



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

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

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

September 21, 2010

The Honorable John P. Sarbanes
U.S. House of Representatives
Washington, DC 20515

NVS-216 mec
Ref. # 10351029

Dear Congressman Sarbanes:

Thank you for your correspondence on behalf of your constituent, [REDACTED].
[REDACTED] wrote your office concerning his model year (MY) 1999 Subaru Forester vehicle.

The National Highway Traffic Safety Administration (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. 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 safety 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]. In his letter he indicated he encountered problems with the transmission in his MY 1999 Subaru Forester vehicle. While understandably frustrating to [REDACTED], the type of transmission problem he described does not appear to relate to motor vehicle safety within the meaning of our authorizing statute. Therefore, there is insufficient evidence to warrant opening a safety defect investigation at this time. The agency has no jurisdiction over non-safety defects, warranty, and remuneration matters. A brochure explaining the investigation process is enclosed for [REDACTED] information.

If Mr. [REDACTED] has not done so, he may consider contacting the Federal Trade Commission (FTC). The 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 to 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>.

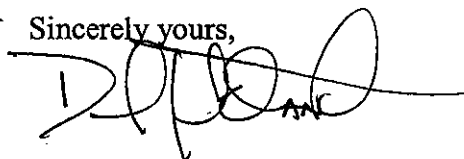
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The Honorable John P. Sarbanes

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,

A handwritten signature in black ink, appearing to read "D. Strickland", with a long horizontal flourish extending to the right.

David L. Strickland

Enclosure