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

U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

May 31, 2019

[redacted]
Davenport, IA [redacted]

NEF-109 ela
Ref. No. 10906153

Dear [redacted]

Thank you for your correspondence concerning the model year (MY) 2004 Mitsubishi Endeavor you previously owned. Your correspondence was forwarded to the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation (ODI). We regret any inconvenience our delay in responding may have caused you.

The National Highway Traffic Safety Administration (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 completion rates and adequacy of manufacturers' recall campaigns.

We appreciate the report you provided. Reports from motorists are a very important source of information for NHTSA. We are aware of NHTSA Safety Recall Campaign No. 10V-065, which addresses a problem in certain MY 2004 through MY 2010 Mitsubishi Endeavor vehicles operated in cold climates. These vehicles may experience mud and salt becoming trapped in the fuel filler pipe protector area, potentially causing corrosion of the fuel filler pipe and over time the corrosion can lead to a leak in the pipe, leading to fuel leakage during fueling.

While researching your problem we determined that the vehicle identification number (VIN) of the MY 2004 Endeavor is included in the Recall 10V-065. The vehicle was produced in March 2003, which is within the date range of the affected vehicles (January 2003 through March 2010). The most likely reason you were told the VIN was not included in the recall would be if the repair was performed by a previous owner back when the recall was first announced in 2010. If this is the case, you will not be eligible for a reimbursement. Our records show at the time of the repair you were possibly the fifth private owner of this vehicle. In addition, please note that 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 **one time** without charge.

The information you received regarding NHTSA contacting you concerning a reimbursement is not accurate. Manufacturers are solely responsible for reimbursing owners that paid for repairs associated with recalls. In addition, when a motorist contacts NHTSA, their complaint does not automatically open a formal investigation or action by our agency. The information from your report was entered into our complaint database and reviewed by our staff to determine if a safety defect trend exists that may require our attention. NHTSA staff may follow up and contact a vehicle owner who submitted a complaint if we require additional information. Also, contacts initiated by our agency to obtain additional information do not automatically open a formal investigation. For your information, an explanation of NHTSA's investigation and recall process is on our website at https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/mvdefectsandrecalls_808795.pdf.

We recommend that you continue to work with Mitsubishi for an amicable resolution to your problem. You may consider contacting your local Consumer Protection Agency, the Iowa Attorney General's Office, or a private attorney regarding your problem and rights under the State laws. In addition, 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 may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. You 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.

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 Vehicle 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 website.

Sincerely,

R. Randy Reid

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