

Martens, Matthew (NHTSA) <matthew.martens@dot.gov>

8/28/2018 3:11 PM

RE: query re DP 18-001 ...

To Kevin_Byrne_c <kevin.byrne@comcast.net>

Mr. Byrne,

I will not be in the office to call on the 4th. To address you concern; both Honda and Isuzu are expected to meet the 31 Aug deadline for their information request response.

Matthew Martens

Federal Investigator, Office of Defects Investigation

National Highway Traffic Safety Administration (NHTSA)

1200 New Jersey Avenue, S.E., Room W48-216

Washington, D.C. 20590

(202) 366-2252

From: Kevin_Byrne_c [mailto:kevin.byrne@comcast.net]

Sent: Friday, August 24, 2018 4:54 PM

To: Martens, Matthew (NHTSA) <matthew.martens@dot.gov>

Subject: RE: query re DP 18-001 ...

Dear Mr. Martens:

Thank you for your timely and detailed response. Three thoughts, as follows...

1. I do understand my vehicle is one of possible 47,000 with a fuel tank concern, so ODI must maintain a wide overview when it ponders these matters. But there remain implications and consequences for ethical corporation action. For example, with Isuzu's abatement of their U.S. passenger car business a decade back it turns out Isuzu parts-support for its Rodeo's has all but disappeared; they tell me the nearest location for parts acquisition is now is Madison, WI, and more often than not the OEM parts are discontinued. Isuzu might well be burdened if and when a recall for vehicle mitigation demand parts from them that no longer exist. My response is that they should of thought about that in 2004 when they delivered their Rodeo's for sale to dealers in so many of the U.S. rust belt states.
2. I'm satisfied with ODI's performance on this, it's a complex path that consumers like me rarely judge you have perfectly trodden. Nevertheless I remain very suspicious of Isuzu's ethics. You might recall in my letter to you on June 10 that a statement by Mr. Michael Brus of Isuzu was disingenuously dismissive of any concern for my rust-laden-displaced fuel tank since, and I quote, it "had 155,768 miles on the odometer." This remains locked in my mind as being as disgraceful as it gets.
3. Over twenty years I have owned four Isuzu's. I had to make a donation of one last month to a charity, a 2000 Trooper; its fuel tank had started a slow leak and its repairability was suspect from the get go; its rust-laden bolts that connect it to the frame would fail when disassembly was started. This defect was subject to recall, but notice from Isuzu was never properly forwarded. Replacement tank and associated hoses are no longer manufactured, and salvage yards do not pluck-and-stock such items as they are all too rusted. Back to square one with another Isuzu vehicle with odometer miles much less than 155k.

In summary, you made clear one extension has been offered to Isuzu by ODI (presumably through Mr. Quant), with a new deadline date of *August 31, 2018*. Next step, If you are agreeable I will ask that you take phone call on

September 4 from me confirming that a *timely and proper response arrived from Isuzu*.

Thank you. Very truly yours,

Kevin Byrne

J. Kevin Byrne

Saint Paul, Minnesota USA

e: kevin.byrne@comcast.net

On August 22, 2018 at 4:26 PM "Martens, Matthew (NHTSA)" <matthew.martens@dot.gov> wrote:

Mr. Byrne,

I apologize for not calling this morning, however I wanted to reply today as I am able. The goal of the information request is to gather enough information for a technical analysis on the fuel tank retention in the vehicle. While Isuzu may be familiar with your specific incident, we requested information on the entire population. The granting of the extension was a reasonable due to the age of the *information* requested, especially for a division of a worldwide company who has not operated in the US since 2009. We appreciate you bringing the issue of your vehicle to our attention and will use the information from Isuzu and Honda to determine if there is a potential safety defect in the entire population of vehicles which use the same fuel tank retention system as yours.

Matthew Martens

Federal Investigator, Office of Defects Investigation

National Highway Traffic Safety Administration (NHTSA)

1200 New Jersey Avenue, S.E., Room W48-216

Washington, D.C. 20590

(202) 366-2252

From: Kevin_Byrne_c [kevin.byrne@comcast.net]

Sent: Tuesday, August 21, 2018 3:23 PM

To: Martens, Matthew (NHTSA) <matthew.martens@dot.gov>

Cc: ODI_IRresponse (NHTSA) <ODI_IRresponse@dot.gov>

Subject: RE: query re DP 18-001 ...

Dear Mr. Martens:

Thank you for the courtesy of a timely and on-target reply.

Yes, a call-back to me on Wed., August 22, works fine. Earlier is better, **952.818.6240**.

It need not be lengthy as there is likely now only *one agenda item*, the validity of the extension that Mr. Quandt and you agreed to offer Isuzu, as follows (in six pointforms)...

- Isuzu Technical Center of America, Inc. would have been aware of my observation of the defect specified in VOQ #11091788 on and after November 14, 2017, as a result of my correspondence sent to Isuzu which, when rejected by them, resulted in the case I brought to conciliation court in Ramsey County (MN).
- See attached letter (labeled *IsuzuCorr20171114JKevinByrne.pdf*) that I sent to Isuzu, c/o of their State of Minnesota's local *service-agent*. *Isuzu acknowledged its receipt of this* on November 17, 2017, I have a document showing that as such that I can share.
- Granting an extension for the two reasons you specified is a kindness Isuzu does not at all deserve, as, after a year of my correspondence with Isuzu, then a court hearing, a court judgement, then another hearing, it all dead-ended with court inaction on the matter.
- I judge them at best acting with *disingenuousness and obfuscation* in this matter, at worse with serious *recklessness*.
- Any delay afforded them will just add a month that merely serves them as another mechanism to argue for *vehicle age* (or other excuse/s) as cause/s for a premature dismissal of DP 18-001.
- Regarding *status of this company in the U.S.* as a concern of Isuzu (or NHTSA) if you visit corporate Isuzu at their website it shows them as a **\$40 billion capitalized (worldwide) company** (dated March 2017). Hardship tears do not flow for them in my eyes.

Cheers, Kevin Byrne

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J. Kevin Byrne

Saint Paul, Minnesota USA

e: kevin.byrne@comcast.net

On August 21, 2018 at 8:46 AM "Martens, Matthew (NHTSA)" <matthew.martens@dot.gov> wrote:

Mr. Byrne,

Isuzu will respond to the information request by 31 August 2018. An extension for the due date was granted due to the age of the vehicle and status of the company in the US. Is there a time I can call you back tomorrow, 22 August, during business hours?

Matthew Martens

Federal Investigator, Office of Defects Investigation

National Highway Traffic Safety Administration (NHTSA)

1200 New Jersey Avenue, S.E., Room W48-216

Washington, D.C. 20590

(202) 366-2252

From: Kevin_Byrne_c [kevin.byrne@comcast.net]

Sent: Monday, August 20, 2018 7:51 PM

To: Martens, Matthew (NHTSA) <matthew.martens@dot.gov>

Cc: ODI_IRresponse (NHTSA) <ODI_IRresponse@dot.gov>

Subject: query re DP 18-001 ...

20 August 2018

Mr. Matthew Martens
Staff Researcher
Vehicle Defect Div. D
ODI//NHSTA

Dear Mr. Martens:

I phoned you in mid-August several times but look not to not have caught you in your office at the time. (I left a voice mail message at that time requesting a call-back.)

So I come to you via email with a query about the status of *DP 18-001* which grew from a petition directed to NHSTA's ODI that I had made earlier this year by way of my particular VOQ.

As you likely will know it resulted in a nine-paged public-letter authored by *Mr. Jeffrey Quandt*, dated June 8, 2018, addressed to Mr. Jeffrey Marsee of Isuzu Technical Center of America, Inc.

My questions are two-fold:

- 1) Did Mr. Marsee respond to Mr. Quandt's letter fully by the due date of July 27, 2018 that he had established?
- 2) If not, did Mr. Marsee offer reason/s as to *why* that you can share with me (me being the original petitioner of VOQ #11091788)?

Thank you for *the courtesy of a reply*.

Very truly yours,

Kevin Byrne

J. Kevin Byrne
Saint Paul, Minnesota USA
e: kevin.byrne@comcast.net
t: 952.818.6240