



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

1200 New Jersey Avenue SE.
Washington, DC 20590

October 29, 2008

[REDACTED]
[REDACTED]
Hudson, FL [REDACTED]

NVS-216 nlm
Ref. # 10243730

Dear [REDACTED]

Thank you for your correspondence dated August 20, 2008, concerning reimbursement for a Dometic refrigerator installed in your 1999 Airstream Excella travel trailer. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence on September 25, 2008.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or items of motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. However, we cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

We appreciate the report you provided. Reports from motorists are a very important source of information for us. We regret to hear that you had to absorb the cost of replacing the refrigerator in your MY 1999 Airstream Excella travel trailer. Clearly, the boiler tube failure and the subsequent cost to replace the refrigerator was frustrating. NHTSA is aware of recall Campaign No 07V-083 concerning a fatigue crack in the boiler tube of some of the refrigerators installed in certain Airstream recreational vehicles manufactured from April 1997 to April of 2004. The model numbers potentially affected have the following model number: NDR1062, RM2652, RM2662, RM2663, RM2852, RM2862, RM3662, RM3663, RM3862, and RM3863. Most recalls are vehicle identification number (VIN) specific and/or in this specific case refrigerator model number specific. We contacted Dometic on your behalf with reference to

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their refusal to reimburse you for the replacement of the recalled Dometic refrigerator installed in you MY 1999 Airstream Excella travel trailer. The customer service representative explained that based on you vehicles VIN, it was determined that your MY 1999 Airstream Excella did not contain a recalled unit, therefore you were not eligible for reimbursement. We regret that we are unable to assist you further with this matter.

In addition, the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Pub. L. 106-414, enacted November 1, 2000, contained a provision authorizing NHTSA to issue a rule requiring manufacturers to reimburse owners for any costs incurred in remedying a safety-related defect or noncompliance within a reasonable time prior to the issuance of a safety recall. NHTSA published that rule on October 17, 2002 (Federal Register 67, 64049-64066), and its effective date is January 15, 2003. The rule requires manufacturers to reimburse owners for repairs covered by a safety-related defect or noncompliance recall if the repair occurred within one year of the date that the manufacturer notified NHTSA of the defect, one year prior to NHTSA's opening of an Engineering Analysis (EA) if the defect was determined to exist as a result of that EA, or any date following the date of the first test by NHTSA or the manufacturer that established the existence of a noncompliance with a Federal motor vehicle safety standard. The letter from Airstream advising you of the recall is dated March 2, 2007. Accordingly, even if the reimbursement rule was currently in effect, you would not be eligible for reimbursement.

Lastly, NHTSA's statute does not authorize the Federal government to reimburse vehicle owners for any costs associated with safety recalls or assist vehicle owners in obtaining reimbursements for costs associated with an alleged defect. Owners who feel that their claim was wrongfully denied should pursue the matter with the manufacturer. While NHTSA does not have the resources to intervene in individual disputes, it does monitor this data and may address situations where appropriate. We regret that we are unable to assist you further with this matter.

If you have not done so, you may consider contacting your local Consumer Protection Agency, Better Business Bureau, or the Florida Office of the Attorney General regarding your problem and your rights under the law.

Should you encounter a safety-related problem with a motor vehicle or item of motor vehicle equipment in the future, you can complete an electronic Vehicle Owner's Questionnaire online at <http://www.nhtsa.dot.gov/ivoq>. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at <http://www.nhtsa.dot.gov/cars/problems>.

Sincerely,

A handwritten signature in black ink, reading "Frank S. Borris II". The signature is written in a cursive style with a large, stylized "F" and "B".

Frank S. Borris II, Acting Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement