC-2006 Failure Mileage 56000 Failure Speed 60
 MANUFACTURER IS SUPPOSED TO MODIFY THROTTLE OPERATION

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make [REDACTED] Tire Model (Name or Number) [REDACTED] Tire Size (Example P215/65R15)
 DOT No. (Example: DOTM9ABC036) Original Equipment Prior Repair Failure Location: [REDACTED]
 Tire Component Code [REDACTED] Tire Failure Type [REDACTED]

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make: [REDACTED] Date Manufactured: [REDACTED] Model No./Name: [REDACTED]
 Seat Type: [REDACTED] Installation System: [REDACTED]
 Child Seat Component Code: [REDACTED] Failed Part: [REDACTED]

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash Yes No Fire Yes No
 Number of Persons Injured 0 Number of Deaths 0 Reported to Police N

Narrative Description of Incident(S), Crash(es), and Injury(ies).
 Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

TL* - THE CONTACT STATED THAT WHILE DRIVING HIS 1998 FORD JAGUAR (63000 FAILURE MILEAGE) 60 MPH; THE ENGINE SHUT OFF ON THE HIGHWAY. THE CONTACT STEERED THE VEHICLE TO THE SHOULDER AND IT CAME TO A COMPLETE STOP. THE INDICATOR WARNING LIGHTS WERE ON BRIEFLY. THE CONTACT WAS ABLE TO RESTART THE VEHICLE WITHOUT RESISTANCE.

See ATTACHED Letter FOR MORE DETAIL.

NHTSA ITEM # 10012183

RE: S-514 Service ACTION

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice. ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

February 4, 2007

Re: NHTSA item #10012183 &10011748

Your reference # 10179339

**Jaguar Cars Ltd. S-514 letter dated 08/01/04
Service action S-514**

Dear Mr. Jimenez,

Thank you for your response to the problem we are experiencing. I would appreciate help from you and your agency in resolving this issue.

I purchased my vehicle, used, in April 2000 with 22,967 miles (copy of NYS Title attached, Exhibit #1, latest registration, exhibit # 1a).

I now have approximately 66,000 miles.

The first time that this failure occurred was sometime back when the car had 56,000 miles. Last incident occurred on January 25th on Route 440, West Shore Expressway, in Staten Island New York and the car had approximately 63,000 miles. Total number of times that this has occurred is approximately 12 times. My car is experiencing the same symptoms that are noted in the above referenced NHTSA Defects investigation and by Jaguar Cars Ltd recall letter and technical bulletins. This condition is "unsafe" and not normal since the car "stops running" while the driver is operating it. This can occur anywhere or anytime without warning. It can happen on the highway, expressway, or local streets. Can you imagine trying to maneuver a vehicle from one lane into another when it's not running? The oncoming cars can drive into your rear since no warning lights go on, or, because they are forced to go around my vehicle, the situation can cause a tie-up or possibly an accident, etc.

I was **never** notified of this serious condition, yet my wife and I have experienced this condition far too many times, while driving on the highway, expressway and city streets. This is a very unnerving situation that is potentially dangerous since the automobile "cuts off" while it is supposed to be operating. **The vehicle becomes disabled.** The cut-off happens without any warning to the driver, and it does not warn oncoming cars/drivers. The driver of my vehicle has little option, if the driver were to apply the brakes, the car will come to a full stop and that could be very dangerous at any point, especially, on a major highway. The driver has little to no choice and must allow the vehicle to slow down naturally while guiding the vehicle to the closest shoulder (on the left or right). Once the brake pedal is applied and the vehicle stops, **the selector lever must be placed in Park**, the key must turn counterclockwise to off and **the car must be re-started**. Once the car is re-started the driver must re-enter the expressway lanes, re-join oncoming traffic while avoiding being the cause of an accident. This is difficult at best; especially during rush hour. **This is not a normal operating function for any vehicle.** Any driver who is directly behind my vehicle cannot comprehend what is happening. Obviously they must slow down, stop or go around the inoperative (disabled) vehicle.

Due to this condition I had the vehicle serviced and obtained specific literature about the aforementioned service problem and its resolution.

This is caused by a problem in the throttle body operation which was noted in the above Jaguar service actions(S-514) that are also titled "**Throttle Body: Recalls, Owner Letter.**"(Exhibit#2)

Not only were letters sent to Jaguar customers (excluding me), but there is also specific notification to the NHTSA and also to the dealer via a technical service bulletin that directs the Dealers to **“Perform that Service Action on all vehicles within the VIN ranges listed below, both in and out of new vehicle warranty.”** (Exhibits #3 and 4). My VIN# is within this range.

I may be mistaken, but, I most definitively consider this is a serious condition and that it is **not normal** for any car to shut down operation while it is running.

Doesn't Jaguar Cars Ltd. deem this condition unsafe or are they in the business to sell cars that shut down while driving and not give any regard to the driver or occupants? Don't they have a responsibility or obligation to inform all of their customers about a potentially unsafe situation even if it's to provide the information and make the customer aware of the problem? Irregardless of the reason, but, especially in the interest of safety, this notification should and must happen even if Jaguar has no intention of making the repairs.

My car's VIN # SAJHX1249WC [REDACTED] falls within the range of VIN #'s listed on both the Jaguar customer letter and the Jaguar Technical bulletin.

The Jaguar Technical Service Bulletin states that the performance of this repair takes approximately one hour to complete this repair; however, the cost for the part is about \$ 2,000.00. This is obviously the primary reason for their reluctance to make the repairs.

Jaguar Cars Ltd has refused to honor this service action for my car on the basis that my car was purchased damaged and has the stigma of a salvage title or as noted on their system as “warranty restricted”.

My Jaguar experienced exterior damage that was not related to engine or transmission. I have all of the repair documentation along with all receipts of all components (parts) **purchased from Jaguar** in order to make the repairs. My car was salvaged because of the total expense calculated to make the necessary repairs, (this is an Insurance company's business decision), not because was unsafe. The car was repaired to Jaguar specification and, with the exception of the current throttle body problem, performs extremely well. The car passed vigorous NY State inspection via MV907 and has passed all other yearly inspections since. Furthermore, the car is maintained rather well regarding lubrication, and all other routine maintenance issues.

I have attempted to get the S-514 related repairs performed by Kings Jaguar, Brooklyn NY and they said that they could not because of “warranty restricted”. I contacted Jaguars regional headquarters on 1/17/07 and explained the problem and King Jaguar's response. They looked into it and their response was also “NO” to the repairs and further state that because their repair is a “service action” and not a full fledged “recall”, that under Federal Law, they are not obligated to make these repairs to my vehicle. **(exhibit # 5 has notations of who I called)**

They are avoiding the issue that this is a known problem (defect).

The Jaguar service action and technical bulletin states “all” vehicles both in and out of warranty” must be repaired.

Any vehicle, which is subject to NYS 907 Inspection, doesn't make that vehicle unsafe. If this were true, it would irresponsible for NYS DMV to allow that vehicle on the road. By default they would not deem the vehicle road worthy and the vehicle would not pass inspection.

Is there a Federal Law that protects Jaguar Cars Ltd from performing problems they note?

For the present, the reason that my car should not be driven on the highways, etc., is that its operation is in question and that the lack of performance (Car shutting down) is potentially dangerous, hazardous, and can, in



NEW YORK STATE



Title and Identification No. SAJHX1249WC SAJHX1249WC		Year 1998	Make JAGUA	Model Code XJ8	Body/Hull 4DSD	Document No. 198054X
Color GY	Wt./Sts./Lgth. 3996	Fuel GAS	Cyl./Prop. 8	New or Used USED	Type of Title VEHICLE	Date Issued 4/11/01

Name and Address of Owner(s)

ODOMETER READING: 22967

ACTUAL MILEAGE 22967

STATEN ISLAND NY

REBUILT SALVAGE

This document is your proof of ownership for this vehicle, boat or manufactured home. Keep it in a safe place, not with your license or registration or in your vehicle or boat. To dispose of your vehicle, boat or manufactured home, complete the transfer section on the back and give this title to the new owner.

Lienholder

Lienholder

*** NO LIENS RECORDED ***

*** NO LIENS RECORDED ***

Lienholder

Lienholder

*** NO LIENS RECORDED ***

*** NO LIENS RECORDED ***

DEPARTMENT OF MOTOR VEHICLES

EXHIBIT
#1

VOID IF ALTERED

VOID IF ALTERED

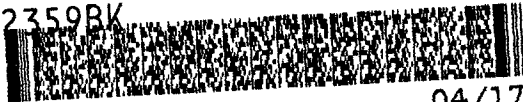


DON'T PEEL STICKER FROM FRONT - SEE BACK!

Keep this document to show to the police and courts.



192359BK



04/17/07

NYMA

SAJHX1249WC

1998 JAGUA 4DSD

AGB7733 PAS 4

4

07



X0000695



NEW YORK STATE REGISTRATION DOCUMENT

PAS

AGB7733

1998 JAGUA NONTRANSFERABLE

4DSD GY

SAJHX1249WC

3996 G 8 UTD4030

MAR 04 2005

Wt/Seas

Fuel/Cyl

022 UTD

Expires 04/17/07

NYMA

27.50

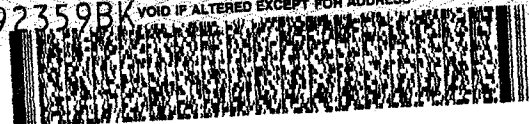
ANNUAL CHG

AMT PAID (INCL ADD CHG)

85.00

STATEN ISLAND NY

192359BK VOID IF ALTERED EXCEPT FOR ADDRESS



STATEN ISLAND NY

Submit

1A

==

Throttle Body: Recalls Owner Letter



RE: S-514 Service Action – Closed Throttle Operation

JAGUAR CARS
555 MacARTHUR BOULEVARD
MAHWAH NJ 07430

T 800 4 JAGUAR
www.jaguar.com

Dear Jaguar Owner:

Jaguar Cars has identified a concern relating to the operation of the throttle body while in the closed position that may exist on the specific models listed below. If you are a recipient of this notice, and an owner of one of the vehicles within the VIN range, this letter is to inform you that your vehicle is included in this service action.

The following is a breakdown of the affected vehicles by model year, model and (VIN) range.

- > 1997-1998 XK Vehicles 001036-031302
- > 1998 XJ Vehicles Normally Aspirated Engine 812256-853935
- > 1998-1999 XJ vehicles Supercharged Engine 812256-878717

What is the problem?

A concern has been identified with the throttle operation while in the closed position on a number of vehicles that could include your vehicle. Under exceptional circumstances this concern could cause the engine to cut out. If this occurs, the engine will continue to be driven by the road wheels through the transmission and there will be no loss of power steering, brakes, air conditioning, etc. The engine should restart without difficulty once the vehicle has come to a complete standstill.

This concern can be rectified by a modification to the throttle operation of your vehicle. Although it is most unlikely that you will have experienced this issue with the functionality of the throttle in your vehicle, Jaguar has determined that the engine management software that controls the throttle strategy does not meet our expected durability requirements.

What will Jaguar and your Dealer do?

Your vehicle will be repaired to modify the throttle operation at no charge to you.

What should you do?

At your earliest convenience you should contact your authorized Jaguar Dealer who will be able to make an appointment to undertake the necessary actions. To assist your Dealer please ensure that at the time of contact you have at hand your applicable Vehicle Identification Number.

The time to complete the repair on your vehicle is approximately one hour. However due to vehicle scheduling and the temperature of the engine, your Dealer may need to keep your vehicle longer to complete the repair.

EXHIBIT
#2

Moved or no longer own a Jaguar?

Please fill out the enclosed card and return it to Jaguar by simply putting it in the mail.

Should you have the need to contact Jaguar by mail, please use the following address:

Jaguar Cars
ATTN: Customer Relationship Center
555 MacArthur Boulevard
Mahwah, NJ 07430-2327

Attention Leasing Agencies.

Please forward this Service Action notice to the lessee within 10 days.

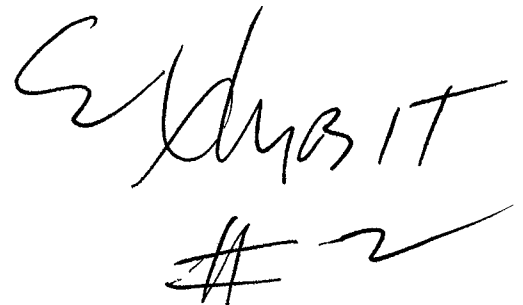
What you should do if you have further questions?

Please contact your Jaguar Dealer or the Jaguar Customer Relationship Center at 1 800 4JAGUAR (1-800-452-4827), option 9 or by e-mail at jaguarowner@jaguar.com.

Sincerely,



Benjamin I. Weiner
Customer Satisfaction Manager





V8 XJ Series/XK

DATE 08/04
Amended 11/04

303-S514

SERVICE

TECHNICAL BULLETIN

Operation Of Throttle While In Closed Position – Service Action S514

MODEL
1997-98 MY XK8 Range
1998 MY V8 XJ NA
VIN 1998-99 MY V8 XJ S/C
Refer to text

Remove and destroy Bulletin 303-S514, dated 08/04.
Replace with this Bulletin.
Revisions are marked with a bar and in bold text.
References to the tie strap for plastic adjustment nuts
have been added on page 10.

EXHIBIT #3

Issue:

A concern has been identified with the operation of the throttle on a number of 1997-98 MY XK8, 1998 MY XJ8 and 1998-99 MY XJR and VDP SC vehicles. Under exceptional circumstances this concern could cause the engine to cut out, although the engine will continue to be driven by the road wheels through the transmission and drive the ancillaries, so there will be no loss of power steering, brakes, air conditioning, etc. The engine should restart without difficulty once the vehicle has come to a complete standstill.

Action:

Perform this Service Action on all vehicles within the VIN ranges listed below, both in and out of new vehicle warranty.

To aid in the identification of repairs required by vehicle, the table below provides a breakdown of the repair required by model year, model, and VIN range. Workshop Procedures are included in this bulletin.

Model Year	Model	VIN Range	Repair Required
1997 to 1998	XK	001036 to 020734	Reprogram ECM - page 2
1998	V8 XJ (both NA and SC)	812256 to 819771	Reprogram ECM - page 2
1998	XK	020735 to 031302	Replace throttle body - page 4
1998	V8 XJ NA only	819772 to 853935	Replace throttle body - page 4
1998 to 1999	V8 XJ SC only	819772 to 878717	Replace throttle body - page 4

Caution: For those vehicles that require ECM reprogramming, use only Worldwide Diagnostic System (WDS) release JTP759/33, or later.

NOTE: THE INFORMATION IN TECHNICAL BULLETINS IS INTENDED FOR USE BY TRAINED, PROFESSIONAL TECHNICIANS WITH THE KNOWLEDGE, TOOLS, AND EQUIPMENT TO DO THE JOB PROPERLY AND SAFELY. IT INFORMS THESE TECHNICIANS OF CONDITIONS THAT MAY OCCUR ON SOME VEHICLES, OR PROVIDES INFORMATION THAT COULD ASSIST IN PROPER VEHICLE SERVICE. THE PROCEDURES SHOULD NOT BE PERFORMED BY "DO-IT-YOURSELFERS." DO NOT ASSUME THAT A CONDITION DESCRIBED AFFECTS YOUR CAR. CONTACT A JAGUAR RETAILER TO DETERMINE WHETHER THE BULLETIN APPLIES TO YOUR VEHICLE.

Date of issue 08/04 Amended 11/04

Bulletin Number 303-S514 Page 1 of 12



Office of Defects Investigation

Complaints **Defect Investigations** **Recalls** **Service Bulletins**

Navigate: ODI Home » Service Bulletins » Search » Results List

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- » Search

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Service Bulletins

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- » Low Volume Manufacturer

Sitemap

Contact

1-888-327-4236

TTY

- 1-800-424-9153 or
- 1-202-484-5238

EXHIBIT # 4

Search Results

Report Date : **January 18, 2007 at 02:31 PM**

[New Search](#)

SEARCH VEHICLE

TYPE :

YEAR : **1998**

Make : **JAGUAR**

Model : **XJ**

[Print Version](#)

Results : **159** | All records displayed

Make : JAGUAR **Model :** XJ **Year :** 1998

Manufacturer : JAGUAR CARS LTD

Service Bulletin Num : 30368 **Date of Bulletin:** MAR 01, 2005

NHTSA Item Number: 10016575

Component: ENGINE AND ENGINE COOLING

Summary:

A RATTLE EMANATING FROM THE ENGINE ON START-UP AND IDLE. *TT

Check to Request Research. Submit below.

Make : JAGUAR **Model :** XJ **Year :** 1998

Manufacturer : JAGUAR CARS LTD

Service Bulletin Num : 303514 **Date of Bulletin:** NOV 01, 2004

NHTSA Item Number: 10012183

Component: VEHICLE SPEED CONTROL

Summary:

OPERATION OF THROTTLE WHILE IN CLOSED POSITION. SERVICE ACTION S514. *TT SUPERSEDES BULLETIN 303-S514, DATED 08/04. *TT

Check to Request Research. Submit below.



Make : JAGUAR **Model :** XJ **Year :** 1998

Manufacturer : JAGUAR CARS LTD

Service Bulletin Num : S514

Date of Bulletin: AUG 01, 2004

NHTSA Item Number: 10011748

Component: VEHICLE SPEED CONTROL

Summary:

OPERATION OF THROTTLE WHILE IN CLOSED POSITION. *JB

Check to Request Research. Submit below.

Make : JAGUAR **Model :** XJ **Year :** 1998

Manufacturer : JAGUAR CARS LTD

Service Bulletin Num : 30327

Date of Bulletin: FEB 01, 2004

NHTSA Item Number: 601827

Component: STEERING:HYDRAULIC POWER ASSIST SYSTEM

Summary:

THREE BOLTS THAT RETAIN THE PULLEY OF THE POWER ASSISTED STEERING (PAS) PUMP TO THE PUMP SHAFT MAY NOT HAVE BEEN FULLY TIGHTENED. *TT THIS BULLETIN REPLACED BULLETIN 303-27, DATED 6/98. *TT

Check to Request Research. Submit below.

Make : JAGUAR **Model :** XJ **Year :** 1998

Manufacturer : JAGUAR CARS LTD

Service Bulletin Num : 20411

Date of Bulletin: APR 01, 2003

NHTSA Item Number: 10011290

Component: SUSPENSION:FRONT

Summary:

REVISED FRONT BUSHINGS - REVISED SPECIAL TOOLS - REPLACEMENT PROCEDURE. *TT THIS BULLETIN REPLACES BULLETIN 204-11,DATED 02/00. *TT THIS BULLETIN REPLACES BULLETIN 204-11,DATED 02/01. *TT

Check to Request Research. Submit below.

EXHIBIT #4

Make : JAGUAR **Model :** XJ **Year :** 1998

Manufacturer : JAGUAR CARS LTD

Service Bulletin Num : 20417

Date of Bulletin: APR 01, 2003

NHTSA Item Number: 10011293

**Throttle Body: Recalls
Owner Letter**

UW

KINGS

*KATHY SERV REP
93X 6500*

745

*WALTER @
MARRIAGE*



RE: S-514 Service Action - Closed Throttle Operation

JAGUAR CARS
555 MacARTHUR BOULEVARD
MAHWAH NJ 07430
T 800 4 JAGUAR
www.jaguar.com

Michael

KINGS

Dear Jaguar Owner:

Jaguar Cars has identified a concern relating to the operation of the throttle body while in the closed position that may exist on the specific models listed below. If you are a recipient of this notice, and an owner of one of the vehicles within the VIN range, this letter is to inform you that your vehicle is included in this service action.

The following is a breakdown of the affected vehicles by model year, model and (VIN) range.

- > 1997-1998 XK Vehicles 001036-031302
- > 1998 XJ Vehicles Normally Aspirated Engine 812256-853935
- > 1998-1999 XJ vehicles Supercharged Engine 812256-878717

SATHX1249 WC



What is the problem?

A concern has been identified with the throttle operation while in the closed position on a number of vehicles that could include your vehicle. Under exceptional circumstances this concern could cause the engine to cut out. If this occurs, the engine will continue to be driven by the road wheels through the transmission and there will be no loss of power steering, brakes, air conditioning, etc. The engine should restart without difficulty once the vehicle has come to a complete standstill.

*Engle
MONT
JTB*

This concern can be rectified by a modification to the throttle operation of your vehicle. Although it is most unlikely that you will have experienced this issue with the functionality of the throttle in your vehicle, Jaguar has determined that the engine management software that controls the throttle strategy does not meet our expected durability requirements.

*Warranty
Restrict*

What will Jaguar and your Dealer do?

Your vehicle will be repaired to modify the throttle operation at no charge to you.

*588 D. 10/11
D*

What should you do?

At your earliest convenience you should contact your authorized Jaguar Dealer who will be able to make an appointment to undertake the necessary actions. To assist your Dealer please ensure that at the time of contact you have at hand your applicable Vehicle Identification Number.

The time to complete the repair on your vehicle is approximately one hour. However due to vehicle scheduling and the temperature of the engine, your Dealer may need to keep your vehicle longer to complete the repair.

*EXHIBIT
5*