



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

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

1200 New Jersey Avenue, SE
Washington, DC 20590

February 4, 2014

[REDACTED]

Mukilteo, WA [REDACTED]

NVS-216 nlm
Ref. No. 10544866

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2010 Dodge Ram 1500 truck. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence.

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 several months ago you received a recall notification (NHTSA Recall Campaign No. 13V-038) concerning a rear axle pinion nut that can loosen and result in rear axle lock up in your MY 2010 Dodge Ram 1500 truck. Each time you visited your local dealer for service after receiving the notice, you were informed that the parts were not available. In August 2013, you were driving on the freeway and all four wheels locked up as a result of the safety defect causing significant damage to your truck's power train. You contacted Chrysler, but they told you there is no recourse due to the incident falling under "incidental or consequential damages" of the warranty. You disagree with Chrysler and believe they should be responsible for the damage because the incident was caused by the safety defect. You have since purchased a new vehicle and are no longer in possession of the truck.

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. However, our statute does not require manufacturers to reimburse owners for additional costs associated with a repair or for any additional costs associated with a safety recall

(e.g., lost wages while the vehicle is being repaired, car rentals, repairs not performed by an authorized dealership, damage caused by the defect, etc.). Nor does the statute authorize the Federal government to reimburse vehicle owners for any additional costs associated with safety recalls or assist vehicle owners in obtaining reimbursements for additional costs associated with an alleged safety defect.

Please note that it is not unusual for manufacturers to not have an adequate inventory of recall parts or a finalized remedy shortly after a recall is announced. Recall parts availability and recall remedies can be affected by numerous factors including, but not limited to, redesign, testing, manufacturing and logistics. Also some manufacturers limit the volume of recall parts they automatically deliver to dealers. Due to the volume of vehicles involved in a recall manufacturers may conduct the recall in phases. Also manufacturers may limit recall part distribution and ordering to avoid waste by dealerships for parts they did not order or do not need. We recommend that you continue to work with Chrysler concerning any unresolved issues.

Your request for recourse options concerning this matter does not fall under our 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 law. In addition, the Federal Trade Commission (FTC) has jurisdiction 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, you can 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 on our website.

Sincerely,



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