



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

1200 New Jersey Avenue SE.
Washington, DC 20590

October 13, 2009

[REDACTED]
Fresno, CA [REDACTED]

NVS-216 knb
Ref. #: 10281090

Dear [REDACTED]:

Thank you for your correspondence dated August 7, 2009, concerning your model year (MY) 2004 Workhorse Custom Chassis. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence on August 18, 2009.

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. In your letter you indicate that the brake calipers locked up in your Workhorse Custom Chassis, which is a safety defect identified by recall campaign (NHTSA Campaign No. 09V-110, summary enclosed).

Owners whose vehicles are experiencing sticking calipers (symptoms include: ABS light on soft brake pedal feel, the smell of hot brakes, reduced acceleration due to dragging brakes, or smoke) should pull over and contact a Workhorse service center. When necessary, Workhorse will provide temporary repairs including caliper replacement. Workhorse will provide further instructions this fall when parts become available.

The information you provided has been entered into our database and will be reviewed. It will be considered with other reports to identify any inadequacies of the recall campaign (NHTSA Campaign No. 09V-011) that may require our attention. Also we notified Workhorse



Custom Chassis of the difficulty you have experienced in having the safety-related corrective action for the recall performed on your vehicle and requested that appropriate action be taken.

We sympathize with you concerning the reimbursement problem(s) you reported; however, this does not fall under our jurisdiction. Chapter 301 of Title 49 of the United States Code (U.S.C.) requires a manufacturer of motor vehicles or items of motor vehicle equipment that contain a defect relating to motor vehicle safety or fail to comply with a Federal Motor Vehicle Safety Standard to remedy the defect or noncompliance without charge. However, our statute does not require manufacturers to reimburse owners for costs associated with repair or corrective action performed prior to initiating a recall or for any additional costs associated with a safety recall (e.g., lost wages while the vehicle is being repaired, car rentals, repairs not performed by an authorized dealership, damage caused by the defect, etc.). Nor does the statute 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. Although not required by the statute, under certain conditions, manufacturers may reimburse vehicle owners for recall work completed prior to receiving a recall notice. We suggest you continue to work with Workhorse Custom Chassis regarding your reimbursement request. They can be reached by phone at 1-877-246-7731, or by mail at P.O. Box 110 922 South State Route 32, Union City, IN 47390, or at www.workhorse.com.

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 that reads "Randy Reid". The signature is written in a cursive, flowing style.

Randy Reid, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement