



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 25, 2014

[REDACTED]
Harwood, MD [REDACTED]

NVS-216 et
Ref. No. 10543050

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2005 Ford Escape vehicle. 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 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 in August 2007, you received a notification for your MY 2005 Ford Escape Hybrid regarding Customer Satisfaction Program 07B48. You recall stopping by a dealer after receiving the notice but the parts were not available so the notice eventually got filed in a cabinet. On September 11, 2013, your vehicle stalled while your daughter was driving and had to be towed. The dealer repair order you provided states the vehicle shut down which you allege is the same condition described in the program. The customer relations staff told you this is a warranty issue and the terms have expired. You state that you would have acted more diligently if Ford would have emphasized the danger of this condition. Also, you do not understand why Ford is responsible for correcting this safety problem for a limited time.

NHTSA is aware of Customer Satisfaction Program 07B48 for certain MY 2005 through MY 2007 Escape Hybrid vehicles that addresses a problem with the powertrain control module commanding the vehicle to shut down. The program expired on August 22, 2009, and was replaced by Technical Service Bulletin (TSB No. 09-18-6). Please be advised, the issuance of a customer satisfaction program or a TSB does not necessarily reflect the existence of a safety-related defect in accordance with the National Traffic and Motor Vehicle Safety Act. Customer


satisfaction programs and TSBs are actions taken by manufacturers to assist their dealers with repairing known problems and to restore customer satisfaction. Therefore, NHTSA cannot require Ford to perform the corrective action beyond the time limitation expressed in the program or the remedy described in the TSB at no cost to you.

If you have not done so, you may consider contacting your local Consumer Protection Agency or the Maryland 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 Ford district manager regarding your problem. The Federal Trade Commission (FTC) has jurisdiction over warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways to contact the FTC: by toll free telephone at (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 also may 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 (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 (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,



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