



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**



February 16, 2021

[REDACTED]
Lanai City, Hawaii [REDACTED]

NEF-109 tgd
Ref. No. 11394234

Dear [REDACTED]

Thank you for the letter about your model year (MY) 2009 Subaru Forester vehicle. Your letter was received in the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. I am pleased to respond.

NHTSA is the Federal agency responsible for improving safety on our Nation's roadways. 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 rate and adequacy of manufacturers' recall campaigns.

We understand your concerns with the air bag recall on your MY 2009 Subaru Forester vehicle. Please note that manufacturers' recalls are administered through their warranty systems. As such, warranty and recall repairs must be performed at authorized dealerships or repair facilities for various reasons (e.g., safe and adequate facility, insurance, property damage liability, essential tools and equipment, technician training, productivity, etc.). In addition, Subaru has the right to require that recalls for their vehicles be performed exclusively at Subaru authorized dealerships per our statute, the National Traffic and Motor Vehicle Safety Act. We encourage you to continue to work with Subaru and the nearest local dealer and make arrangements to have the recall completed as soon as possible.

Finally, we object to your decision to disconnect the air bag in your vehicle. NHTSA permits the deactivation of an air bag or installation of an on-off switch based on medical conditions of a driver or passenger. However, the agency does not permit deactivations or on-off switch installations solely on the basis that an air bag is under a recall. This is because it is much more likely that the air bag will perform properly and protect the vehicle occupant in a crash than cause harm. An air bag that has been purposely disabled has a 100-percent chance of failing to provide any protection in a crash. Information about air bag deactivation is available at <https://www.nhtsa.gov/equipment/air-bags>.

If you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, please complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Vehicle Safety Hotline at 888-327-4236. Also, owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be reviewed on our website.

Sincerely,

A handwritten signature in cursive script that reads "Randy Reid".

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