

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



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

1200 New Jersey Avenue SE.
Washington, DC 20590

September 10, 2010

The Honorable Mike Johanns
United States Senator
294 Federal Building
100 Centennial Mall North
Lincoln, NE 68508

NVS-216 mec
Ref. No. 10336961

Dear Senator Johanns:

Thank you for your correspondence concerning your constituent, [REDACTED] [REDACTED] wrote your office concerning his model year (MY) 1991 Chrysler Imperial.

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. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect may exist. We cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

We appreciate the report you provided on behalf of [REDACTED]. Reports from motorists are a very important source of information for us. Each report is analyzed and entered into a database to determine whether an investigation into a possible safety defect or recall inadequacy is warranted. In [REDACTED] letter he indicates he has taken his MY 1991 Chrysler Imperial to the dealer three times to have a recall performed to remedy a defective antilock brake system (ABS). [REDACTED] recently almost ran a red light because the brakes failed again. This time he took the vehicle to an independent repair facility. Chrysler reimbursed him for the repair per the provisions of the recall; however, they only provided a partial reimbursement.

NHTSA is aware of the safety recall for a defective ABS (NHTSA Recall Campaign No. 96V-099, copy enclosed), which included the MY 1991 Chrysler Imperial. Federal regulations require a manufacturer conducting a safety recall of motor vehicles or motor vehicle equipment to reimburse owners who have paid to obtain a remedy for the problem within a reasonable time, which in many instances is 1 year, prior to the manufacturer's notification. Certain restrictions apply, including the need to submit certain documents to the



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manufacturer. Owners should follow the instructions in the recall notification letter to file a claim. Owners who feel that their claim was wrongfully denied should pursue the matter with the manufacturer. Owners may also report any dispute to NHTSA by contacting the U.S. Department of Transportation's Auto Safety Hotline or by filing a complaint via the agency's Internet Web site. While NHTSA does not have the resources to intervene in individual disputes, it does monitor this data and may address situations where appropriate.

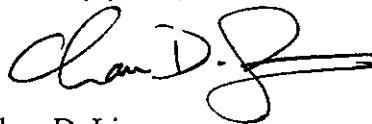
Additionally, our statute does not require manufacturers to reimburse owners for costs associated with a safety recall (e.g., lost wages while the vehicle is being repaired, car rentals, damage caused by the defect, etc.). Nor does the statute authorize the Federal Government to reimburse vehicle owners for any costs associated with safety recalls or assist vehicle owners in obtaining reimbursements for costs associated with an alleged defect.

As for Roy's Grand Chrysler Jeep and their Five Star rating being taken away, this does not fall under our jurisdiction. We recommend [REDACTED] consider contacting his local Consumer Protection Agency, Better Business Bureau, or the Nebraska Office of the Attorney General regarding the unpaid portion of your reimbursement request for the ABS repair. He may also ask his dealership for a meeting with a Chrysler district manager regarding his problem.

In addition, the Federal Trade Commission (FTC) has jurisdiction over non-safety defects, paint, fraud, or deception, warranty, and dealership problems, remuneration matters, and fair trade practices. There are three ways you can contact the FTC: by toll-free telephone at 1-877-FTC-HELP (1-877-382-4357); by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at <http://www.ftc.gov/ftc/complaint.htm>.

I hope this information is helpful. If you have any questions, please contact me or Mr. Daniel C. Smith, Associate Administrator for Enforcement, at (202) 366-3217.

Sincerely yours,



Chan D. Lieu
Director, Governmental Affairs,
Policy and Strategic Planning

Enclosure

cc: Washington Office