



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

March 16, 2016

[REDACTED]
Milwaukee, WI [REDACTED]

NEF-160 nlm
Ref. No. 10838287

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2003 Chevrolet Impala. Your letter was forwarded to the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. I am pleased to respond and regret any inconvenience our delay in responding may have caused you.

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 on November 25, 2015, you were adding oil to the engine of your MY 2003 Chevrolet Impala. You accidentally spilled some oil onto the hot engine and your vehicle caught on fire. In December 2015, you received a recall letter stating that your vehicle was being recalled because drops of engine oil may be deposited on the exhaust manifold through hard braking. This condition could cause an engine fire.

You assert that your insurance company declared the vehicle a total loss. You state that as a result, you had to purchase a new vehicle with the proceeds from your insurance company claim. You indicate that you also filed a claim with General Motors (GM) requesting compensation for the loss of your vehicle. However, they informed you that since you filed a claim with your insurance company, the matter was settled. You disagree with GM's decision and feel that because their product was unsafe, they should reimburse the expense you incurred to finance the new vehicle.

NHTSA is aware of the recall that addresses engine compartment fires in MY 2000 through MY 2004 Chevrolet Impala vehicles equipped with 3.8L V6 engines (NHTSA Safety Recall Campaign No. 15V-701). The affected vehicles may have been previously been repaired under

recalls 08V-118, 09V-116, and 15V-201. These recalls address an issue with aging and wear to the valve cover or valve cover gasket that allows oil to seep onto the exhaust manifold during hard braking. If the exhaust manifold's hot surface serves as an ignition source, a flame can develop from the seeped oil, igniting the plastic spark plug wire retainer or other combustible material in the area. The resultant smoldering can propagate flames to other engine components. However, please note that in your letter you did not indicate that the fire was caused by the safety defect identified in Recall 15V-701. Based on your account of the fire, you admitted to accidentally spilling oil onto the engine.

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 any additional expenses 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 expenses associated with safety recalls or assist vehicle owners in obtaining reimbursements for additional expenses associated with an alleged defect.

If you have not done so, you may consider contacting your local Consumer Protection Agency, an attorney, or the Wisconsin 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 GM district manager regarding your 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.

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 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.dot.gov/ivoq 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 www.nhtsa.dot.gov/cars/problems.

Sincerely,

A handwritten signature in black ink that reads "Randy Reid". The signature is written in a cursive style with a large, stylized "R" and "D".

Randy Reid, Chief
Correspondence Research Division
Office of Defects Investigation