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September 2, 2009

Frederick A. Henderson
President and Chief Executive Officer
General Motors
300 Renaissance Center
Detroit, MI 48265-3000

Dear Mr. Henderson:

We are writing to request that you take affirmative steps to ensure that GM vehicles that have had the “standard” airbags deleted for fleet and government buyers are re-branded to alert all future purchasers and dealers that this safety equipment was not included. We also request that General Motors immediately change its advertising and marketing materials to reflect that the feature is not standard, and that you alert all dealers and car buyer’s guide organizations of this anomaly on the 2006 through 2008 Impala, 2008 through 2009 Cobalt and any other vehicles that GM has marketed with “standard” side curtain airbags that were offered to fleet buyers without the feature.

While it appears that GM has removed erroneous advertising from its Certified Used Car website in response to the Kansas City Star report, GM dealers continue to sell former fleet vehicles without side curtains as having the feature. We understand that GM can’t police the advertising for all of its franchised dealers, but this misrepresentation will continue until you take action to re-brand these cars in a way that prevents dealers from making this mistake. The circumstances are so unusual that even well-versed salesmen who know the marketplace and vehicles are unaware that a “standard” safety feature may be missing.

In an ideal world, all dealers who purchase cars for resale would thoroughly review the VIN and do their book-out to determine every feature. But in the real world this doesn’t happen. Neither NADA nor other guides for the book-out clearly indicate that the feature isn’t standard or that it was deleted. In result, dealers are inadvertently representing these cars as having a safety feature that has been removed, and consumers continue to find reputable buyer’s sources identifying side curtains as standard. When a feature is “standard,” expecting a consumer to ask for details confirming that those features are on the car is misplacing the burden. This is a GM created problem, and one that only GM has the ability to remedy.

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As news stories show, consumers are surprised and unhappy to learn that GM allowed the removal of an important “standard” safety feature. The stakes for GM are raised considerably, however, should an occupant in one of these vehicles become injured in a side impact crash in which a side curtain airbag could have provided critical protection. The cost of this liability alone should justify action. The longer GM takes to inform consumers that this feature is not standard, the harder the problem will be to contain, and the more likely that the cost will grow.

Exiting bankruptcy has been a challenge for General Motors, I’m sure. As you attempt to rebuild the brand of a global car manufacturer, re-gaining customer confidence will be key to GM’s future success. We believe that forthrightly correcting the erroneous marketing is one step in that process.

We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean E. Kane". The signature is fluid and cursive, with a large initial "S" and "E".

Sean E. Kane