



POLICY & ACTION FROM CONSUMER REPORTS

February 10, 2015

The Honorable Mark R. Rosekind, Ph.D.
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Ave. S.E., West Building
Washington, D.C. 20590

Dear Administrator Rosekind:

Congratulations on recently being sworn in as the 15th Administrator of the National Highway Traffic Safety Administration (NHTSA). Consumer Reports and its policy and advocacy arm, Consumers Union, look forward to working with you on a variety of safety issues in the weeks and months ahead.

Today, we are writing about the oversight of recalls by NHTSA. We would like to learn more about the agency's recent announcement involving more than 2.1 million vehicles found to have airbags that could deploy inadvertently, potentially causing crashes or injuring occupants.

As you said in your statement on the recall, this is an urgent safety issue. You also said that this is a very complicated issue for consumers, and we agree. To improve our ability to provide consumers key guidance on this matter, we ask for your response to a few key questions.

NHTSA says that car owners with certain airbag electronic control units manufactured by TRW and installed in recent years will need to get their cars repaired because the units may cause inadvertent airbag deployment.¹ At the same time, NHTSA has also recommended that these same parts can safely be installed as a temporary remedy in those cars that lack them. The agency has said that this remedy will significantly reduce the chance of a deployment that presents a safety risk.

You have alerted consumers to a potential hazard in their cars and asked them to get the vehicles fixed. However, many who get repairs will leave their dealership with a defective part. How can we, as Consumers Union and the National Highway Traffic Safety Administration, assure consumers that this is a safe choice? What data does NHTSA have that it can share to help provide assurance to consumers that these temporary fixes are a good idea?

¹ The affected cars are certain Acura MDX, Dodge Viper, Jeep Liberty and Grand Cherokee, Honda Odyssey, Pontiac Vibe, and Toyota Corolla, Avalon, and Matrix vehicles from model years 2002 to 2004.

This recall also raises particular concerns for those consumers whose car contains a defective Takata airbag, which could explode with excessive force upon deployment and send metal shards into an occupant at speeds that could cause serious injury or death. Will NHTSA be pushing for repairs for the current TRW defect to be prioritized for vehicles that also may contain a defective Takata airbag?

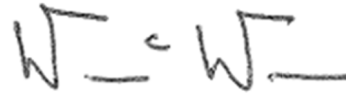
Finally, this recall continues to raise questions regarding the measures NHTSA and manufacturers take to ensure that a prescribed remedy will fully address a safety defect in the first place. Are follow-up steps such as on-site inspections or additional testing required to make sure that a manufacturer's proposed fix actually works? Does NHTSA have the resources it needs to pursue such steps?

Thank you for your attention to these questions. We believe that your answers will provide consumers with needed clarity, and we look forward to your response.

Sincerely,



Ellen Bloom
Senior Director, Federal Policy and
Washington Office



William C. Wallace
Policy Analyst