



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

1200 New Jersey Avenue SE
Washington, DC 20590

JAN 04 2017

Via Certified Mail and Email (delivery receipt requested)

Mr. Todd Fronckowiak
Assistant Director, Global Automotive
Safety Compliance
Ford Motor Company
Fairlane Plaza South, Ste. #500
Dearborn, MI 48126-2738

NEF-150aa
AQ17-001
15V-279

**Re: Audit of Safety Recall Campaign, Sale of Recalled New Vehicles, Champion
Ford Edinboro, Inc.**

Dear Mr. Fronckowiak:

NHTSA received information suggesting that one of Ford Motor Company's (Ford) dealerships, Champion Ford Edinboro, Inc. (Champion Ford Edinboro) of Edinboro, Pennsylvania, sold and delivered at least one new model year (MY) 2015 Ford F-150 vehicle to a customer without having had all required safety recall repairs performed on that vehicle. Specifically, the information suggests repairs required under safety recall number 15V-279 were not made prior to delivery of the vehicle to its purchaser. This recall concerns certain model year 2015 Ford F-150 vehicles manufactured from March 19, 2015 through March 30, 2015. Affected vehicles may have been built with an improperly riveted steering upper intermediate shaft that could fail resulting in a loss of steering control and increased risk of a vehicle crash.

A dealer's sale and delivery of a new vehicle with a safety recall outstanding is a serious matter and a violation of Federal law to which significant civil penalties could apply. See 49 U.S.C. §§ 30120(i) and 30165. This office has opened an audit query (AQ) investigation and is sending this information request in order to determine whether Champion Ford Edinboro (defined below) has complied with the prohibition on sales and delivery of unremedied new vehicles subject to safety recalls.

For reference, a copy of the redacted complaint we received is enclosed.



DEFINITIONS

Unless otherwise stated in the text, the following definitions and instructions apply to these information requests:

1. "Ford" means Ford Motor Company, including all of its divisions, subsidiaries and affiliated enterprises and its employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Ford (including all business units and persons previously referred to).
2. The term "you" or "your" refers to Ford.
3. "Champion Ford Edinboro" means Champion Ford Edinboro, Inc., including all of its divisions, subsidiaries and affiliated enterprises and its employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Champion Ford Edinboro (including all business units and persons previously referred to).
4. The term "communications" is used in the broadest sense of the word and shall mean the exchange, transfer, or relay of any ideas, messages, or information by speech, writing, or other means, whether electronic, paper, or in person.
5. The term "person" includes natural persons, proprietorships, partnerships, firms, corporations, federal, state, and local governments, all departments and agencies thereof, and any other governmental agencies, political subdivisions, groups, associations, or organizations, whether located in the United States or abroad.
6. The term "relate to" or "relating to" means constituting, comprising, containing, setting forth, showing, disclosing, describing, explaining, summarizing, concerning, or referring to, directly or indirectly.
7. The term "explain," "describe in detail," or "state in detail" mean the following:
 - a. Describe fully by reference to underlying facts rather than ultimate facts or conclusions of law or fact.
 - b. Particularize as to:
 - i. The identity of each person involved in each such event, including but not limited to persons employed Ford and those persons purporting to act for Ford;
 - ii. The specific acts of each person participating in each such event;
 - iii. The date and time of each such event;
 - iv. The address and location of each such event; and
 - v. The identity of each person present during each such event.

8. The term "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), and faxes. For purposes of this request, any document that contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production.
9. "Safety recall 15V-279" means the safety recall Ford is conducting through its dealerships to remedy certain model year 2015 Ford F-150 vehicles manufactured from March 19, 2015 through March 30, 2015. Affected vehicles may have been built with an improperly riveted steering upper intermediate shaft. This could result in a loss of steering control and increase the risk of a vehicle crash.
10. "Recall notice" refers to any action in which Ford notifies any of its dealers, pursuant to 49 CFR § 577.13, of a safety recall of new vehicles that may be, or come into, dealer inventory, and instructs that a recalled vehicle may not be sold and delivered until the safety defect or noncompliance is remedied.
11. Other Terms: To the extent that they are used in this information request, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or plural form, have the same meaning as found in 49 CFR 579.4.
12. The singular includes the plural; the plural includes the singular. The masculine gender includes the feminine and neutral genders; and the neutral gender includes the masculine and feminine genders. "And" as well as "or" shall be construed either disjunctively or conjunctively, to bring within the scope of this information request all responses that might otherwise be construed to be outside its scope. "Each" shall be construed to include "every" and "every" shall be construed to include "each." "Any" shall be construed to include "all" and "all" shall be construed to include "any." The use of a verb in any tense shall be construed as the use of the verb is a past or present tense, whenever necessary to bring within the scope of the document request all responses which might otherwise be construed to be outside its scope.

INFORMATION REQUESTS

1. Identify any and all notices or communications Ford transmitted or otherwise made available to Champion Ford Edinboro (including, but not limited to, notifications, service bulletins, recall notices, reports, and letters, whether paper or electronic (such as through any Ford interactive network)) concerning safety recall 15V-279. For each notice or communication you identify, state: (a) the date Ford transmitted it or otherwise made it available to Champion Ford Edinboro; (b) the type of the notice or communication (e.g., recall notice, dealer bulletin, etc.); (c) the means of transmission (e.g., email, Ford interactive Network, fax, etc.); and (d) the number and/or VINs of affected units Ford identified as within Champion Ford Edinboro's possession, if any.

Produce a copy of each notice or communication you identify in response to this question, including copies of any accompanying enclosures or attachments.

2. Identify any other communications, other than those already identified and produced in your response to Information Request No. 1, between Ford and Champion Ford Edinboro concerning safety recall 15V-279. For each such communication, state: (a) the date Ford transmitted it or otherwise made it available to Champion Ford Edinboro; (b) the purpose of the communication; and (c) the means of transmission.

Produce a copy of each communication you identify in response to this question, including copies of any accompanying enclosures or attachments.

3. For each and every safety recall of which Ford notified NHTSA during calendar years 2014 through 2016, and for which Ford notified Champion Ford Edinboro (by means including, but not limited to, a specific recall notice), produce a spreadsheet table detailing the following about each new vehicle that was in Champion Ford Edinboro's possession, subject to that recall, and had not yet been sold and delivered to the first purchaser other than for resale at the time Ford first notified Champion Ford Edinboro of the recall:
 - a. The VIN;
 - b. The Ford recall number;
 - c. The NHTSA recall number;
 - d. The date Ford issued a recall notice to Champion Ford Edinboro;
 - e. The means of transmission of the notification referred to in subpart (d) above (email, Ford interactive network, fax, etc.);
 - f. The date Ford transmitted or otherwise made available to Champion Ford Edinboro a VIN list or other information from which to ascertain the vehicle's inclusion in the safety recall;

- g. The means of transmission for the VIN list or other information from which to ascertain the vehicle's inclusion in the safety recall and recall notice, (e.g., email, Ford interactive network, fax etc.);
- h. The date on which Champion Ford Edinboro took possession of the vehicle;
- i. What Champion Ford Edinboro ultimately did with the vehicle (e.g., sold to a retail customer; leased to a retail customer);
- j. The date on which the vehicle was leased or sold to the first purchaser other than for resale (e.g., sold to a retail customer) (if applicable);
- k. The date on which the vehicle was delivered by Champion Ford Edinboro to the first purchaser;
- l. Whether the recall remedy was performed on the vehicle. "Recall remedy" refers to the inspection and repair procedures Ford instructed Champion Ford Edinboro to perform under the recall;
- m. The date on which the recall remedy was performed on the vehicle;
- n. The name and address of the entity that performed the recall remedy on the vehicle (e.g., Champion Ford Edinboro).

Provide your responses in a table in Microsoft Access or Excel entitled "Vehicles Requiring Recall Notice."

- 4. Produce copies of all documents that evidence, substantiate, or are otherwise related to your responses to each item within the scope of Request No. 3. Organize the documents separately by VIN.
- 5. Provide any additional information Ford considers important for the agency to consider in reviewing and evaluating Ford's responses to any of the requests above. As one example, identify any anomalies in the data or documents and explain the reason(s) for those anomalies.

If Ford claims that any of the information or documents provided in response to this information request constitutes confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or is protected from disclosure pursuant to 18 U.S.C. §1905, the company must submit supporting information together with the materials that are the subject of the confidentiality request to the Office of Chief Counsel, W41-326 National Highway Traffic Safety Administration, 1200 New Jersey Ave., SE, Washington, D.C. 20590. Please see 49 CFR Part 512 for further instructions as to what is required to properly file a request for confidential treatment.

Please provide your written response **no later than three weeks from the date of this letter.**

Please direct your response to me and note conspicuously on your response the investigation number assigned to this matter (e.g., AQ17-001). Should you have any questions or concerns, please contact Alex Ansley on my staff at (202) 493-0481 or at alexander.ansley@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "J.T. Timian". The signature is stylized with a large, looped initial "J" and a long horizontal stroke at the end.

Jennifer T. Timian
Chief, Recall Management Division
Office of Defects Investigation
Enforcement

Enclosures

October 9, 2016 NHTSA ID NUMBER: 10914926



Components: STEERING

NHTSA ID Number: 10914926

Incident Date November 12, 2015

Consumer Location WILMERDING, PA

Vehicle Identification Number 1FTEX1EP8FF****

Summary of Complaint

CRASH	No	PURCHASED THIS VEHICLE ON NOV 12 2015. THERE WAS A SAFETY RECALL ISSUED FOR THIS VEHICLE IN MAY 2015 CONCERNING UPPER INTERMEDIATE STEERING SHAFT RIVETS NOT STAKED PROPERLY. THE DEALER WAS GIVEN NOTICE BY FORD IN MAY 2015 THAT THE VEHICLE WAS UNDER RECALL AND THE VEHICLE WAS ON THEIR LOT UNTIL NOV 12 2015. THE DEALER DID NOT INSPECT OR REPAIR THE PROBLEM BEFORE SELLING THE VEHICLE TO ME, NEVER MENTIONED A RECALL. I DID NOT RECEIVE THE INITIAL RECALL NOTICE SENT IN MAY OF 2015 BECAUSE I DID NOT OWN THE VEHICLE AT THE TIME. I RECEIVED A REMINDER NOTICE FROM FORD MOTOR COMPANY SEPT 2016 THAT THE VEHICLE HAD NOT BEEN REPAIRED. IS IT NOT A FEDERAL VIOLATION TO SELL A VEHICLE THAT IS UNDER A SAFETY RECALL AND NOT REPAIRED? I HAVE BEEN DRIVING THIS VEHICLE FOR 11 MONTHS. I HAVE AN APPOINTMENT OCT 11 2016 FOR REPAIRS AT A DIFFERENT DEALER.
FIRE	No	
INJURIES	0	
DEATHS	0	

1 Associated Product ▾

Vehicle

MAKE	MODEL	YEAR
FORD	F-150	2015