



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

June 10, 2014

The Honorable Bill Nelson
United States Senator
Landmark Two
225 East Robinson Street, Suite 410
Orlando, FL 32801

NVS-216 nlm
Ref. No. 10587989

Dear Senator Nelson:

Thank you for your correspondence on behalf of your constituent, [REDACTED] concerning her model year (MY) 2006 Chevrolet Malibu. Your letter was forwarded to the National Highway Traffic Safety Administration (NHTSA). I am pleased to respond.

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.

[REDACTED] indicates that in October 2010, her MY 2006 Chevrolet Malibu developed the steering problem that was described in Senate hearings. She was able to steer off the highway and reach a nearby service station where a motorist shouted that her vehicle's right front wheel was on fire. A local dealer determined that both front brake calipers failed to retract which caused the brake pads to overheat. She paid to repair the brakes and reported the problem to General Motors (GM). She indicated noticing that the steering was becoming stiffer about a month before the incident. In addition, [REDACTED] states that she received a notification from GM about a steering problem, but the dashboard warning light never illuminated which is a failure mode identified in the notice.

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██████████ states on December 20, 2011, she experienced the same steering and brake problem with her vehicle as in 2010. A local dealer determined that the brake fluid was probably contaminated and recommended replacing all the rubber components in the brake system. She alleges that only dealer technicians have worked on her vehicle and they had to be the source of the contaminated brake fluid. Also, a technician advised her of Special Policy No. 10183 (copy enclosed) for coverage up to 10 years/100,000 miles. She reported the new problems to GM on January 16, 2012, and requested a reimbursement for the 2010 brake repair. However, GM denied ██████████ reimbursement claim; therefore, she is requesting assistance in resolving this matter.

We reviewed our database in an effort to identify whether a safety defect trend exists with regard to power steering and brake caliper problems in MY 2006 Chevrolet Malibu vehicles. At this time, there is insufficient evidence to indicate a defect trend and thus warrant opening a safety defect investigation. However, the information provided has been entered into our database. It will be considered with future reports to identify any safety defect trends that may require our attention. Also, there have been no Congressional hearings or testimony with regard to the steering problem that ██████████ experienced with her vehicle. We enclose a brochure for your constituent's information explaining the NHTSA investigation and recall process which is also on our website at www-odi.nhtsa.dot.gov/recalls/recallprocess.cfm.

The brake caliper failure and brake fluid contamination reported by ██████████ may be related. Also, both problems can cause the brakes to drag and result in the brakes overheating, stiff steering, and slow acceleration that she experienced. NHTSA is aware of GM Special Coverage Adjustment No. 10183 and it also may address the stiff steering problem described by ██████████. It extends the warranty of the power steering motor control module in MY 2005 and MY 2006 Chevrolet Malibu vehicles to 10 years or 150,000 miles whichever occurs first. Please note that the issuance of a Special Coverage Adjustment does not necessarily reflect the existence of a safety-related defect in accordance with the National Traffic and Motor Vehicle Safety Act. If ██████████ is still experiencing increased steering effort and brake problems we recommend that she contact a local dealer to determine if the power steering motor control module needs to be replaced and also request a thorough evaluation of her vehicle's brake system.

██████████ request for a reimbursement for the brake repair does not fall under our jurisdiction. If she has not done so, she may consider contacting her local Consumer Protection Agency or the Florida Office of the Attorney General regarding her problem and rights under the State laws. She may also ask her dealership for a meeting with a GM district manager regarding her 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 (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.

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██████████ 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. She can visit their website at www.bbb.org to file a complaint and review eligibility information, or call the BBB Auto Line at (800) 955-5100.

I hope this information is helpful. If you have any questions, please contact me or Ms. Nancy L. Lewis, Associate Administrator for Enforcement, at (202) 366-3217.

Sincerely yours,



Kristin J. Kingsley
Acting Director, Governmental Affairs,
Policy and Strategic Planning

Enclosures

cc: Washington Office