



09V-187  
(2 Pages)



Mr. Daniel C. Smith  
Associate Administrator for Enforcement  
National Highway Traffic Safety Administration  
Attention: Recall Management Division (NVS-215)  
Room W46-425  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

May 22, 2009

Dear Mr. Smith:

Re: Submission of Part 573 report for certain 2009 Model Year Mazda3 vehicles

Pursuant to Part 573 of Title 49 of the Code of Federal Regulations, "Defect and Noncompliance Reports," Mazda North American Operations (MNAO), on behalf of Mazda Motor Corporation of Hiroshima, Japan (Mazda), submits the following information concerning a potential non-compliance to the requirements of Section S5.2.1 and S5.2.2. of FMVSS126 for certain 2009 Model Year Mazda3 vehicles.

Sec. 573.6 (c)(1) - Manufacturer's Name:

Mazda Motor Corporation with Designated Agent:

David G. Robertson, Group Manager  
Environmental, Safety and Powertrain Engineering  
Mazda North American Operations  
1500 Enterprise Drive, Allen Park, Michigan 48101-2053

Sec. 573.6 (c)(2) - Potentially Affected Vehicles:

Vehicles potentially affected are certain 2009 Model Year Mazda3 vehicles equipped with Dynamic Stability Control (DSC; an electronic stability control system) built at the Hofu Plant of Mazda Motor Corporation in Japan (Mazda) from July 1, 2008 (2009MY Job#1) through November 24, 2008.  
The VIN range of affected vehicles is as follows;

From JM1BK\*\*\*\*91 187378 To 256910

Sec. 573.6 (c)(3) - Estimated Population of Vehicles Potentially Affected:

Approximately 7,100 vehicles in the United States and federalized territories.

Sec. 573.6 (c)(4) - Estimated Percentage of Affected Vehicles with the Defect Condition:

100%

Sec. 573.6 (c)(5) - Description of the Non-compliance:

Certain 2009MY Mazda3 vehicles equipped with Dynamic Stability Control fail to comply to Federal Motor Vehicle Safety Standard 126, "Electronic Stability Control System", section S5.2.1 and S5.2.2.. When tested per the procedure for FMVSS126, the yaw rate measured after completion of the sine with dwell steering input exceeded the test standards.

Sec. 573.6 (c)(6) - Chronology of Events:

Not applicable.

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Sec. 573.6 (c)(7) – Basis of Non-Compliance Determination:

Mazda has previously informed National Highway Traffic Safety Administration (NHTSA) that 2009MY Mazda3 comply with FMVSS 126 "Electronic Stability Control System", and that these vehicles have been counted as a part of early credits for use in the FMVSS 126 compliance phase-in plan.

On March 24, 2009, a 2009MY Mazda3 was tested by the NHTSA at Transportation Research Center (TRC) in East Liberty, Ohio, for the requirements of FMVSS126. On March 25, 2009, NHTSA informed Mazda that the test result shows the vehicle failed to comply to FMVSS126 in one test maneuver with high steering angle among 38 test runs.

Sec. 573.6 (c)(8) – Service Program:

Owners of record will be notified of the non-compliance and instructed to take their vehicles to a Mazda dealer to have the DSC logic unit replaced. This repair will be performed at no cost to the vehicle owner.

In accordance with Part 573.13 (d)(1), Mazda is excluding reimbursement for costs incurred by owners for repair of the DSC system because Mazda's original warranty program would provide for a free of repair for this system for customers. This recall is not related to a defective component that an owner would have possibly paid for repair.

Dealers will be notified of the voluntary recall in May, 2009.

The timing of mailing of owner notification letters is not finalized at this time because it will take some additional time to procure the necessary remedy parts. Mazda will update NHTSA when it will be fixed.

Sec. 573.6 (c)(9) – Service Program for Tire Replacement:

Not Applicable.

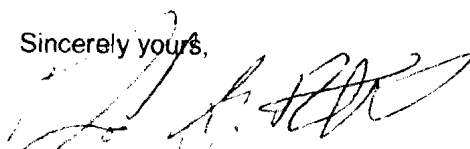
Sec. 573.6 (c)(10) – Copy of notification letters:

Copies of the notification letters to be sent to owners and dealers will be sent when they become available.

Sec. 573.6 (c)(11) – The Manufacturer's Campaign Number:

Mazda has assigned recall number 5509E to this action.

Sincerely yours,



David G. Robertson, Group Manager,  
Environmental, Safety & Powertrain Engineering  
Mazda North American Operations