INFORMATION REDACTED PURSUANT TOTHE FREEDOM OF INFORMATION ACT (FOIA), 5 U.S.C.552(B)(6)

CL-11493090-1000

[redacted]

Accokeek, Maryland [redacted]

October 26, 2022
VIA EMAIL AND/OR REGULAR MAIL

NHTSA Headquarters
1200 New Jersey Avenue SE.
West Building
Washington, DC 20590

nhtsa.webmaster@dot.gov.

Jim.Simons@dot.gov

Re: Potential Safety Defect Complaint re 2014 Acura RLX

Dear Sir or Madam:

I am writing to present to you, or provide notification with regard to, the potential safety issue with respect to the 2014 Acura RLX. The applicable essentials regarding our vehicle are as follows: serial number No. Vin # JH4KC1F30EC[redacted] Purchase condition new; Purchase date August 2014; Seller or dealership Radley Acura, Falls Church, Virginia. As described in more detail below, without warning, the vehicle lost steering and braking power while being driven along a highway at approximately 55 miles per hour. Had there been more accompanying traffic at the time, serious injuries and damage may have occurred.

Consequently, we had the vehicle towed to the dealer (Radley Acura) about 9 weeks ago, informing them of the dangerous condition and probable defect. We then had a few discussions with them concerning what had occurred and their statement that they would investigate the matter.

Initially the Radley representative informed us that the vehicle needed the alternator to be replaced at the cost of about $1,500. After a short period of time,

however, he recanted and said that he could not find anything wrong with the car or duplicate the problem we had experienced. It is thus not clear whether the alleged alternator problem was the result of the improper or further analysis, lack of mechanical competence, or contrived. He stated that they would replace the battery but suggested that this would not have caused the safety issues and reactions which we described. Coincidentally, the battery had previously been replaced or modified on four occasions for this vehicle.

After about a month of the care being at Radley, we contacted the Radley representative to inquire about the status of their investigation, and the representative stated that he could not duplicate the problem we described and that we could come and get the car. When we inquired whether he had inquired about similar complaints made to Acura, he stated that he had checked with his technical people, implying there no similar issues. When we reiterated to the representative the safety concerns, he said that I should address those concerns to the manufacturer. We requested that the car remain at Radley until the manufacturer addressed the concerns and if Honda/Acura needed to test or view the car, and the continuing expense of towing.

We immediately contacted Honda/Acura. When a representative of the manufacturer eventually contacted us, we described what had occurred. We not only described orally what had occurred but provided her an email on September 16, 2022, which stated: *Thank You. I have tried to reach you by phone, unsuccessfully, on September, 14, 15 and 16. You inquired further regarding what had occurred with respect to the car. In short: My adult son was traveling at about 55 or so in the left hand lane of a two lane highway when suddenly many lights on the dashboard flashed, including one which he believes said or was termed brake failure and another stability control, or something to that effect. Suddenly , the car lost steering power and as he merged to the slower lane the brakes were also affected seriously making steering and braking extremely difficult. He managed to get the car to the shoulder of the road and as the car slowed he was able to pull the emergency brake to get it to stop.*

As you can imagine, under different traffic conditions, this could have resulted in a very serious accident.
We reasonably believe that this car has a serious and dangerous defect. It is still at Radley's Acura in Virginia.
Please let me know how you wish to resolve this matter.

Subsequently, when we spoke to the representative she stated that she was still investigating or inquiring about the matter but had not spoken to anyone from the dealership. See also attached letter to Honda/Acura, dated September 26, 2022 (Attachment "A").

When we inquired again via email to both the dealer and manufacturer, regarding the status on October 20, 2022, we were informed that they could not duplicate the problem and that we should have the car removed from their premises promptly.

It also appears that Radley Acura and Honda/Acura, may have engaged in unusual or obstructive conduct with respect to this issue. This includes not returning telephone calls, the length of time for the analysis, and an unwillingness or refusal to place in writing actions or repairs which it had taken with respect to the vehicle.

It is possible in this approximately 9 week period that the respondents performed some work which cured or fixed the issue, but did not inform us of such, since it refuses to state fully or place in writing what work it performed on the car. This means they could have covertly cured or fixed the issue with respect to my vehicle, but that many other vehicles exist out on the road and among the public which are dangerous and present significant safety issues. That is an issue for NHTSA to determine.

As noted above, the Radley representative informed us that he had spoken with the manufacturer's technical personnel to ascertain the nature of the problem and whether it had previously been reported, implying there were no similar complaints. Later in discussing the matter with the manufacturer representative, she also stated that there was not a recall for this type of problem, implying the car was okay, but not stating definitively that similar complaints had not been reported.

Although we are not mechanics, it appears, nonetheless, that the problems we experienced (and may continue to experience) are generally similar to the many serious defect issues and recalls which Honda/Acura have recently experienced related to the fuel pumps or where Acura cars randomly lose engine power, all of which, according to others, may be difficult to duplicate. See, e.g., fuel pump recall issues which NHTSA identified in campaign numbers: 21V215000, 20V314 and 19V060000 for Acura vehicles for defective fuel pumps. It certainly may reflect another defect in Acura cars. At a minimum it would appear there must be further inquiry.

I am cognizant of the superior level of expertise and experience of NHTSA with respect to determining whether safety issues exist. Considering the circumstances described above, I encourage you to inquire of the respondents the following:

1. Describe all communications which you have had with the complainants including emails, oral discussions, voice mail and internal memorialization of such, and when each occurred.
2. Describe with detail and specificity all mechanical or safety actions which you have taken with respect to this vehicle upon hearing of the complaint, including any items repaired, analyzed, or replaced.
3. Describe whether you removed and/or analyzed any "black boxes" on the vehicle, the results, and who performed such and when it occurred.
4. Provide copies all internal documents or documents between dealer and manufacturer related to this complaint, including all electronic communications.
5. Provide copies of all communications from complainants, including your memorialization of telephone conversations.
6. Does this car have a Denso fuel pump and was the fuel pump analyzed mechanically?
7. Identify similar complaints which you have received regarding the 2014 Acura RLX.

Sincerely,

[redacted]

[redacted]
Accokeek, Maryland [redacted]

*member of the bars of District of Columbia, Pennsylvania, and Louisiana

September 26, 2022

Acura Customer Relations
acr@ahm.acura.com

Sohailnasim@radleyautogroup.com

Re: 2014 Acura RLX, Serial No. Vin # JH4KC1F30E[redacted]

Dear Madam/Sir:

As you are aware, I have been attempting to reach some resolution with you regarding an apparent defect with respect to the above referenced vehicle, which can potentially cause serious damage to the public if not addressed. As you are, or should be, further aware, this vehicle has been in the custody of Radley Acura for approximately 7 weeks as of today, which constitutes a significant loss of use and inconvenience.

We have detailed, on several occasions recently, the conditions which caused us to have the car towed to Radley. Radley has represented that it has performed various checks and analyses with respect to this vehicle. We further responded to Acura Customer Relations on September 16, 2022, with a detailed recitation concerning this condition, which we consider to constitute a dangerous condition. Since then, despite an email request to Acura on September 22, concerning the status of your review, we have not heard from Acura. When we heard from a Radley representative on September 22, 2022, unrelated to Acura (since he indicated he was unaware of Acura's actions), he assured us that we would hear back from him that day after checking with Acura. Unfortunately, we still have not heard further

from Acura or Radley. We have had 7 Acura's or Hondas and believed that this matter would be resolved promptly. As you may note, our first priority is that the vehicle be safe; so if the delay is related to ensuring this, please let us know.

However, since this matter has been outstanding for such a lengthy and unreasonable period, we again ask for a timeline and status of what is occurring. Are you performing further testing or analysis, seeking approval for proper resolution, etc. ? We ask that you respond.

If we do not hear from you as of COB on Tuesday, September 27, 2022, we are constrained to believe that Radley/Acura are unwilling to fully address this matter.

Sincerely,

[redacted]