

Mazda North American Operations



Ms. Kathleen C. DeMeter, Director
Office of Defect Investigations
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, DC 20590

January 15, 2004

Dear Ms. DeMeter:

EA02-27

Enclosed are responses from Mazda to information requests for PE03-047 and EA02-027. The information is provided in duplicate, as you requested.

If you have any questions or need further information please let me know. My telephone number is (313) 594-7778.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Robertson'.

David Robertson, Manager,
Environmental & Safety Engineering
Mazda North American Operations

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Mazda's response: NHTSA Inquiry NVS-212am, EA02-027
Request for updated and additional information

Mazda provide only updated additional information from last responses dated April 4 and May 5 for this inquiry.

Request 1

State, by model and model year, the number of subject vehicles Mazda has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date, state the following:

- a. Vehicle Identification number (VIN);
- b. Make;
- c. Model;
- d. Model Year;
- e. Date of manufacture;
- f. Date warranty coverage commenced; and
- g. The State in the United States Where the vehicle was originally sold or leased (or delivered for sale or lease);

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table that provides further details regarding this submission.

Answer 1

Mazda records indicate that the approximate total number of subject vehicles sold in the United States (the 50 states and the District of Columbia) and its protectorates and territories (American Samoa, Guam, Marshall Islands, Micronesia, Northern Mariana Islands, Palau, Puerto Rico, US Minor Outlying Islands, and Virgin Islands) is 98,547, 687 vehicles, that are added from last response by make, model year, model, build month, and location of final vehicle assembly, are provided electronically in Appendix A "PRODUCTION DATA" (file: 2003-11-30) on the enclosed CD.

Request 2

State the number of each of the following, received by Mazda, or of which Mazda is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles;

- a. Consumer complaints, including those from fleet operators;
- b. Field reports, including dealer field reports;
- c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
- d. Property damage claims;
- e. Third-party arbitration proceedings where Mazda is or was a party to the arbitration; and,
- f. Lawsuits, both pending and closed, in which Mazda is or was a defendant or codefendant.

For subparts "a" through "c," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Mazda's assessment of the problem, with a summary of the

significant underlying facts and evidence. For item "f", identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Answer 2

	Additional Number of Reports Since last report	Appendix No.
a. consumer complaints, including those from fleet operators;	134	Appendix B
b. field reports, including dealer field reports;	152	Appendix B
c. reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;	0	NA
d. property damage claims	0	NA
e. third-party arbitration proceedings where Mazda is or was a party to the arbitration; and,	0	NA
f. lawsuits, both pending and closed, in which Mazda is or was a defendant or codefendant.	12	Appendix B

Consumer complaints: Mazda has identified 134 additional consumer complaints since last report that may be related to the alleged defect. There are no indications that any of the incidents included in these filed reports resulted in crash, fire, property damage, injuries or fatalities. Information on each Consumer complaint is provided in Appendix B (file: 2003-12-26) in response to Request 3 and Appendix C in response to Request 4.

Field reports: Mazda has identified 152 additional Field reports since last report that may be related to the alleged defect. There are no indications that any of the incidents included in these filed reports resulted in fire, property damage, injuries or fatalities. Information on each Field report is provided in Appendix B (file: 2003-12-26) in response to Request 3 and Appendix C in response to Request 4.

Crash/Injury Incident Claims: Mazda has found no new product liability claims for personal injury with allegations that the accident and/or injury may have related to the alleged defect in the subject vehicles.

Claims, Lawsuits, and Arbitrations: Mazda has reviewed the product liability lawsuits for personal injury with allegations that the accident and/or injury may have related to the alleged defect in the subject vehicles, and found no additional lawsuits from the one previously identified (██████████ v. Mazda Motor of America, Inc.). This matter has since settled for a confidential amount. We also learned in this case that the extent of the injury was a minor injury to plaintiff's pinky finger. As to consumer warranty complaints/lawsuits, Mazda has received 12 new lawsuits that appear to relate to the alleged defect in the subject vehicles. Information on each lawsuit is provided in Appendix B (file: 2003-12-26) on the enclosed CD in response to Requests 3, and the copies Appendix D are enclosed by paper.

Request 3

For each item (complaint, report, claim, notice, or matter) within the scope of your response to

Request No. 2, state the following information:

- a. Mazda's file number or other identifier used;
- b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
- c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
- d. Vehicle's VIN;
- e. Vehicle's make, model and model year;
- f. Vehicle's mileage at time of incident;
- g. Incident date;
- h. Report or claim date;
- i. Whether a crash is alleged;
- j. Whether property damage is alleged;
- k. Number of alleged injuries, if any; and,
- l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table that provides further details regarding this submission.

Answer 3

Detailed information on the Consumer complaints, Field reports and the lawsuits identified in response to request 2 can be found in Appendix B.

Request 4

Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Mazda used for organizing the documents.

Answer 4

Copies of all information related to the Consumer complaints and Field reports identified in response to request 2 can be found in Appendix C in the list.

Documents related to the lawsuits identified in response to request 2 can be found in Appendix D (file: 2003-12-26) in the enclosed copies.

Request 5

State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Mazda to date that relate to, or may relate to, the alleged defect in the subject vehicles; warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Mazda's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;
- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and,

k. Comment if any, by dealer/technician relating to claim and/or repair.

Answer 5:

We have identified a total of 6,700 additional warranty claims since last report that may relate to this alleged defect. They are coded in our data as Problem Code 04, indicating engine stalls while driving - will not restart and Problem Code 05, engine stalls while driving - will start.

Problem Code 04: 285 reports

Problem Code 05: 6,415 reports

It is difficult to accurately identify the warranty claims that relate to the alleged defect.

Please note that the warranty claims are submitted to Mazda by dealers seeking payment for repairs they have made and often do not contain sufficient information to accurately determine why a repair was made, if the repair was appropriate, or even if the repair was necessary. In our opinion, the information provided in these warranty claims is insufficient to support a determination that relates to the alleged defect in the subject vehicles.

Please see the Appendix E (file: 2003-12-28) on the enclosed CD for a data of warranty claims categorized by "a - f" as above. "j" concerns stated by customer and "k" comments by dealer/technician are not available from Mazda's warranty claim data base.

Request 6:

Describe in detail the search criteria used by Mazda to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Mazda on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) related to the alleged defect that Mazda offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

Answer 6:

Appendix E contains a description of the search criteria used to identify those claims that may be considered responsive to Request 5.

Request 7:

Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Mazda has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Mazda is planning to issue within the next 120 days.

Answer 7:

At the request of Ford, Mazda has issued an updated service bulletin in December 2002. Please see the Appendix F.