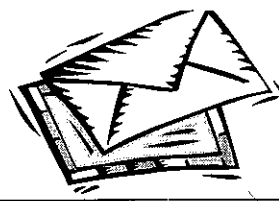


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Printed: 4/28/2008

NHTSA #: ES08-002893	Rec'd Date: 4/25/2008	Referred By: NPO-011
XREF #:	Doc Type: CNG	Doc Date: 4/17/2008
Delivery: MESSENGER ENV.	Address To: DOT/I	Due Date: 5/14/2008
S10 #:	DOT/I #: 2008-8117	RMP #:
Subject: FACIMILE FROM SENATOR BOXER ON BEHALF OF CONSTITUENTS, [REDACTED] [REDACTED] REGARDING PROBLEMS THEY EXPERIENCED WITH THEIR 2006 VOLVO 780 TRUCK (DOT/I#2008-8117)		
Ack Date:	Ack By:	Signed For:
Sign Office: DEPUTY ADMINISTRATOR	Signature: JAMES F. PORTS, JR.	
Cleared Date:	Cleared By:	Cleared For:
File Loc:	XREF File:	Closed Date:
Added By: BMILLINGS x65470	Modified By: BERNADETTE.MILLINGS	
Most Recent Comment:		

Author:

THE HONORABLE BARBARA BOXER SENATOR
UNITED STATES SENATE

CC-10226248-5484

SUITE 240
WASHINGTON, DC 20510
Tel: Fax: E-mail:

Assigned To	Task	Asgn Date	Deadline	Returned Date
I	INFORMATION	4/25/2008		4/25/2008
NVS-010	INFORMATION	4/25/2008		4/25/2008
NVS-200	REPLY	4/25/2008	5/14/2008	4/25/2008
NOA02	INFORMATION	4/25/2008		4/25/2008
NOA-010	INFORMATION	4/25/2008		4/25/2008

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2008 APR 27 A 6:54

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FAX TRANSMISSION

OFFICE OF UNITED STATES SENATOR BARBARA BOXER
HART SENATE OFFICE BLDG., SUITE 112
WASHINGTON, D.C. 20510
1700 MONTGOMERY STREET, SUITE 240
SAN FRANCISCO, CA 94111
PHONE 415 403 0100 FAX 415 434 1802

TO: Simon Gross - DOT

DATE: 4.17.08

Fax: 202.366.3675

Pages, Incl. Cover: 3

FROM: ERIC JOSE VIZCAINO, Director of Constituent Services

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ALICIA A. ESTRADA, Constituent Representative

BRANDON McCOY, Constituent Representative

ANNE BOZACK, Staff Assistant

MARIA HENDERSON, Staff Assistant

_____, Intern

COMMENTS: For your review and consideration.
Any information would be most appreciated
Thank you - Maira

2008-8117
ES08-002893

WD95:21 8002/9/2008 12:56PM

[REDACTED]
Chino Hills, CA [REDACTED]

[REDACTED] Home

[REDACTED] Cell

Dear Senator Boxer:

Thank you so much for giving us the opportunity to ask you for help. We write this letter with the hope that you will be able to assist us.

My husband is a self-employed truck driver, and this year has not only been hard because of gas prices but also because of a problem that we had no control over. My husband had been in the trucking business for over 20 years, here and from our original country. We came here as refugees from Belarus, seeking the American dream, and like any family, we did the best we could. When we first came here we were treated kindly and had federal aid from Welfare, eight months later after getting up on our feet a little, my husband found a job and began working as a truck driver; we stopped using Welfare at that point, thankful for the help, but ready to contribute to our own future through our own work. A couple years later we were very fortunate to be able to purchase a home to live in. At that point we were well off, and my husband was able to provide for our family. However, for the past year we've been struggling to make ends meet financially because of an error on Volvo's behalf. On October 2006, we purchased a brand new Volvo 780 truck with a D16 engine from Denver, CO (big-rig), hoping that it would help out our business. (Prior to this, we could pay our bills without difficulty.)

The problems started right after driving out of the dealership, my husband noticed that the steering wheel had a defect, it was broken! He came back to have them fix it, had he tried to come home without getting it fixed, he wouldn't have made it home alive. Not only did they put my husband's life in danger they also didn't care about public safety in the event that something happened to the truck had the steering wheel conked out. We thought nothing of it, and hoped that this was just a minor flaw. However, when my husband took a load up to Canada (to where it borders with Alaska) the truck broke down and the engine would not start up. When we contacted Volvo about this problem, they promised to fly a mechanic there, however, after evaluating the cost it would take, they changed their mind. Instead, they towed it to the nearest city which was White Horse, Yukon. They were able to start up the engine, yet they refused to fix the truck. My husband was forced to drive the broken truck to Edmonton, Canada. And as a result of the five days he stayed stranded in Canada, he lost the load we were depending on for income. Volvo didn't even make sure that my husband had enough money to eat and failed to provide any sort of accommodations.

After driving 1,400 miles from White Horse to Edmonton, Alberta it took the mechanics 1 ½ weeks to repair the truck. The problems didn't end there. After the predicament in Canada my husband took a load to Fresno, California, and after about 280 miles the air bag popped, and the truck started to burn through gas like crazy and began to overheat. When he got to the Volvo repair shop in Fontana the truck had an exhaust leak, lower horsepower, and the engine was overheating. The truck was in repair for a week. Then, my husband took a load up to Colorado (The place of purchase), and the problems persisted. The problems were so severe, the dealership replaced the radiator, the turbo, the thermostat, and attempted to fix the engine (they weren't able to) which caused the truck to lose more horse power. It took about 2 months for them to try to fix the truck. At that point we had lost a substantial amount of money. When we asked for Volvo to exchange the truck, Volvo ignored our calls and e-mails. Only after reaching the international headquarters in Sweden did they listen. After this, they promised that they would exchange the truck, and after a few days they took back their promise. They persisted that we had to keep the broken truck. The truck was so broken it had been in repair twenty-eight times! When my husband didn't want to take the broken truck because of the manufacturing error, they finally agreed to exchange it, however, they refused to allow him to choose the model he would be paying for! They forced us to sign documents agreeing to accept the truck they had chosen for my husband's business, we had to promise not to ask them for anything else after that. At this point we were looking for a lawyer, but due to the loss of money were not able to pay any lawyer, and we had no choice but to accept the offer, because we were in danger of going homeless. It came down to keeping a roof over the heads of our kids or being homeless. They changed the truck, but they didn't let us choose what kind of truck we needed for our business and all the options that we paid for on the old truck weren't equal on the one they chose for us, this one was cheaper; Volvo had us sign papers that we wouldn't take legal action, that exempted them from being responsible for the problem and gave the ultimatum that we either signed the papers or we wouldn't get the

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truck exchanged. They didn't pay the money we'd lost because of their mistake, the loads lost, and the repairs as a result of the truck breaking down, and refused to take further phone calls even though the truck was still under warranty.

Our lives have been a nightmare. My husband has only been with our family three times last year because of constant problems. This year we haven't even had him home once, the last time being Christmas day. This has been hard for our family, the trucking business is unpredictable, but my husband was always able to make it home at least three or four times a month. We have three kids, all of who are good students and interested in being active members of the community. My daughter even graduated early, and is now attending community college full time in hopes of becoming a lawyer. She has even taken a part time job to help our the family to ensure that we have food on the table. The financial situation as a result of Volvo's ignorance has put us into a very tough situation not only financially but family wise. Even so, the bills are past-due and our credit history has been ruined, where before, we were never late on a payment. My kids got braces over two years ago, and July 2007 was the last time they went to the orthodontist to have them adjusted, we cant even afford to take them off. Month to month we live in fear of losing our home, the truck/trailer, or going hungry. For a family of five we only spend \$100 per week on food. Volvo's refusal to address the problem has ruined the future for our kids, and has delayed our ability to help pay for my daughters dream of going to Law School. We constantly receive calls from the collection agency, and our car was repossessed after we couldn't provide payment. We still hope for the best despite all this, but its truly difficult to hope for anything when our lives are crumbling because of something we couldn't control. These are only a few of the problems that we were faced with and are continuing to face. These problems not only cost us money, but put us in continuous worry and has even upset our children.

We wrote about our problem via e-mail to the consumer report, however, they never replied. We ask you to send this letter to the consumer report. We would have sued the Volvo company, however, we didn't have any money to hire a lawyer. If you can please also help us to find a lawyer who doesn't require up front fees and could help us in our situation. It feels like we're alone in this and no one has the desire to help. We ask that you please help us in any way you can. We are very thankful for your attention towards our helplessness, and hopeful that you can provide some sort of help. Thank you very much for taking your time to read our letter.

Sincerely,

February 25, 2008

24-Apr-08

2008 Senate Report - Governmental Affairs Correspondence
Control Sheet (I-1) W85-328

Control Number: 2008 – 8117
Date DOT Received: 4/18/2008
Date DOT Entered: 4/18/2008
Member's Date: 4/17/2008
Member Last Name: Boxer
Member First Name: Barbara
Member Organization: United States Senator
Address1: 1700 Montgomery Street., Suite 240
Address2:
City: San Francisco
State: CA
Zip: 94111
Constituent File Name: [REDACTED]
Constituent Date:
Action Office: National Highway Traffic Safety Administration
Subject: his 2006 Volvo 780 truck
Action Office Code: NHTSA
Due Date: 5 /14/2008
Member Contact: Maira Ayala
Pending: Yes
Member Contact Phone: (415) 403-0100
Closed Date:
Remarks:
Direct Reply/Comeback Copy Yes
Congressional Affairs Contact Maria Harrison at (202) 366-4573
