



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

1200 New Jersey Avenue SE.
Washington, DC 20590

February 16, 2012

[REDACTED]
Berkeley, CA [REDACTED]

NVS-216 nlm
Ref. No. 10446471

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2004 Audi S4. The California New Motor Vehicle Board forwarded your correspondence to the National Highway Traffic Safety Administration (NHTSA) and asked that we respond directly to you.

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 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.

You indicated that your MY 2004 Audi S4 shut down on a highway. The dealer diagnosed the problem as catastrophic engine failure caused by a defective timing chain or adjusters. You tried to negotiate a goodwill repair or vehicle replacement with Audi. However, they declined assistance and referred you to their legal department.

We have reviewed our database in an effort to identify whether a safety defect trend exists with regard to engine failures caused by a camshaft timing chain, tensioners, or adjusters in MY 2004 Audi S4 vehicles. At this time, there is insufficient evidence to warrant opening a safety defect investigation. The information you provided has been entered into our database. It will be considered with future reports to identify any safety defect trends that may require our attention.

NHTSA is aware of Audi's technical service bulletin (TSB No. 150816) that states noise from the camshaft timing chain, tensioners and adjusters is normal on cold engine starts. However, the TSB applies to Audi A-Series vehicles and not your MY 2004 Audi S4. In addition, the issuance of a TSB does not necessarily reflect the existence of a safety-related defect in accordance with the National Traffic and Motor Vehicle Safety Act. Therefore, NHTSA cannot require Audi to perform the corrective action described in a TSB on your vehicle at no cost to you.

If you have not done so, you may consider contacting your local Consumer Protection Agency. You may also ask your dealership for a meeting with Audi's district manager regarding your problem. 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 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 www.ftc.gov/ftc/complaint.htm.

You may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve warranty disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. Proceed to www.lemonlaw.bbb.org to file and review eligibility information, or call BBB Auto Line at 1-800-955-5100.

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 www.nhtsa.dot.gov/ivoq. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at www.nhtsa.dot.gov/cars/problems.

Sincerely,

A handwritten signature in black ink that reads "Randy Reid". The signature is fluid and cursive, with the first name "Randy" and last name "Reid" clearly distinguishable.

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