

ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641
November 6, 2015

Mr. Peter Welch
President
Automobile Dealers Association
412 First Street, S.E.
Washington, DC 20003

Dear Mr. Welch,

Thank you for appearing before the Subcommittee on Commerce, Manufacturing, and Trade on Wednesday, October 21, 2015, to testify at the hearing entitled "Examining Ways to Improve Vehicle and Roadway Safety."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Friday, November 20, 2015. Your responses should be e-mailed to the Legislative Clerk in Word format at Dylan.Vorbach@mail.house.gov and mailed to Dylan Vorbach, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Michael C. Burgess, M.D.
Chairman
Subcommittee on Commerce,
Manufacturing, and Trade

cc: Jan Schakowsky, Ranking Member, Subcommittee on Commerce, Manufacturing, and Trade

Attachment

The Honorable Lois Capps

1. At the hearing, I asked you whether auto dealers should be allowed to rent or loan consumers a vehicle with an unrepaired safety recall. You said, "Not if the car is unsafe to drive." According to NHTSA Administrator Rosekind's testimony, all cars under safety recall are deemed "unsafe" to drive. At the hearing the Administrator clearly stated that "if [a car] has a defect it should be off the road." Under what circumstances would it be appropriate for a dealer to rent or loan its customers a vehicle with an unrepaired safety recall?
 - A. In general, should auto dealers be allowed to rent or loan unrepaired recall cars that have the potential to catch fire?
 - B. In general, should auto dealers be allowed to rent or loan unrepaired recall cars with brakes that can potentially fail while driving?
 - C. In general, should auto dealers be allowed to rent or loan unrepaired recalled cars that contain faulty steering wheels, seat belts or airbags?
2. You expressed NADA's view that dealers should be allowed to rent or loan unrepaired recalled cars unless those cars are subject to "Stop Drive" notices. To clarify, is it NADA's position that it is an acceptable practice for auto dealers to rent or loan unrepaired recalled vehicles unless they are part of the very small percentage of recalls that are Stop Drive recalls?
 - A. The rented PT Cruiser that killed Raechel and Jacqueline Houck had a defective steering component that was not subject to a "stop drive" recall. Should auto dealers be allowed to rent or loan unrepaired recalled cars with defective steering components?
 - B. The rented Honda containing an exploding Takata air bag that killed Jewel Brangman was not subject to a "stop drive" recall. Should auto dealers be allowed to rent or loan unrepaired recalled cars with faulty airbags?
 - C. The GM Ignition Switch, which was found to be responsible for over 100 deaths and hundreds of injuries, was not a "Stop Drive" recall. In general, should auto dealers be allowed to rent or loan unrepaired recalled cars with a defective ignition switch?
 - D. The Toyota unintended acceleration recall was not a "Stop Drive" recall. Should auto dealers be allowed to rent or loan unrepaired recalled Toyota cars with sticking accelerator pedals?
3. You stated at the hearing that 6% of recalls are "Stop Drive" recalls. Can you provide the subcommittee with the source for this number?
4. In 2014, there were a record number of safety recalls involving almost 64 million vehicles; so far in 2015, over 40 million vehicles have been recalled. Were any of these recalls in 2014 Stop Drive recalls?
5. Can you provide for the subcommittee the number of recalls since January 1, 2014 that have been Stop Drive recalls, and how many vehicles were affected?
6. When a consumer owns a car that has a safety recall without "Stop Drive" instructions, how soon should they get it repaired? And why?

7. You stated during the hearing that NHTSA has the authority to require a manufacturer to issue a “Stop Drive” recall. Will you provide the subcommittee with the citation for that authority?