



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

June 26, 2012

[REDACTED]
[REDACTED]
Sioux City, IA [REDACTED]

NVS-216 nam
Ref. No. 10460483

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 1995 Chevrolet Blazer. Your letter was forwarded by the Iowa Department of Justice and received by the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation.

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 trend may exist. We do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

You state that in October 2010, you purchased a used MY 1995 Chevrolet Blazer vehicle that had two open recalls. One recall was completed in June 2011; however, the remaining open recall for the antilock brake system caused you to crash your vehicle. You filed a claim with General Motors (GM) to have the damage repaired and the recall remedies completed. However, you indicate that GM voided your claim because they said your vehicle was too old and because of an Iowa statute that limits recall repairs to 15 years after the first owner purchase date. You request assistance in obtaining reimbursements for the repair of your vehicle, and the vehicle you crashed into. In addition, you request information regarding the Iowa lemon law.

Chapter 301 of Title 49 of the United States Code (U.S.C.) requires a manufacturer of motor vehicles or motor vehicle equipment that contains a defect relating to motor vehicle safety or fails to comply with a Federal motor vehicle safety standard to remedy the defect or noncompliance without charge. The only Federal statute of limitation is that we cannot require a manufacturer to exercise any recall without charge for motor vehicles beyond 10 years of age from the date the defect or noncompliance is determined.

Our statute does not require manufacturers to cover the cost or reimburse owners for additional costs associated with a safety recall (e.g., lost wages while the vehicle is being repaired, car

rentals, damage caused by the defect, etc.) or assist vehicle owners in obtaining reimbursements for cost associated with an alleged defect. Owners who feel that their claim was wrongfully denied should pursue the matter with the manufacturer. The information provided has been entered into our database and will be considered with future reports to identify any safety defect trends that may require our attention. For your information, the NHTSA investigation and recall process can be found on our web site at www.nhtsa.gov.

Your request for a reimbursement and information regarding the Iowa lemon law does not fall under our jurisdiction. If you have not done so, you may consider contacting the Iowa Office of the Attorney General regarding your problem and your rights under the State law. 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.ftccomplaintassistant.gov.

In addition, the Better Business Bureau (BBB) Auto Line 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. You can visit their web site at www.bbb.org to file a complaint and review eligibility information, or call the BBB Auto Line at 1-800-955-5100.

Should you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, we would appreciate it if you would complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Auto Safety Hotline at 1-888-327-4236. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained from our web site.

Sincerely yours,



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