



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

ODI RESUME

Investigation: AQ 17-002
Prompted by: VOQs 10653884/10668573/Recall 14V-450
Date Opened: 03/16/2017 **Date Closed:** 05/14/2020
Investigator: Joshua Neff
Approver: Stephen Ridella
Subject: BiCal Chevrolet/Loss of Power Steering

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: General Motors LLC
Products: MY 2014 Chevrolet Impala vehicles
Population: 1

Problem Description: NHTSA received information suggesting that BiCal Chevrolet of Valley Stream, located in Valley Stream, NY, sold and delivered at least one new vehicle to a customer without having had all required safety recall repairs on that vehicle.

ACTION / SUMMARY INFORMATION

Action: Close Audit Query

Summary:

NHTSA opened AQ17-002 to determine whether BiCal Chevrolet of Valley Stream, New York (BiCal) has complied with the requirements of the National Traffic and Motor Vehicle Safety Act, 49 U.S.C. Chapter 301 (Safety Act) and its implementing regulations. The Safety Act requires, among other things, that a manufacturer notify its dealers of defects related to motor vehicle safety and non-compliances with Federal Motor Vehicle Safety Standards and, in turn, that a dealer not sell a new vehicle subject to a recall unless the recall remedy has been performed (49 U.S.C. §30120 (i)).

NHTSA issued an information request (IR) letter to BiCal on March 15, 2017. BiCal responded to this request on November 8, 2017. On March 16, 2017, an IR letter was issued to General Motors LLC (GM) and a response was received from GM on April 28, 2017. In NHTSA's view, it had difficulties in obtaining responses to IR letters from BiCal throughout the AQ investigation, including not receiving a response to the first IR until more than three months after the original deadline. Additionally, in NHTSA's view, BiCal failed to provide a full response to the second IR. BiCal does not contest NHTSA's conclusion that it violated the Safety Act by initially failing to provide full and complete responses to the IRs from NHTSA by their deadlines.

NHTSA's investigation also indicated that BiCal sold and delivered at least 54 recalled vehicles that did not have the recall remedy completed at the time the vehicles were delivered to the customers. BiCal did not contest NHTSA's conclusion that it violated the Safety Act by selling and delivering certain new motor vehicles that were subject to a recall before the vehicles were remedied. Under a Settlement Agreement dated March 11, 2019, BiCal agreed to pay compromised civil penalties in the amount of \$40,000.

This Audit Query is closed.