

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

Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET:www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148	
Date Received 17 FEB 2023 APR 06 2023	Repository <input type="checkbox"/>
	Reference No. 11507870

OWNER INFORMATION (Type or Print)

Name: [REDACTED]
Address: [REDACTED]
City: Dunkirk State: NY ZIP Code: [REDACTED]

Daytime Telephone Number: [REDACTED] E-mail Address: [REDACTED]
Evening Telephone Number: [REDACTED]

The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side 4S4BTAF6N3 [REDACTED]	MAKE SUBARU	Model OUTBACK	Model Year 2022
Date Purchased 11/16/21	Dealer's Name and Telephone Number SHULTS Subaru 14701		Engine: No. Cylinders 4
Original Owner <input checked="" type="checkbox"/>	Dealer's City Sarvestown	STATE NY	ZIP Code 99999
Transmission Type Automatic	<input checked="" type="checkbox"/> Antilock Brakes <input checked="" type="checkbox"/> Cruise Control	Powertrain 4WD	Multiple Failure: Incident Date(s) 04 MAR 2022 and 12/17/22

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Components Codes: 18000 VEHICLE SPEED CONTROL	Failure Mileage 700.0	Failure Speed 2
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ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make	Tire Model (Name or Number)	Tire Size (Example P215/65R15)
DOT No. (Example: DOT14AL 98BC036)	<input type="checkbox"/> Original Requirement <input type="checkbox"/> Prior Repair	Failure Location:
Tire Component Code	Tire Failure Type:	

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:	Date Manufactured:	Model No./Name:
Seat Type:	Installation System:	
Child Seat Component Code:	Failed Part:	

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), injury(ies).)

Crash <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Fire <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Number of Persons Injured	Number of Deaths	Reported to Police Y
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Narrative Description of Incident(s), Crash(es), Injury(ies).

Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

The contact owns a 2022 Subaru Outback. The contact stated that while driving approximately 1 to 2 mph on two occasions into a parking spot, the vehicle hesitated then accelerated and crashed into a pole. There were no warning lights illuminated. There were no reported injuries, air bag deployment, or fire. A police report was filed. The vehicle was taken to a collision shop. The contact called the local dealer but the vehicle was not diagnosed or repaired. The manufacturer was contacted and had an investigator inspect the vehicle but was unable to duplicate the failure. The failure mileage was approximately 700. The VIN was not available.

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579. This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take



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

1200 New Jersey Avenue SE
Washington, DC 20590

Dear Consumer:

NEP-160

As a follow-up to your report to the Vehicle Safety Hotline (VSH), we have recorded your information on the enclosed Vehicle Owner's Questionnaire (VOQ) form. Please review the form and make changes, additions and corrections as necessary. Additionally, please provide a more detailed description of the failure(s) you reported that you believe relevant to safety. Also, if available, include copies of repair invoices, letters to the manufacturer, or any other documents related to the problem(s) you reported. If a crash or fire occurred, include a copy of the police or fire department report.

It is helpful to be as thorough as possible in your report so that our ability to use your report will be maximized. If you do not have the information, it is not necessary to complete all the boxes. However, it is very difficult to identify the scope of a vehicle problem unless the vehicle identification number (VIN) is known. The VIN is located inside the vehicle on the dashboard adjacent to the left (driver's side) of the windshield pillar and on the driver's door or the driver's door jam. It may also be listed on a dealer repair invoice or your insurance or registration cards. When reporting a tire problem, the brand name, tire line and complete tire size should be included. Be certain to provide the DOT tire identification number. It is usually located near the rim flange of the tire on either side of the tire.

We do not make your personal information (name, address, phone number, etc.) available to the general public. However, if we open an investigation that involves your vehicle, we will provide the manufacturer of your vehicle with a complete copy of your report. The information you provide may assist the manufacturer and NHTSA in determining if a safety-related defect exists.

Any information provided is entirely voluntary. There is no consequence or penalty of any kind if you do not wish to provide it. We seek this information to derive both statistical and investigative evidence that will help identify potential safety related problems in vehicles or vehicle equipment, e.g., tires, child safety seats, jacks, etc.

When completed, please fold and staple or tape the form so that the pre-addressed portion of the form is on the outside. If a larger envelope is used, tape the VOQ form to the larger envelope so that the pre-addressed portion of the form is showing.

If further assistance is needed, please contact the VSH at their toll-free number, 1-888-327-4236.

Thank you for your cooperation.

Sincerely,

Randy Reid

Randy Reid Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement

Mr. Reid
Best Dept info 05-
Thank you for
making

Enclosure: VOQ



TPR MUSIAL SP FREDONIA 76-679-1520

ACCIDENT INFORMATION EXCHANGE FORM

NY State Law requires that any accident resulting in a fatality, injury or damage to property of any person (including damage to your vehicle) or entity over \$1000 be reported by YOU to the Department of Motor Vehicles (DMV) within 10 days after an accident. Failure to report an accident or failure to give correct information is a misdemeanor and may result in the suspension/revocation of your driver's license (or operating privilege in NYS) and all vehicle certifications or registrations.

Report your Accident to DMV on DMV form MV-104 (Report of Motor Vehicle Accident). Police Accident Reports (DMV form MV-104A) DO NOT satisfy YOUR civilian reporting requirement.

Accident Report # [REDACTED]	Local Codes	Date 12/17/2022	Time 11:39 AM	# of Veh. 1	Town, City, Road Name DUNKIRK TOWN OF - [REDACTED]
Police Agency SP FREDONIA - 10602		Officer's Name/Badge ID# MUSIAL ANDREW D 5618			

VEHICLE # 001

Operator's Name [REDACTED]		Date of Birth [REDACTED]	Address [REDACTED]		
City/State/Zip DUNKIRK NY [REDACTED]		Motorist I.D.# [REDACTED]	Vehicle Year and Make 2022 SUBA		License Plate # and State [REDACTED] NY
Vehicle Type SUBN	Insurance Code and Company 295 - ADIRONDACK INS EXCHANGE		Vehicle Owner [REDACTED]		
Vehicle Towed By			Vehicle Towed To		

Miscellaneous Notes

Please wait 14 days before contacting DMV to request a copy of your accident report.

If you want to purchase a copy of the police accident report, form MV-104A, complete DMV's "REQUEST FOR COPY OF ACCIDENT REPORT" form MV-198C and send it to DMV. The form and instructions are available at www.dmv.ny.gov or at your local DMV office.

To obtain a blank civilian Accident Report (Form MV-104), visit the DMV office nearest you or access forms online at www.dmv.ny.gov

Supplement of Record 3 with Summary

Customer: [REDACTED]

Job Number:

2022 SUBA Outback Premium w/Continuously Variable Transmission 4D WGN 4-2.5L Gasoline Gasoline Direct Injection RED

At this time the customer is not having repairs done yet. They are waiting for this vehicle to go to the dealer to diagnose a possible malfunction in the vehicle that caused the damage.

*2nd
Accident*

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			3,154.51
Body Labor	27.8 hrs @	\$ 54.00 /hr	1,501.20
Paint Labor	16.3 hrs @	\$ 54.00 /hr	880.20
Mechanical Labor	2.6 hrs @	\$ 85.00 /hr	221.00
Structural Labor	5.0 hrs @	\$ 54.00 /hr	270.00
Paint Supplies	16.3 hrs @	\$ 37.00 /hr	603.10
Miscellaneous			12.00
Subtotal			6,642.01
Sales Tax	\$ 6,642.01 @	8.0000 %	531.36
Grand Total			7,173.37
Deductible			500.00
CUSTOMER PAY			500.00
INSURANCE PAY			6,673.37

*2nd
Accident
12/17/2022
600 miles
in car*

*1st
Accident
3/4/22
6700 miles
in car*

*Elkhart Collision
235 Buckton St
Dunkirk NY 14048
716 366 6900*

← Zone

Claim #:

Workfile ID:

Preliminary Supplement 1 with Summary

SUBA Outback Premium w/Continuously Variable Transmission 4D WGN 4-2.5L Gasoline Gasoline Direct Injection RED

*1st
Accident*

CUMULATIVE EFFECTS OF SUPPLEMENT(S)

Estimate	1,627.43	MARGARET KNOSE
Supplement S01	1,141.27	ROBERT LINERODE
Workfile Total:	\$ 2,768.70	
TOTAL ADJUSTMENTS:	\$ 500.00	
NET COST OF REPAIRS:	\$ 2,268.70	

NOTE TO VEHICLE OWNER - National General Insurance does business with collision repair shops in your area and has developed a preferred network of shops with proven, high standards. We recognize that you, the vehicle owner, have the right to select the repair facility of your choice and are under no obligation to use any of the shops on the list. We will pay the amount we determine payable under the policy regardless of the repair facility chosen. We will attempt to get an agreed cost of repairs with the shop of your choice. If this is not possible, we will extend a fair and reasonable offer to repair the loss related damage to your vehicle based on industry repair standards and prevailing market rates. If there are loss related damages that were not visible at the time of the initial estimate, or damages not included in the original estimate, the additional damage will be considered for a supplemental repair estimate.

SUPPLEMENT ESTIMATE PROCESSING:

1. **VIRTUAL ASSIST:** All shops can now find National General/Encompass in the Virtual Assist App. Virtual Assist is a program which allows video interaction with a live NGIC representative who can assist you with any supplemental considerations. Choose Virtual Assist with the green video icon in the App store.
 - * Virtual Assist is available in all states except Rhode Island and Massachusetts. *
2. **FOR ALL CCC SHOPS:** Shops can import the workfile copy directly through the Estimate Share Process.
 - * Download the estimate utilizing the "Workfile ID" at the top of the estimate.
 - * Make requested changes and import supplemental considerations for our review and approval prior to proceeding with repairs.
 - * Photos and supporting documents should accompany submitted supplemental estimate considerations.
3. **FOR ALL NON-CCC SHOPS:** Send your supplement request with supporting photos and documents to SUPP@NGIC.com.

[Case # [REDACTED]]

From: Customer Advocacy (customers@subaru.com)

To: roelyford@yahoo.com

Date: Thursday, December 22, 2022 at 01:54 PM EST

Dear [REDACTED]

I understand your concerns. In order for Subaru to be involved we have to have permission. This case is alarming as to why it needs to be sent to a different department that handles cases such as this incident. I can assure you Subaru of America will do everything they can to understand your concerns and address next steps. Please sign the letter so this case and your concerns be taken care of accordingly.

Sincerely,

Aly
Subaru of America, Inc.
Customer Advocacy Department
1-800-SUBARU3 (1-800-782-2783)
Case Number: 221219-1600358

----- Original Message -----

From: [REDACTED]

Received: Thu Dec 22 2022 11:08:56 GMT-0600 (Central Standard Time)

To: customers@subaru.com <customers@subaru.com>;

Subject: Re: [Case # [REDACTED]]

CAUTION: This email has originated from outside of SOA. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Allie – We received and read the release form you sent. We are, however, concerned about the part that talks about releasing any and all parts to third parties. Also nowhere does it state that we will receive a report. If this situation goes Legal we will have no evidence to back up our claim.

We contacted the State Police, who made out the accident report, to see if they could download the black box as an independent party. They indicated they could only do so in cases of fatalities.

Please try to understand our position. All we're asking is to recoup our losses on this car.

On Wednesday, December 21, 2022 at 04:01:51 PM EST, Customer Advocacy <customers@subaru.com> wrote:

Dear [REDACTED]

Please see attached documents. Please sign the EDR letter and take a picture of it signed and submit back to me.

Sincerely,

Aly
Subaru of America, Inc.
Customer Advocacy Department

1 800 Subaru (1 800 782 2783)



SUBARU

Subaru of America, Inc.
PO Box 9103
Camden, NJ 08103-9800
1-800-SUBARU3 (1-800-782-2783)
www.subaru.com

December 21, 2022

I, [REDACTED] authorize Subaru of America, Inc., Subaru distributors, Subaru retailers or their respective agents and/or affiliates ("Subaru Representatives") to download any and all data present in the Event Data Recorder (EDR) and/or EyeSight System of my 2022 Outback Premium, (VIN: 4S4BTAF6N3[REDACTED]). Furthermore, I permit Subaru of America, Inc. the use of that data for any legitimate purpose including sharing it with third parties such as law enforcement officials. I represent that I am, or at one time was, the owner or lessee of this vehicle and therefore have the power to authorize this EDR and/or EyeSight System Data download.

[REDACTED]

ee/es/21

[REDACTED]

People I've contacted

NHTSA - 800 327 4236

Loadside Asst 800 261 2155

Tom Doll LEO
Subaru of America
1 Subaru Dr.
Lander NJ 08103



Witnessed 2nd incident
Schultz Resale Center

Bill - Advocate Subaru 856 438 2401
Case #

Cluck Brady 315-427 4056
Engineering Analysis Assoc.
Inspected car. Tired by Subaru

Allie 1 800 782 2783
Someone from Subaru X 119238

NHTSA 2SH@dot.gov
Case #

February 19, 2023

Mr. Tom Doll CEO
Subaru of America
1 Subaru Drive
Camden New Jersey 08103

Dear Mr. Doll

I have a Subaru problem of epic proportions (OK, I am a bit dramatic, but I really have a problem. My husband and I retired and bought a brand new Subaru Outback 2022.

We went all out and bought the new Outback with all the bells and whistles. It's a gorgeous

car and I love it. However 3 months after I purchased the car I had an accident.

Car just

accelerated and took off - hit a pole. No one believed me, said it was driver error.

This past

December same identical accident, same circumstances, same driver, same driver's husband in

car. This time he believed me. Followed the rules, contacted dealer was told they couldn't

deal with problem sent me to someone else who eventually sent me to an advocate "Bill".

After 2 months verdict came back that's there is nothing wrong with said car, but could not

explain said acceleration of car. Now I'm without a car. My daughter will not let her children

drive in my car. My friends will not drive in my car. I will not drive in my beautiful new car

(it has 6600 miles on it), I'm terrified of it. Advocate Bill offered me \$500 which would

cover my insurance deductible period. Tom (forgive the familiarity) but I cannot afford another car. I cannot drive the car (terrified) and in good conscience I cannot sell a car that

accelerates on its own to someone else (would you buy a car that does that?) My husband and myself are just middle-class folk who bought a really nice new car

with a few extras (nicest car we've ever owned). All I want is for Subaru to buy back my 2022 outback and let us get on with our lives.

Thanking you in advance

[REDACTED]

Dunkirk NY [REDACTED]

[REDACTED]

March 21, 2023

Mr. Tom Doll
Subaru of America
1 Subaru Drive
Camden, New Jersey 08103

Dear Mr. Doll:

As an old radio announcer used to say "Here's the rest of the story". I wrote back on February 19, 2023 to explain all the problems I was having with my new Subaru. I had been dealing with lower corporate Bill the advocate and was told all he could do was offer me \$500 for the insurance deductible. After writing to you I received a call from upper corporate Candance. She was going to go over the reports from the "independent" auto inspector and would get back. I double that Candance had a degree in automobile engineering so my hopes of any resolution were dashed. Sure enough she said there was nothing wrong with my car. But she would send me back to lower corporate Bill. Bill did call and now offered \$2500 for my problem but I had to use it on a new Subaru. I am terrified with my Subaru. Everytime I get in it I see the wall I hit coming at me. Therefore I do not drive it at all. About us we are retired. My husband restores old sail boats and vintage BSA motorcycles. I knit for a refugee group and preserve a lot of the food we consume. We are not scammers, we are not looking for a free lunch. But we do feel that buying a new car (that we've only driven for 9 months because of the accidents) does deserve some consideration. We have just purchased a 2023 Kia which will cost us \$11,000. That is a lot of money to us and will take some refiguring of expenses. We realize that the problem I have with the Subaru (and many others) is a real !@#\$% to solve or you would have already solved it. It's a glitch in one of the computers and will be difficult to find and eventually fix. But I feel that I should not be penalized for this problem. Thank you for listening to me. I'm realistic enough to know that this issue will probably not go any further, but I feel as though I'm doing something and I feel better.

[REDACTED] Dunkirk NY [REDACTED]



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF ECONOMIC JUSTICE
BUREAU OF CONSUMER FRAUDS AND PROTECTION

March 20, 2023

[REDACTED]
Dunkirk, NY [REDACTED]

Re: Our File Number: [REDACTED]
Subject: Subaru of America, Inc.

Dear [REDACTED]

I am writing to notify you that we have received and reviewed the complaint you filed with the New York State Attorney General's Office. On behalf of Attorney General Letitia James, thank you for taking the time to alert us to the problems you are experiencing. Your comments are vital to our efforts to serve the people of the State of New York.

It is the policy of the Attorney General's Bureau of Consumer Frauds and Protection to intervene in an individual consumer dispute if we believe our mediation might help bring about a resolution. I am forwarding a copy of your complaint to the company to request a statement of their position and a possible adjustment.

If you wish to contact us with any updated information or other concerns, kindly do so in writing. Be sure to include our file number and the full name of the company you have complained about on any correspondence. You should be aware that the final outcome of mediation may take some time and your patience is greatly appreciated. In addition, please be advised that the role of our office is that of mediator. We cannot serve as a consumer's private attorney.

I hope our efforts are successful. I will contact you again when there are developments to report.

Very truly yours,

Sarah Bessett

Sarah Bessett
Bureau of Consumer Frauds and Protection

PLEASE INCLUDE ABOVE FILE NUMBER ON ALL CORRESPONDENCE

J. Buttigieg
US Dept of Trans
1300 N Jersey Ave SE
Washington DC 20590

March 10, 2023

I have a problem with my new car and I just don't know how to proceed. I bought a brand new Subaru (2022) in January of last year. 3 months later I had a car accident (I hit a pole). No one believed it wasn't my fault (including my husband who was in the car with me). Got the car fixed and past December, 2022, I had the exact same accident again (this time I hit another pole). Again my husband was with me and now he believed me. What are the chances of 2 identical car accidents. After consulting the internet and upon further investigation I discovered the Subaru cars have something called "unintended acceleration". The car just lunges forward. I called the dealer and reported the incident, they handed me over to lower corporation people. They had their people inspect the car and reported nothing wrong with the car. I then wrote to the CEO of Subaru (Tom Doll) and this time I go bumped up to higher corporation. Again they found nothing wrong with car. I then contacted NHTSA in Washington. A very nice man (Roy Nelson) was interested in my story because he is currently investigating this exact same problem with Subaru. I will not drive the car because I am afraid of it. Bill from lower corporation Subaru offered me \$2500, but I have to use it on a new Subaru. What are the chances of me ever buying a Subaru again!! All I want is for them to buy back the 2022 Subaru and let me get on with my life. If this problem is happening with Subarus why isn't there a recall? Any help will be greatly appreciated. Thanking you in advance.

[REDACTED]
Dunkirk NY
[REDACTED]

Letitia James
Attorney Gen.
State Cap. Building
Albany NY 12224

Sen. Chuck Schumer
333 Hart Senate Bldg.
Washington DC 20510

Letter sent to above 3 people

Find messages, documents, photos or people Advanced

Back Reply Reply All Archive Move Delete Spam

- Inbox 27
- Unread
- Starred
- Drafts 9
- Sent
- Archive
- Spam
- Trash
- Less
- Views Hide
- Photos
- Documents
- Emails to myself
- Subscriptions
- Shopping
- Receipts
- Travel
- Folders Hide
- New Folder

Subaru
subaru.com

VISIT SITE

[Case # [REDACTED]] Yahoo/Inbox

Customer Advocacy <customers@subaru.com> To: Rosemary Lyford
Fri, Mar 3 at 10:21 AM

Dear [REDACTED]

Thank you for taking the time to speak with me today. As discussed, if you are looking to purchase or lease a brand new Subaru at a Subaru Retailer we can provide a \$2,500 Goodwill Loyalty Purchase Agreement coupon. Please let me know if you would like to take part in this and I will process the goodwill gesture on my end for you.

Sincerely,

William
Subaru of America, Inc.
Customer Advocacy Department
856-438-2401
Case Number [REDACTED]

Reply Reply All Archive

They have now upped this to \$3000, but I have to use it on a new Subaru!

FROM:



Dunkirk, NY

TO: Randy Reid
US Dept. of Transportation
1300 N. Jersey Ave SE
WASHINGTON DC 20590

PRESS FIRMLY TO SEAL



PRESS FIRMLY TO SEAL

PRIORITY MAIL
FLAT RATE ENVELOPE
POSTAGE REQUIRED



**PRIORITY
MAIL**

- Expected delivery date specified for domestic use.
- Domestic shipments include \$100 of insurance (restrictions apply).*
- USPS Tracking® service included for domestic shipments.
- Limited international insurance.**
- When used internationally, a customs form is required.

*Insurance does not cover certain items. For details, see the Domestic Mail Manual at <http://pe.usps.com>.
 ** See International Mail Manual at <http://pe.usps.com>.

Department of Transportation

To: W48-226
 Building: DOT
 Mailstop: 4 West
 Rtg Symbol: NVS-200,210,300,010
 External Carrier: DELIVERY CONFIRMATION
 Sender: DOT
 4/6/2023 11:52:04 AM

FLAT RATE ENVELOPE
ONE RATE ■ ANY WEIGHT

TRACKED ■ INSURED



EP14F July 2022
OD: 12 1/2 x 9 1/2



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P

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US Dept of Transportation
 Randy Reid
 1200 NEW JERSEY AVE SE
 WASHINGTON DC 20590-0001

W48-226
NER-200

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