



July 22, 2011

**Deanne M. Ottaviano**

Attorney

202.775.5781 DIRECT

202.857.6395 FAX

ottaviano.deanne@arentfox.com

**VIA E-MAIL AND FIRST-CLASS MAIL**

O. Kevin Vincent, Esquire  
Chief Counsel  
National Highway Transportation Safety Administration  
1200 New Jersey Avenue, SE, W41-322  
Washington, DC 20590

Re: Hertz Corporation Supplemental Submission of Recall Repair Completion Rates

Dear Kevin:

As you know, this firm represents The Hertz Corporation (“Hertz”). I am writing to provide you with the attached supplemental information regarding recall repair completion rates for National Highway Transportation Safety Administration (“NHTSA”) vehicle recalls in the Hertz rental fleet that have been initiated since July 1, 2010.

Hertz is reporting recall repair completion rates since July 1, 2010 for 50-state national recalls of private passenger cars as to which Hertz had more than ten vehicles in its fleet affected by the recall. Please note that for all of these recalls, from the time that the owner notification letter specifying VIN information was received by Hertz, the vehicle was coded in Hertz’ computer systems as on “S” (Safety) hold pending repair. The “S” hold designation directs rental personnel that the affected vehicles are not to be rented pending completion of the recall repair.

As we previously indicated in discussions with the agency, until late 2010, Hertz was using a computerized system to track maintenance on vehicles which did not capture all of the data sought by NHTSA and that we would like to report here. As a consequence, the attached actually understates Hertz’ timely recall repair completion performance. Many off-site repairs and vehicle sales/scrappage conducted could not be tracked exactly into 30, 60, 90 and 120-day periods. However, those completions are later accounted for in the column “percentage completed to date.”

As you can see from the attached chart, Hertz maintenance facilities are averaging repair rates of 81% and better within 60 days, and this does not include off site repairs and sold/scrapped vehicles. In most instances in which Hertz has not been able to promptly repair vehicles (several of which are footnoted on the attached), delay was caused by parts availability and available access to dealer facilities to obtain the repair. When parts are available and repairs can be

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conducted at Hertz facilities, repair completion rates are significantly shortened. In all cases, rental counter personnel are instructed not to rent affected vehicles awaiting recall repair. Given this, NHTSA can be assured that Hertz has every incentive to repair these vehicles as promptly as possible to get them back on the road, and prompt repairs are in fact happening.

The attached data is significantly more reliable than data submitted by the vehicle manufacturers in early 2011. Consequently, we ask that NHTSA evaluate Hertz' recall repair completion performance based on this data. We also ask that NHTSA acknowledge that in this period, as in prior periods, Hertz' policy has been to place vehicles subject to NHTSA recalls on "Safety" hold so that such vehicles are not rented to the public before a repair or interim remedial measure approved by the manufacturer has been performed. Indeed, we should note here that in compiling this data, Hertz identified additional vehicles the company had pulled from the rental pool and put on "S" hold based on vehicle manufacturer service campaigns for "customer satisfaction," which Hertz concluded had a safety component even though no NHTSA recall was being conducted. So, the attached data actually understates the number of Hertz vehicles that have been on "Safety" hold for vehicle manufacturer issues in the last 12 months.

Given that, unlike other commercial users or individual customers, Hertz is actually parking vehicles subject to recall, waits of 60-120 days or more for a repair cause significant strain and business disruption to Hertz and its rental customers. As we have previously noted, under 49 U.S.C. § 30120(c), NHTSA has considerable authority to require manufacturers to prioritize recalls and to conduct recalls within what NHTSA considers a reasonable time. Hertz asks that NHTSA exercise this authority to shorten the time frames from defect notification to repair for vehicle users like Hertz who lose use of their vehicles pending the defect repair.

We also continue to recommend that NHTSA convene a meeting of vehicle manufacturer and rental car company industry participants to address open issues with respect to: (1) unclear communication to vehicle owners (including rental car companies) about required steps when vehicles are subject to safety recall or are subject to some other sort of notification, including a "customer satisfaction" issue which appears to have a safety implication; (2) the possibility of according rental car companies priority treatment with respect to part and repair availability for vehicles subject to safety recalls; and (3) the accuracy of vehicle manufacturer safety campaign completion data. We think the parties could choose a neutral to moderate their discussions and that much could be achieved if NHTSA directs the parties to work toward resolution of these and other issues.

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We would be pleased to provide further detail or information about any particular recall. Please let us know if you have questions about any of the attached information.

Sincerely,

A handwritten signature in black ink, appearing to read "Deanne Ottaviano". The signature is fluid and cursive, with the first name "Deanne" and last name "Ottaviano" clearly distinguishable.

Deanne M. Ottaviano

Enclosure

Cc (w/ enc):

John Piazza, Esquire  
Jennifer Timian, Esquire

**Hertz Rental Car Fleet 50-State Private Passenger Vehicles  
NHTSA Recall Repair Completion Rates  
July 1, 2010 to July 15, 2011**

Rental Availability	Date Issued	Mfg	Recall Number	Total Owned at Activation	Percent Completed 30 Days	Percent Completed 60 Days	Percent Completed 90 Days	Percent Completed 120 Days	PERCENT COMPLETED TO DATE <sup>1</sup>
S	7/7/2010	FORD	10C13	20	50	85	85	85	100
S	7/16/2010	GM	2010216	47	68.75	75	75	81.25	100
S	8/19/2010	CHRY	K08	12	1.82	1.82	1.82	1.82	98.15
S	8/19/2010	GM	2010243	7011	69.12	75.11	77.84	78.49	99.94
S	8/19/2010	CHRY	K15	22	86.36	90.91	90.91	95.45	100
S	8/27/2010	NISSAN	R1029	1413	58.64	65.69	67.02	67.49	100
S	9/28/2010	MAZDA	6010H <sup>2</sup>	866	39.36	44.3	46.31	47.07	99.42
S	10/25/2010	GM	2010312	2205	58.34	62.51	63.82	64.97	99.55
S	10/27/2010	MERCED	2010100002	319	53.45	58.33	60.34	64.66	94.67
S	11/4/2010	VW	97S8 <sup>3</sup>	156	15.18	20.94	21.99	31.94	98.08
S	11/10/2010	MAZDA	5409D	495	42.37	49.91	53.48	55.37	100
S	11/18/2010	GM	2010351	1703	76.46	80.27	81.09	81.42	99.82
S	11/19/2010	GM	2010211	12	83.33	83.33	83.33	83.33	100
S	11/30/2010	NISSAN	PM062	1484	81.38	89.72	95.09	96.91	99.8
S	12/1/2010	GM	2010309	608	32.8	63.68	75.2	79.68	99.84

<sup>1</sup> This column includes off-site repairs and vehicle sales/scrapage which could not be tracked into 30, 60, 90 and 120-day periods.

<sup>2</sup> Pursuant to Mazda requirements, this vehicle had to be repaired at a Mazda dealership, and available access to a dealership caused significant delays. Note that, pursuant to Hertz policy with respect to these and all other vehicles subject to NHTSA recall, affected vehicles were coded and rental personnel were instructed not to rent vehicles pending recall repair completion.

<sup>3</sup> These vehicles were in Hawaii when recall was announced, and delays were encountered in getting necessary parts and getting access to repairs at available dealer under recall. Note that, pursuant to Hertz policy with respect to these and all other vehicles subject to NHTSA recall, affected vehicles were coded and rental personnel were instructed not to rent vehicles pending recall repair completion.

Rental Availability	Date Issued	Mfg	Recall Number	Total Owned at Activation	Percent Completed 30 Days	Percent Completed 60 Days	Percent Completed 90 Days	Percent Completed 120 Days	PERCENT COMPLETED TO DATE <sup>1</sup>
S	12/10/2010	CHRY	K13 <sup>4</sup>	33	30.86	39.51	39.51	39.51	82.5
S	12/20/2010	MAZDA	6110K	4373	55.84	72.27	77.33	78.44	99.61
S	12/21/2010	GM	2010370	498	79.36	88.98	90.58	91.18	100
S	12/29/2010	GM	10426B	617	80.26	95.63	98.06	98.38	99.51
S	1/14/2011	GM	2010256	157	75.16	85.71	86.34	86.34	100
S	2/10/2011	CHRY	K37	55	68.85	78.69	78.69	78.69	98.18
S	2/17/2011	VW	20I4	894	76.4	84.13	85.5	85.93	99.89
S	2/24/2011	TOYO	AOP	3144	86.63	91.39	93.11	93.55	98.92
S	3/10/2011	GM	2011057	148	92.57	95.95	95.95	96.62	100
S	3/17/2011	GM	2011029	15	73.33	80	80	80	100
S	3/22/2011	MAZDA	6211B	4377	77.15	82.31	83.71		98.79
S	4/12/2011	MITSU	SR10-001	11	81.82	81.82	90.91		100
S	4/12/2011	SUBARU	WVP26	12	66.67	83.33	83.33		91.67
S	4/15/2011	TOYO	BOB	156	53.37	65.64	69.94		89.74
S	4/26/2011	VW	97V3	372	85.79	90.62	91.96		98.66
S	4/28/2011	TOYO	BOF	52	76.92	88.46	88.46		92.31
S	5/9/2011	GM	2011149	1523	81.38	90.95			97.24
S	5/9/2011	HONDA	11V176	297	82.83	92.26			92.59
S	5/10/2011	GM	2011142	2995	74.04	90.39			96.76
S	5/17/2011	NISSAN	PC012	73	35.29	44.71			91.78
S	6/9/2011	GM	2011162	630	84.52				93.02
S	6/30/2011	CHRY	L23	868	55.41				57.37
S	7/5/2011	GM	2011191	12	23.08				25
S	7/12/2011	MAZDA	6411F	44					2.27

<sup>4</sup> These vehicles were in Hawaii when recall was announced, and delays were encountered in getting necessary parts and getting repairs at dealer under recall. Note that, pursuant to Hertz policy with respect to these and all other vehicles subject to NHTSA recall, affected vehicles were coded and rental personnel were instructed not to rent vehicles pending recall repair completion.

Rental Availability	Date Issued	Mfg	Recall Number	Total Owned at Activation	Percent Completed 30 Days	Percent Completed 60 Days	Percent Completed 90 Days	Percent Completed 120 Days	PERCENT COMPLETED TO DATE
S	7/28/2010	GM	2010038 <sup>5</sup>	56	33.33	35.09	36.84	38.6	100

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<sup>5</sup> This NHTSA recall was related to floor mats causing potential pedal entrapment in 2009-10 Pontiac Vibe and, pursuant to manufacturer instructions, removal of floor mat made vehicle safe for use while awaiting redesign and delivery of new floor mats.