

**INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)**

MAY 17 2010

April 26, 2010

CL-10334869-8872

National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

Attn: Administration Department

In reference to the attached information, I am advising you of two separate occurrences where accidents were caused due to brake failure and increased acceleration of my 2006 Malibu Maxx.

Each service manager advised that they couldn't find any defects with the car's braking system. Since this is an intermittent problem, I fear for my safety each time I drive this car.

While searching the internet, I found, Attachments 2, 3, & 4, where similar situations have occurred. It is interesting to note in both instances I was making a right hand turn when the failure occurred.

Please keep this information in an active file for future reference and I would appreciate any suggestions you may advise.

Sincerely,

[Redacted Signature]

Slidell, LA
Encls. Attachments 1,2,3,4
Photos: 1 - 5

ET
060310
TGW

Subject: BRAKE FAILURE
2006 Malibu Maxx - 1G1ZT61816F [REDACTED]
Purchased: August 10, 2006 - Hood Northlake
Chevrolet - Covington, LA

PRESENT

Date: Sunday, February 14, 2010

I pulled into the parking lot at St. Genieve's Church, making a right hand turn. As I pressed on the brake pedal the pedal went down to the floor causing the car to crash into an unoccupied maroon Impala - hitting the left rear tail light, bumper and quarter panel, causing moderate damage. My Malibu had damage to the right front bumper, quarter panel and the entire right head-light fell to the ground.(see Pictures #1 & 2).

My car was towed to Levis Chevrolet and was worked on for approximately 30 days. Total invoice was \$1847.62. I had to put a \$500.00 deductible.

PAST

Date: On Wednesday, November 22, 2006 at 9:15 a.m., I made a right hand turn pulling into a parking spot at Slidell Memorial Hospital garage. As I pressed on the brake pedal - the pedal kept going down to the floor causing the car to crash into a wide concrete pillar. My left shoulder was bruised from the tightening up of the left seat belt. (The air bag did not deploy). The radiator was damaged; the hood buckled; the left fender was damaged; the bumper was pulled off and I couldn't open the left door. (See pictures # 3, 4, & 5)

I reported this happening to Mary Ann Rodgers, GM Product Alligation Department - Claim No. 71443421-690.

The car was taken to Brian Harris Chevrolet body shop, and worked on for a total of 55days. The insurance company paid Brian Harris a total of \$5,143.00 and my out-of-pocket expenses were \$500.00 deductible, and \$888.52 for car rental at Enterprise; a total of \$1,388.52.

2

RECALL: 2003 Chevrolet Malibu

NHTSA Campaign Number: 04V528000

www.nhtsa.dot.gov

Manufacturer GENERAL MOTORS CORP.

Recall Date: 11/01/2004

Potential Number Of Units Affected: 92,863

Description VEHICLE SPEED CONTROL:ACCELERATOR PEDAL

Summary CERTAIN PASSENGER VEHICLES FAIL TO COMPLY WITH THE REQUIREMENTS OF FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 124, 'ACCELERATOR CONTROL SYSTEMS.' IN HOT AMBIENT CONDITIONS, THE ACCELERATOR PEDAL ARM MAY STICK AT THE ATTACHMENT TO THE BRACKET AND NOT RETURN TO THE ENGINE IDLE POSITION WHEN THE OPERATOR LIFTS HIS FOOT FROM THE ACCELERATOR PEDAL.

Consequence FAILURE TO RETURN TO IDLE COULD RESULT IN A VEHICLE CRASH.

Remedy DEALERS WILL INSPECT THE ACCELERATOR PEDAL ARM AND REPLACE THE ACCELERATOR AND BRAKE PEDAL ASSEMBLY WITH A NEW ASSEMBLY, IF NECESSARY. THE RECALL BEGAN ON DECEMBER 20, 2004. OWNERS SHOULD CONTACT CHEVROLET AT 1-800-630-2438, PONTIAC AT 1-800-620-7668, OR OLDSMOBILE AT 1-800-630-6537.



(reported on)

Silverado LT V8

- Automatic transmission
- 3,700 miles

When downshifting RPM's remain at 1,500 or 2,000 RPMs. When downshifting with a load this causes vehicle to accelerate going down a hill. 3 times the vehicle has accelerated all by itself on level ground coming to an intersection (as if on cruise control). Once nearly causing an accident. When this happens vehicle has been stopped only by putting into neutral and braking.

Sometimes I can drive around without touching gas pedal almost as if in cruise control. Dealer put on computer and test drove 2 Mi. But unable to find the problem. No surprise as this is an intermittent problem, which is why this is so dangerous.

#4

2006
Silverado LTZ 5.3L

- Automatic transmission
- 16,000 miles

Vehicle has a serious problem of accelerating by it self when coming to a stop with brakes applied. If I put it in neutral when coming to a stop you can see the rpms jump upward between 1000-1500 this makes it hard on the brakes and dangerous because sometimes it will be moving forward as if it is in cruise control ,I can at times drive around with my foot off the accelerator. I owned another NBS Silverado and that one was fine no problems.



PHOTO#-



PHOTO

February 14, 2010



PHOTO #3



PHOTO #4



PHOTO #5

NOVEMBER 22,
2006

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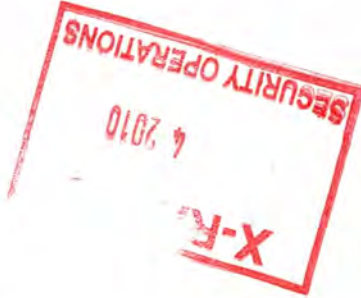


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National Hwy. Traffic Safety Admin.
Office of Defect Investigation (NVS-210)
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Washington, D.C.
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