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Mr. John Haddad

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

Gaithersburg Mazda

625 N. Frederick Avenue

JUN 17 2013

Gaithersburg, Maryland 20879

I would like to let you know how pleased I am with my recent vehicle purchase on a brand new 2013 Mazda Miata PRHT. I have no doubt I made the right choice in purchasing the vehicle. The sales staff together with the finance manager made it a pleasant experience.

On another note, I do want to bring to your attention one important safety concern I have for the vehicle. After exploring different avenues to resolve this concern, I have decided to make one last effort to ask your assistance.

This concern is in reference to the passenger side airbag deactivation switch. Prior to purchasing the vehicle, I made sure that it is legal and more importantly, safe to have my child as a passenger on the Miata, having no rear seats. Upon further review of it's safety features on the main Mazda web page, it does indicate that it has a passenger side airbag deactivation switch. It further recommends on the website with a marked foot note, to "always use your seat-belt and deactivate the passenger airbag when using a child or infant safety seat. It further states on the same webpage, "all trims are equipped with advanced dual front airbags with a passenger side deactivation switch and dual side impact airbags".

Within a week of purchase, there was the need to pick up my daughter from school. Prior to departing, I called the dealership to ask where the airbag deactivation switch was. They indicated that it should be on the left hand side of the steering wheel together with the traction control switch. It is not there. All information available from the web and the manual indicates it should be there. It is not.

At this point after talking to Mazda headquarters, Mazda Gaithersburg and NHTSA, it is safe to assume that the switch has been discontinued without any available information forwarded to the public.

NAM
6/18/13
SMD

In view of the above, I would like to request for the simplest solution to what I view is a safety issue. I would like to request that the OEM deactivation switch referred to on the manual and Mazda website itself, be installed by Gaithersburg Mazda on the brand new Mazda vehicle I purchased from your dealership.

As much as I want to look away and disregard the issue, in the end, the safety of my child passenger is of my best interest.

Pls. reply to this formal request as to what you can do for this customer at the soonest possible time to rectify this safety issue and/or product misinformation.

Sincerely,



Potomac, MD



cc: NHTSA

Att:

- Copy of pages in car manual referring to deactivation switch/safety warning
- Copy of current Mazda web page referring/encouraging use of deactivation switch



mazda

2013

Mazda MX-5

Owner's Manual



Image photo

Child Restraint Precautions

Mazda strongly urges the use of child-restraint systems for children small enough to use them.

You are required by law to use a child-restraint system for children in the U.S. and Canada. Check your local and state or provincial laws for specific requirements regarding the safety of children riding in your vehicle.

Whatever child-restraint system you consider, please pick the appropriate one for the age and size of the child, obey the law and follow the instructions that come with the individual child-restraint system.

A child who has outgrown child-restraint systems should use seat belts, both lap and shoulder. If the shoulder belt crosses the neck or face, move the child closer to the center of the vehicle.

A rear-facing child-restraint system should **NEVER** be used on the passenger seat with the air bag system activated.

If a small child or infant in the passenger seat — particularly a child secured in a rear-facing child-restraint system — it is critically important that you consciously deactivate the passenger air bag and not simply rely on the passenger air bag deactivation indicator light being turned on at all times. In a collision, the force of an air bag slamming the child-restraint system rearwards could result in death to the child even if the child is properly belted. Be alert to the operation of the indicator light and **BE SURE THE PASSENGER AIR BAG IS ALWAYS DEACTIVATED AS INDICATED BY PASSENGER AIR BAG DEACTIVATION INDICATOR LIGHT.**

Passenger air bag deactivation indicator light



Passenger seat weight sensors

These sensors deactivate the passenger front and side air bags and also the passenger belt pretensioner system when the passenger air bag deactivation indicator light illuminates.

When an infant or small child is seated on the passenger seat, the system shuts off the passenger air bag, so make sure the passenger air bag deactivation indicator light illuminates.

Refer to Passenger Seat Weight Sensors on page 2-37.

⚠ WARNING

Use the correct size child-restraint system:

For effective protection in vehicle accidents and sudden stops, a child must be properly restrained using a seat belt or child-restraint system depending on age and size. If not, the child could be seriously injured or even killed in an accident.

Follow the manufacturer's instructions and always keep the child-restraint system buckled down:

An unsecured child-restraint system is dangerous. In a sudden stop or a collision, the child could move causing serious injury or death to the child or other occupants. Make sure any child-restraint system is properly secured in place according to the child-restraint system manufacturer's instructions. When not in use, remove it from the vehicle or fasten it with a seat belt.

Always secure a child in a proper child-restraint system:

Holding a child in your arms while the vehicle is moving is extremely dangerous. No matter how strong the person may be, he or she cannot hold onto a child in a sudden stop or collision and it could result in serious injury or death to the child or other occupants. Even in a moderate accident, the child may be exposed to air forces that could result in serious injury or death to the child, or the child may be slammed into an adult, causing injury to both child and adult.

Always make sure the passenger air bag deactivation indicator light is illuminated when using a rear-facing child-restraint system:

Seating a child in a rear-facing child-restraint system that is installed on the passenger seat with the passenger air bag deactivation indicator light not illuminated is extremely dangerous. In an accident, an air bag could inflate and cause serious injuries or even death to the child seated in the rear-facing child-restraint system. Always make sure the passenger air bag deactivation indicator light is illuminated using the key to turn the passenger air bag off.

5. Make sure the passenger air bag deactivation indicator light illuminates by using the key to turn the passenger air bag off after installing a child-restraint system on the passenger seat.



⚠ WARNING

Always make sure the passenger air bag deactivation indicator light is illuminated when using a rear-facing child-restraint system:

Seating a child in a rear-facing child-restraint system that is installed on the passenger seat with the passenger air bag deactivation indicator light not illuminated is extremely dangerous. In an accident, an air bag could inflate and cause serious injuries or even death to the child seated in the rear-facing child-restraint system. Always make sure the passenger air bag deactivation indicator light is illuminated using the key to turn the passenger air bag off.

Refer to Passenger Seat Weight Sensors on page 2-37.

NOTE

- Inspect this function before each use of the child-restraint system. You should not be able to pull the shoulder belt out of the retractor while the system is in the automatic locking mode. When you remove the child-restraint system, be sure the belt fully retracts to return the system to emergency locking mode before occupants use the seat belts.
- Follow the child-restraint system manufacturer's instructions carefully. Depending on the type of child-restraint system, it may not employ seat belts which are in automatic locking mode, however if it uses an upper tether, it may not be mounted properly in this vehicle as there is no safe way to anchor the tether. Confirm whether the child-restraint system can be used with seat belts by reading the child-restraint system manufacturer's instructions.

Supplemental Restraint System (SRS) Precautions

The front and side supplemental restraint systems (SRS) include up to 4 air bags. Please verify the air bags equipped on your vehicle by locating the "SRS AIRBAG" indicators. These indicators are visible in the area where the air bags are installed. The air bags are installed in the following locations:

- The steering wheel hub (driver air bag)
- The passenger dashboard (passenger air bag)
- The outboard sides of the seatbacks (side air bags)*

The air bag supplemental restraint systems are designed to provide supplemental protection in certain situations, so seat belts are always important in the following ways:

Without seat belt usage, the air bags cannot provide adequate protection during an accident. Seat belt usage is necessary to:

- Keep the occupant from being thrown into an inflating air bag.
- Reduce the possibility of injuries during an accident that is not designed for air bag inflation, such as roll-over or rear impact.
- Reduce the possibility of injuries in frontal, near frontal, side collisions that are severe enough to activate the air bags.
- Reduce the possibility of being thrown from your vehicle.
- Reduce the possibility of injuries to lower body and legs during an accident because air bags provide no protection to these parts of the body.
- Hold the driver in a position which allows better control of the vehicle.

If your vehicle is also equipped with a driver and passenger occupant classification system, refer to the Driver and Passenger Occupant Classification System (page 2-37) for details.

If your vehicle is equipped with a driver and passenger occupant classification system, the passenger air bag deactivation indicator light illuminates for a specified time after the ignition is switched ON.





Fuel Efficiency

Thanks to its lightweight body and efficient, friction-reducing engine, the MX-5 with 5-speed manual transmission achieves an EPA-estimated 22 city/28 Highway MPG† without compromising its trademark exhilarating performance. 6-speed manual and 6-speed automatic transmission models get an EPA-estimated 21 miles per gallon in the city and an EPA-estimated 28 on the highway.‡

[PERFORMANCE](#)

[SAFETY](#)

SAFETY

Active Safety Features

Zero to 60 is nothing without 60 to zero.

All MX-5s are equipped with these standard safety features:

- ◆ Ultra-responsive 4-wheel disc anti-lock brakes—11.4 inch vented disc brakes up front and 11-inch on the rear
- ◆ Electronic Brakeforce Distribution ensures maximum stopping power
- ◆ Dynamic Stability Control†† and Traction Control System
- ◆ Tire-Pressure Monitoring System

Crash Protection

Safety is at the core of our engineering—and the Miata's. Using the "gram strategy" and ultra-high-tensile steel, Mazda engineers made the MX-5 lightweight and perfectly balanced without reducing the strength and integrity of the body's construction. All trims are equipped with advanced dual front airbags†† with a passenger-side deactivation switch and dual side impact airbags.

[WATCH DEMO 0:46](#)



Anti-theft Features

The standard engine immobilizer anti-theft system helps protect your vehicle by requiring a properly coded key to start the engine. If a counterfeit key is used, the engine will not start. Available as an accessory or part of the Premium Package, the perimeter alarm system helps to deter potential damage or theft of your Miata while parked.

[SAFETY](#)

[LEGACY](#)

THE MIATA LEGACY

From classics to concepts and breakthrough innovations, Mazda has an impressive history with the automotive industry—and the MX-5 is no exception. See the MX-5 Miata's different variations over the years, starting with the first in 1989.



2013 - MX-5 Miata: A Classic that keeps getting better

Updated for 2013, the iconic MX-5 Miata boldly lives up to its "soul of a sports car" identity. Through the last 20 years, its man-and-machine-as-one formula has earned it 178 major automotive awards around the world and the highly respected position as both the world's most-raced nameplate and the most-popular sports car ever built.

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*Starting at \$23,720 MSRP plus \$795 destination (Alaska \$840) for Mazda MX-5 Miata Sport with 5-speed manual transmission. MX-5 Miata Grand Touring with 6-speed manual transmission shown \$27,350 MSRP plus \$795 destination (Alaska \$840). MSRP excludes taxes, title and license fees. Actual dealer price may vary. See dealer for complete details.

†Based on EPA estimates for 2013 Mazda MX-5 Miata with 5-speed manual transmission 22 city/28 Highway MPG. Actual results will vary.

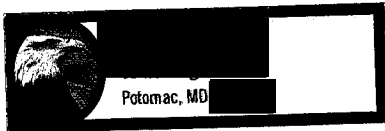
‡Based on EPA estimates for 2013 Mazda MX-5 Miata with 6-speed manual transmission 21 city/28 Highway MPG. Actual results will vary.

**Bluetooth is a registered trademark of Bluetooth SIG, Inc.

††Dynamic Stability Control (DSC) is an electronic system designed to help the driver maintain control under adverse conditions. It is not a substitute for safe driving practices. Factors including speed, road conditions and driver steering input can all affect whether DSC will be effective in preventing loss of control. Please see your owner's manual for further details.

‡‡Always wear your seat belt and deactivate the passenger air bag when using a child- or infant-safety seat.

MazdaUSA.com is the official U.S. site for the latest information on current and upcoming Mazda vehicles. View photos, videos, specs and features information on Mazda sports cars, compact cars, sports sedans, SUVs and minivans, or configure your own vehicle, estimate payments, search inventory or get a quote request from your Mazda dealer.



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NHTSA (VEHICLE SAFETY COMPLAINT)

1200 NEW JERSEY AVE, SE (WEST BUILDING)

WASHINGTON, DC 20590

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