



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)

May 7, 2013

[REDACTED]

Gig Harbor, WA [REDACTED]

NVS-216 rrr
Ref. No. 10509467

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2003 Fleetwood Terry recreational vehicle (RV). Your correspondence was 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 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 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 Samsung Microwave (model S5492) caught fire in your MY 2003 Fleetwood Terry RV when you were charging the battery. The incident caused extensive smoke and fire damage to your RV. Your research on NHTSA's Web site revealed a recall (NHTSA Safety Recall Campaign No. 03E-044) that addresses this problem. You allege that you never received a recall notification from Fleetwood, Samsung, or your dealer. You want to know what recourse you have in obtaining a reimbursement.

Chapter 301 of Title 49 of the United States Code (U.S.C.) requires a manufacturer of motor vehicles or motor vehicle equipment that contain a defect relating to motor vehicle safety or fail to comply with a Federal Motor Vehicle Safety Standard to remedy the defect or noncompliance without charge. In addition, manufacturers are required to reimburse owners and purchasers for costs incurred for remedies in advance of the manufacturer's notification to safety-related defects and noncompliance with Federal motor vehicle safety standards, subject to certain conditions.

This reimbursement requirement, however, does not apply to corollary costs or losses an owner or purchaser may have incurred, or those beyond those that were associated with correction or remedy of the safety defect or noncompliance. For example, lost wages while the vehicle is being repaired, car rentals, towing, and damage caused by the defect, are all items that do not require reimbursement.

Owners and purchasers may have additional avenues available to them to pursue reimbursement for these costs and losses that are outside of our laws, regulations, and jurisdiction. If you have not done so, you may consider contacting your local Consumer Protection Agency or the Washington Office of the Attorney General regarding your problem and rights under the State laws. You may also ask your dealership for a meeting with a manufacturer's representative regarding your problem. In addition, the Federal Trade Commission (FTC) has jurisdiction over remuneration matters. 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). 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 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