



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 ☐

AM 8:01

28-JAN-2008

Reference No.

10216288

OWNER INFORMATION (Type or Print)

Name

Address

City

EMLA SIMLA

State CO

Zip Code

Daytime Telephone Number

E-mail Address

Evening Telephone Number

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle? ☐ YES ☒ NO
In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.

Signature of Owner

Date 1/1/

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side

5LMEU88H04

Make

LINCOLN

Model

AVIATOR

Model Year

2004

Date Purchased

11-MAR-05

Dealer's Name and Telephone Number

Engine:

No: Cylinders 8

Fuel Type:

Gas

Original Owner

☐

Dealer's City

State

Zip Code

Transmission Type

AUTOMATIC

☒ Antilock Brakes

☒ Cruise Control

Powertrain

ALL WHEEL DRIVE

Vehicle Component Code

140000 AIR BAGS

Multiple Failure: 1

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s)

14-AUG-2007

Failure Mileage

109183

Failure Speed

0

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM9ABC036)

☐ Original Equipment

☐ Prior Repair

Failure Location:

Tire Component Code

Tire Failure Type

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:

Date Manufactured:

Model No./Name:

Seat Type:

Installation System:

Child Seat Component Code:

Failed Part:

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

1

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 OWNS A 2004 LINCOLN AVIATOR. THE DRIVER SIDE AIR BAG DEPLOYED WHILE THE VEHICLE WAS PARKED. THE CONTACT SUSTAINED INJURIES TO HIS HEAD AND LEGS. THE VEHICLE WAS TAKEN TO SOUTH POINT LINCOLN MERCURY. THE DEALER STATED THAT THE AIR BAG DEPLOYED DUE TO A PREVIOUS REAR END CRASH. THE MANUFACTURER STATED THAT THEY WERE NOT RESPONSIBLE FOR THE FAILURE. THE CURRENT MILEAGE WAS 119,000 AND FAILURE MILEAGE WAS 109,183.

hand or front end
several years
earlier

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 to 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.



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

1200 New Jersey Avenue SE
Washington, DC 20590

Dear Consumer: —

NVS-216rbf

As a result of your report to the Vehicle Safety Hotline (VSH), we have recorded that report on the enclosed Vehicle Owner's Questionnaire (VOQ) form. Please review the form and make changes, additions and corrections as necessary. Additionally, please provide a more detailed description of the failure(s) you reported that you believe relevant to safety. Also, if available, include copies of repair invoices, letters to the manufacturer, or any other document related to the problem(s) you reported. If a crash or fire occurred, include a copy of the police or fire department report.

It is helpful to be as thorough as possible in your report so that our ability to use your report will be maximized. If you do not have the information, it is not necessary to complete all the boxes. However, it is very difficult to identify the scope of a vehicle problem unless the vehicle identification number (VIN) is known. The VIN is located inside the vehicle on the dashboard adjacent to the left (driver's side) of the windshield pillar and on the drivers' door or the drivers door jam. It may also be listed on the dealer's repair invoices. When reporting a tire problem, the brand name, tire name and complete tire size should be included. If possible also provide the DOT tire identification number. It is usually located near the rim flange of the tire on either side of the tire.

The Privacy Act prohibits our agency from identifying you to the manufacturer without your permission. If you wish to give us that permission, please mark the appropriate authorization box and sign the form to allow us to provide your name to the manufacturer. The information you provide may assist the manufacturer and NHTSA in determining if a safety-related defect exists.

Any information provided is entirely voluntary. There is no consequence or penalty of any kind if you do not wish to provide it. We seek this information to develop both statistical and investigative evidence that will help identify potential safety related problems in vehicle or vehicle equipment, e.g., tires, child safety seats, jacks, etc.

When completed, please fold and staple or tape the form so that the pre-addressed portion of the form is on the outside. If a larger envelope is used, tape the VOQ form to the larger envelope so that the pre-addressed portion of the form is showing.

If further assistance is needed, please contact the VSH at their toll-free number, 1-888-327-4236.
Thank you for your cooperation.

Sincerely,

Ronald B. Fields, Chief
Correspondence Research Division
Enforcement

Enclosure: VOQ



September 17, 2007

[REDACTED]
SIMLA, CO [REDACTED]

RE: Claim Number: [REDACTED]
Insured: [REDACTED]
Date of Loss: 08/15/2007

Dear [REDACTED]:

This will acknowledge receipt of the . We understand the circumstances to be the air bag deflated without cause.

Your policy number [REDACTED] provides in part as follows:

EXCLUSIONS

This coverage does not apply to **loss**:

(3) Resulting from wear and tear, freezing, mechanical or electrical breakdown, failure or road damage to tires, however this exclusion does not apply if the **loss** results from the total theft of **your insured car**.

OTHER DUTIES

(7) A person claiming under **PART III - CAR DAMAGE** shall:

(a) Allow **us** to inspect and appraise the damaged vehicle before its repair or disposal.

As we discussed the air bag deflated three days after a body shop repair. Ford Motor made repairs to the air bags before a claim was turned into NFU. The Ford dealer said the vehicle computer didn't have any flags that would show this was accident related.

In view of this provision, we must take the position that your policy does not provide coverage under these circumstances and no payment can be made under your policy for this loss.

The Med Pay listed on your policy does apply to this loss and we are waiting to review your medical bills.

Please understand that by citing the above provisions, we are not waiving any other provisions under the policy either now or in the future.

If there are additional facts or circumstances that you feel we should consider, or if you have any questions, please feel free to contact me.

Sincerely,

Ryan Covelli
Senior Claim Representative
(866)645-2043
rcovelli@nfuic.com

cc:

Description of incident

On Tuesday evening, our son [REDACTED] participated in a community 5K run in downtown Colorado Springs. When he was done with the event, he went to our Lincoln Aviator, got in, turned on the engine, looked back to back out of his diagonal parking place, and BOOM- the air bag deployed before he backed out. He called 911. They directed him to get out of the vehicle immediately in case the fumes would make him faint. He got out and sat on the ground by the driver's side of the vehicle where the firemen found him when they arrived in seconds (the station is 2 blocks away). They checked him out and encouraged him to go to an emergency room, as they believed he had a broken wrist and possibly thumb where the air bag had pushed his arm up against the windshield. He also had slight burns on his thighs (as he was wearing shorts for his race). We came to town, drove the damaged vehicle a short distance to the Lincoln dealership, and took him to Penrose Community Hospital emergency room on Academy Blvd. After x rays, they decided there were no broken bones, just a severe bruise.

[REDACTED] mother of "victim" and "co-owner" of vehicle

November 6, 2007

Dear Sir:

Attached is the information requested. We still expect the Ford Motor Company to be responsible for repair of this vehicle. As stated in an included report, "the vehicle computer didn't have any flags that would show this was accident related." Therefore, there must be a defect in the air bag device that allowed it to deploy in a stationary position with no impact. IF it was related to a previous accident when we hit a deer in January of 2006, there also is a defect for an air bag to not deflate in the accident and wait for 1 ½ years before it deflates. We expect your company to stand by this product. A Lincoln should be a vehicle that is considered safe! At this time, we are concerned for others who may be driving a Lincoln Aviator 50-70 miles an hour when an air bag accidentally deploys. Could this be a cause of some unexplained accidents where people have presumed that the air bag deployed after an accident instead of causing the accident?

If you need any further information, please contact us at [REDACTED]

Sincerely,

[REDACTED]

P.S. We have the parts that South Pointe Lincoln repaired, but our lawyer advised against sending them to you, as we would like to keep them as proof, just in case your company does not pay the necessary repairs. We are quite fortunate that the air bag chose to deploy when our son was parked and not driving at a high rate of speed. That could have caused a serious accident or even a fatality.

Distance Request

888H04

2004 AVIATOR

Number: 145534

Request Date: 08-15-2007

Technician: JAMES BODDEN

PCM Air

clock spring

614 619
group 1

15 576 1577
group 2

Request Form Details:

Description of vehicle concern:

drivers air bag deployed 30 seconds after start up, pit into rev and deployed. Car was rear ended and repaired at body shop air bag deployed 3 days after She picked up car.

Diagnostics performed:

run self test code b2293, data logger faults b2293 21cm, 2293 23 cm, 2293 21 od loop 2 ft driverside open. remove air bag put in simulators clear code retest system passed. pinpoint test h1 h2

DTC Codes:

b2293

Parts replaced:

none yet

Question: Can this concern be verified?

Answer: yes

Question: Please list any PIDS that are out of range

Answer: b2293 21cm, 2293 23cm, 2293 21od

Tech's question:

with simulators in place pass selftest. do I just replace drivers airbag, clockspring and maybe dign monitor. Just have not had car that just deploy airbag with no impact. may not ever know whole story from when rear ended? have any more info that i should do. had no code saying monitor full

Hotline recommendation:

James we suggest that you replace both the restraints control module and the air bag for this concern just in case the accident damage that occurred previously has caused a fault in the restraints control module.

310 153 348

Call Log:

Dealer has not called hotline for this vehicle/concern.

Print date: 8/15/2007 1:24:24 PM

Print this page

THE ATTACHMENTS TO THIS
DOCUMENT HAVE BEEN REMOVED
TO PROTECT UNWARRANTED
INVASION OF PERSONAL PRIVACY
PURSUANT TO EXAMPTION 6 OF
THE FREEDOM OF INFORMATION
ACT (FOIA), 5 U.S.C. 552(b)(6).

To protect the privacy of individuals, NHTSA does not make medical records available to the public without authorization. For this reason, documents falling into this category have not been included in this complaint record.