



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

August 2, 2018

The Honorable Lindsey O. Graham
United States Senator
530 Johnnie Dodds Boulevard
Mount Pleasant, SC 29464

NEF-109 mrr
Ref. No. 11096333

Dear Senator Graham:

Thank you for your correspondence on behalf of your constituent, Mr. [REDACTED] concerning his model year (MY) 2006 Volkswagen Touareg. I am pleased to respond.

The National Highway Traffic Safety Administration (NHTSA) is the Federal agency responsible for improving safety on our Nation's public roads. We monitor the adequacy of manufacturers' recall campaigns and can 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 appreciate the report you provided. Reports from motorists are a very important source of information for us. [REDACTED] requests additional reimbursement from Volkswagen for a repair he paid for that he asserts is subject to NHTSA Safety Recall Campaign No. 17V-583. The recall addresses a problem with the fuel pump filter flange that may crack resulting in fuel leaks in certain MY 2004 through MY 2007 Volkswagen Touareg vehicles. [REDACTED] vehicle developed a fuel leak and required the fuel pump filter flange replacement in February 2017. However, the final remedy for Recall 17V-583 became available in March 2018. Volkswagen reimbursed [REDACTED] \$484.87, but he paid an independent repair facility (IRF) \$1,272.37 for the repair.

Federal regulations require a manufacturer of motor vehicles or motor vehicle equipment conducting a safety recall to reimburse owners who have paid to obtain a remedy before a recall is announced. In most instances, owners are eligible for reimbursement for repairs they paid for 1 year prior to the manufacturer's notification. Certain conditions apply, such as the owner's repair costs being reasonably equivalent to the costs of the manufacturer's parts, labor rate and time to complete the repair specified in the recall. The notification [REDACTED] received from Volkswagen advised that it will take an authorized dealer about 1 hour to complete Recall 17V-583. The repair involves folding the rear seat forward to uncover access panels that, once removed, allow a technician to reach the fuel pump filter flange without removing the fuel tank itself. Based on the presence of a yellow discoloration, cracking, or a fuel leak, either a protective film is applied over the fuel pump filter flange or the fuel pump filter flange is replaced and the protective film is installed.

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Volkswagen conducts time studies to determine how long it will take an authorized dealer to perform a recall repair in order to calculate warranty parts and labor costs. In the case of Recall 17V-583, Volkswagen determined the parts and labor costs to perform the remedy is \$484.87, which is the amount that [REDACTED] was reimbursed. According to the repair order [REDACTED] provided, the IRF's labor rate is \$100.00 per hour and he was charged \$209.99 for the fuel pump filter flange. Understandably, the repair included some miscellaneous parts such as hardware and seals. If the IRF performed the repair in 1 hour [REDACTED] would have been charged an amount close to \$484.87. For reasons that are not apparent from the records provided, the IRF remained unaware that the repair could be accomplished through the access panels and removed and replaced the fuel tank to repair the fuel flange on [REDACTED] vehicle. As noted above, removal of the fuel tank was not required and the labor time and cost for the repair, which should have been 1 hour and \$100.00, was over 10 hours and \$1040.00 (IRF labor rate \$100/hr. x approx. 10.40 hrs. = \$1,040.00 in labor cost). While we understand [REDACTED] dissatisfaction and are sympathetic to his plight, the IRF performing the repair should have had access to resources alerting them to the existence of the access panels whose purpose is to allow repairs to be undertaken without removing the fuel tank.

We entered [REDACTED] vehicle identification number (VIN) into our VIN look-Up Tool, which searches for open recalls through a direct link to the manufacturer's database. Our enclosed report shows that Recall 17V-583 still remains incomplete on his vehicle. It appears that Volkswagen's recall system has not recognized the IRF repair as satisfying the recall. The recall should have been closed when [REDACTED] submitted the required documents and received his reimbursement. We recommend that [REDACTED] continue to work with Volkswagen for an amicable resolution regarding his reimbursement request. In addition, he needs to confirm with Volkswagen whether the IRF's repair satisfies the recall or if further repairs are needed to his vehicle.

[REDACTED] may consider contacting his local Consumer Protection Agency or the South Carolina Office of the Attorney General regarding his reimbursement request and rights under the State laws. He may also ask his dealership for a meeting with a Volkswagen district manager regarding his 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.

[REDACTED] 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. [REDACTED] 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.

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I hope this information is helpful. If you have any questions, please feel free to contact me at 202-366-2386.

Sincerely,

A handwritten signature in black ink that reads "Brian Barnard". The signature is written in a cursive, flowing style.

Brian Barnard
Director, Governmental Affairs,
Policy and Strategic Planning

Enclosure

cc: The Washington Office

Vehicle Identification Number (VIN)

Every vehicle has a unique VIN. Enter a VIN to learn if a specific vehicle needs to be repaired as part of a recall.

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Q

Looking for more information on this vehicle?

NHTSA offers more safety information based on a vehicle's year, make and model. Check safety ratings, recommended technologies and other safety issues.

Learn More →

2006

VW TOUAREG

V6, 4 DOOR,

AUTOMATIC



VIN: WVGZG77L9

Recall data refreshed on Jul 10, 2018

1 Recalls

associated with this VIN

Sep 20, 2017

Manufacturer Recall Number 20A1

NHTSA Recall Number 17V583

Recall Status Recall Incomplete

Summary

On certain vehicles, the fuel pump flange may develop fine cracks or fissures, which could result in a fuel leak. Leaking fuel, in the presence of an ignition source, could lead to a fire causing injury and/or damage to property.

Safety Risk

Leaking fuel, in the presence of an ignition source, could lead to a fire causing injury and/or damage to property.

Remedy

If cracks, leaks, and/or yellow discoloration are present, the fuel pump flange will be replaced and a protective film installed

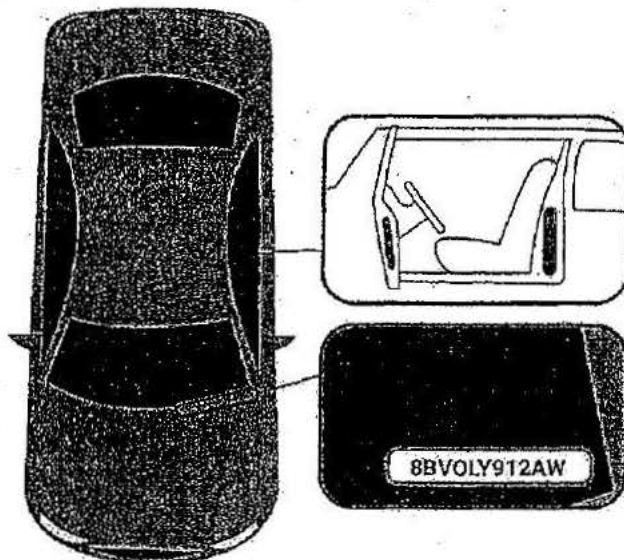
onto the fuel pump flange. If no cracks, leaks, and/or yellow discoloration are present, a protective film will be installed onto the fuel pump flange.

Manufacturer's Notes

If the manufacturer has failed or is unable to remedy this safety recall for your vehicle in a timely manner, please contact the NHTSA Vehicle Safety Hotline at: 1-888-327-4236 or TTY: 1-800-424-9153 or file an online complaint with NHTSA.

Where's my VIN?

Look on the lower left of your car's windshield for your 17-character Vehicle Identification Number. Your VIN is also located on your car's registration card, and it may be shown on your insurance card.



Correspondence Information

02-AUG-2018

Correspondence**Subject:** 2006 VOLKSWAGEN TOUAREG. CONSUMER WRITES SEEKING REIMBURSEMENT FOR VEHICLE REPAIRS RELATED TO A SAFETY RECALL. *LD**ODI ID:** 11096333**NHTSA Number:****CCM Number:****Num. Of Pages:** 10**Date Received:** 16-MAY-2018**Source:** CONSUMER**Type:** CONSUMER LETTER**Description:** 2006 VOLKSWAGEN TOUAREG. CONSUMER WRITES SEEKING REIMBURSEMENT FOR VEHICLE REPAIRS RELATED TO A SAFETY RECALL. *LD**Writer****Response Type:** CONGRESSIONAL**Due Date:** 05-JUN-2018**Respondent:** REID, RANDY**Draft Date:** 24-JUL-2018**Assigned To:** MOODY, NICOLE**Response Date:** 02-AUG-2018**Congressional****First Name:****Last Name:****State:****Type:**