



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

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INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

1200 New Jersey Avenue, SE
Washington, DC 20590

August 19, 2014

The Honorable Sherrod Brown
United States Senator
1301 East 9th Street, Suite 1710
Cleveland, OH 44114

NVS-216 am
Ref. No. 10610412

Dear Senator Brown:

Thank you for your correspondence on behalf of your constituent, [REDACTED] concerning her model year (MY) 2000 Pontiac Grand Prix. 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 in June 2014, she received a post card about a recall on a MY 2000 Pontiac Grand Prix she previously owned. She states the vehicle was destroyed by an engine compartment fire on January 8, 2013, which is the same consequence of the safety defect identified in the recall. After receiving the recall notice, [REDACTED] contacted General Motors (GM) for assistance. However, she was told nothing could be done because she no longer owned the vehicle. In addition, she requested a copy of GM's recall policy but was advised that the policy could not be shared because it was private. She contacted the Better Business Bureau to request guidelines or policies regarding recalls but they also told her the information could not be shared. [REDACTED] alleges that she lost her job because she was without transportation as a result of the vehicle fire and therefore is requesting a refund or compensation.

NHTSA is aware of the recall that addresses engine compartment fires in MY 1997 through MY 2003 Pontiac Grand Prix vehicles equipped with 3.8L supercharged V6 engines (NHTSA Safety Recall Campaign No. 08V-118, enclosed). 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

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require manufacturers to reimburse owners 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 costs associated with an alleged defect.

If [REDACTED] has not done so, she should consider retaining a lawyer to seek compensation from GM. She may also consider contacting her local Consumer Protection Agency or the Ohio Office of the Attorney General regarding her problem and rights under the State law. 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. The information you provided on behalf of your constituent has been entered into our database. We enclose a brochure that explains the NHTSA investigation and recall process which is also on our website at www-odi.nhtsa.dot.gov/recalls/recallprocess.cfm.

Although NHTSA has no authority to require GM to take any action, we have forwarded your inquiry and our response to GM, and we have recommended that the company look into [REDACTED] case.

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