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September 2, 2009

Ronald Medford
Acting Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Medford:

We are writing to urge the agency to amend its side-impact crash-test rating information to reflect new information that has come to light regarding deleted “standard” side curtain airbags in the Chevrolet Impala, model years 2006-2008.

An investigation by Safety Research & Strategies and the Kansas City Star revealed that General Motors offered fleet buyers the option of deleting the standard side curtain airbag from 2006 – 2008 Chevrolet Impala, 2008 – 2009 Cobalt and Buick LaCrosse models. Enterprise Rent-a-Car, the nation’s single largest buyer of new cars and seller of used vehicles, purchased 66,000 of these vehicles with the “standard” safety feature deleted, many of which have been re-sold as used, erroneously advertised as having the standard side curtain. Tens of thousands more were sold to other fleet buyers including rental car companies and other fleets. Yet GM continues to offer marketing material showing models offered with the fleet delete option as having a standard side curtain airbags.

Although the story received national attention, other existing sources of consumer information for these vehicles – including the New Car Assessment Program website – continue to list the side airbags as a standard feature. Further, the Impala’s five-star side crash rating for the front driver’s seat and the four-star rating for the rear were earned with the aid of the side curtain air bag. The vehicle would likely receive a lower rating without it.

According to safercar.gov, “NCAP provides consumers with vehicle safety information, primarily front and side crash rating results, and more recently rollover ratings, *to aid consumers in their vehicle purchase decisions.*” The agency feels so strongly about preserving the integrity of its crash ratings that it issues very specific

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NCAP advertising guidelines, intended “to promote *accurate characterization and comparison* of the National Highway Traffic Safety Administration's NCAP test results.”

Now that the Enterprise and General Motors have publicly acknowledged that side curtain airbags was not a standard feature on 2006-2008 MY Impalas and 2008-2009 Cobalt and Buick LaCrosse models, NHTSA should amend the information on its website to reflect that those models may not have side curtain airbags. It is consistent with the agency's dual mission of aiding the car-buying public and dispensing accurate information about vehicles and their safety performance.

As you know, the side curtain airbag is one of the most important advances in occupant protection in recent memory – so much so that the agency rules will ultimately mandate them. It is unconscionable that an automaker of GM's stature would mislead its customers into relying on an important safety feature that was not there. The agency should not compound this omission. It should act swiftly to make note of it in its public information

Sincerely,

A handwritten signature in black ink, appearing to read "Sean E. Kane". The signature is fluid and cursive, with the first name "Sean" being more prominent and the last name "Kane" following in a similar style.

Sean E. Kane

CC Jennifer Dang