



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

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

June 5, 2013

[REDACTED]
Forestville, CA [REDACTED]

NVS-216 nlm
Ref. No. 10496847

Dear [REDACTED]

Thank you for your correspondence concerning a problem you encountered in your model year (MY) 2005 Jaguar XKR vehicle. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence. We regret any inconvenience our delay in responding may have caused 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 motor 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 indicate that the oil warning light illuminated and the engine began to sputter in you MY 2005 Jaguar XKR while driving on a highway. You were able to proceed to a parking lot near by and added oil to the engine. Upon adding the oil, you noticed the oil was leaking out of the engine onto the ground. You had the vehicle towed to an independent repair facility (IRF) who found that the oil cooler feed pipe had failed which resulted in engine damage. They told you there was a Jaguar service campaign (No. 303-S846) that addresses this problem. However, when the IRF called the dealer they were told the campaign expired and your vehicle identification number (VIN) is not included in the campaign. You request assistance because Jaguar and the dealer have declined to assist you with the repair and related expenses.

NHTSA is aware of Jaguar Service Action No. S846 concerning oil cooler feed pipe failures in certain MY 2004 and 2005 Jaguar XKR vehicles. However, a manufacturer's service action campaign does not necessarily mean there is a safety-related defect in accordance with the National Traffic and Motor Vehicle Safety Act. They are not safety recalls but rather campaigns

created by the manufacturer to address a known problem and restore customer satisfaction. Furthermore, the service action only included certain vehicles within a specific VIN range. Your MY 2005 Jaguar XKR did not fall within the affected range and not eligible for a free repair under the service action. We recommend that you continue to work with Jaguar and your dealer to resolve your problem.

Your requests for assist with your vehicle repair and related expenses do not fall under our jurisdiction. If you have not done so, you may consider contacting your local Consumer Protection Agency or the California Office of the Attorney General regarding your problem and rights under the State law. You may also ask your dealership for a meeting with a Jaguar district manager regarding your 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 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.

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. 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 at our web site.

Sincerely,

A handwritten signature in cursive script that reads "Randy Reid".

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