

ConsumersUnion®

POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Mitch Bainwol, President and CEO
Alliance of Automobile Manufacturers

Dear Mr. Bainwol:

Consumers Union, the policy and mobilization division of Consumer Reports, writes regarding the risks to consumers posed by shattering sunroofs, as detailed in a new Consumer Reports special investigation published today. In this letter, we urge you to take several actions in response to our findings.

In a story available today at CR.org and in the December 2017 issue of *Consumer Reports* magazine, Consumer Reports explores the concerning, and surprisingly frequent, problem of sunroofs spontaneously shattering while consumers are driving. According to our analysis of consumer complaints to the National Highway Traffic Safety Administration (NHTSA) from 1995 to the present, at least 859 incident reports have been filed regarding sunroofs in U.S. vehicles suddenly shattering. While the exact cause of the shattering is unknown, 71% of the reported incidents happened in the last six years—during which time the size and popularity of sunroofs has grown as well.

Thankfully, no deaths or severe injuries have been officially linked to this hazard, but the reports do include at least 36 injuries, primarily minor cuts or scrapes. The falling shards of glass and unexpected bang associated with the shattering sunroof—described by one consumer as sounding “like a bomb”—could foreseeably distract a driver and result in a crash, causing much more serious harm.

Consumers should not have to face the risk of their sunroofs shattering when they are driving down the road—for no apparent reason and with little or no warning—and neither companies nor NHTSA should wait for serious injuries or fatalities to happen before acting on the very foreseeable risks. Unfortunately, the lack of widespread recalls is reminiscent of past approaches taken by automakers to drag out investigations to avoid providing consumers with an expensive repair. Companies that have yet to recall affected vehicles may be hoping that NHTSA either will exhaust significant time and resources building a bulletproof case that would withstand challenge in court, or let the investigation lag to focus on possible defects that pose an even higher risk. Neither pathway is a responsible approach to take.

Consumer Reports supports actions by automakers to address vehicle safety hazards and provide consumers with cars that keep them safe in the event of a crash. While our detailed findings are described in the enclosed report, our overall conclusions prompt us to make the following recommendations to you:

- **To put consumers' safety first, all cars with shattering sunroofs that are on the road should be recalled.** Safety must be a non-negotiable, core part of every automaker's culture, and safety problems should be handled in a way that prioritizes the fair treatment and well-being of consumers. Several companies already have determined that certain vehicles with shattering sunroofs contain a defect, and decided to issue recalls. Those affected vehicles that still are on the road—including those made by companies that already have recalled some cars, but not others—should be recalled, to put consumers first and avoid wasting taxpayer resources on NHTSA investigative or enforcement activities. Also, consumers should be reimbursed if they already spent money out-of-pocket to get their sunroofs repaired.
- **The design and performance of sunroofs, especially panoramic sunroofs, should be improved to eliminate the problem of shattering sunroofs in new vehicles.** In addition to individual company changes, we urge you to work to strengthen existing voluntary performance standards for sunroofs through an open process, with a consensus reached among companies, technical experts, and public interest representatives and in coordination with NHTSA. Work under the auspices of SAE International, ANSI, or another group could help bring about revised performance requirements for sunroofs to prevent them from shattering.

In addition to examining NHTSA's consumer complaint database, Consumer Reports interviewed affected consumers to learn more about this hazard. While exact scenarios differ, all of the reported incidents share a common factor: a sunroof suddenly shattering along with a shocking, loud noise, with no obvious or direct cause. One consumer explained that the shards of her broken sunroof would have fallen directly onto her children if the shade guard had been open.

The broad prevalence of shattering sunroof incident reports warrants action. These incidents have been reported for 208 vehicle models and 35 different car brands, and in a diverse range of driving conditions. Despite consumer complaints of shattering sunroofs across many vehicle makes and models, Consumer Reports confirmed that the Kia Sorento (model years 2011-2013) is the only car in the U.S. currently being investigated by NHTSA for a potentially defective sunroof. NHTSA launched this investigation in 2013, and recently, visible progress appears to have slowed. While the agency continues to analyze test data, it has not said when it will complete the investigation into whether this model contains a safety defect in its sunroof.

Thank you for your consideration of our special investigation on shattering sunroofs. Consumer Reports stands ready to work with you to address all vehicle safety hazards and to make cars safer for all consumers.

Sincerely,



David Friedman
 Director, Cars and Product
 Policy and Analysis
 Consumers Union



William Wallace
 Policy Analyst
 Consumers Union

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Mr. John Bozzella, President and CEO
Association of Global Automakers

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Mr. Bernhardt Kuhnt, President and CEO
BMW of North America

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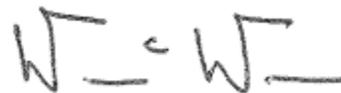
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Mr. Sergio Marchionne, Chairman and CEO
FCA US

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Mr. Jim Hackett, President and CEO
Ford Motor Company

Dear Mr. Hackett:

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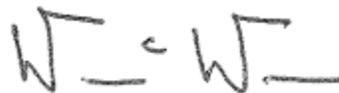
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Ms. Mary Barra, Chairman and CEO
General Motors Company

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Mr. Toshiaki Mikoshiba, President and CEO
American Honda Motor Company

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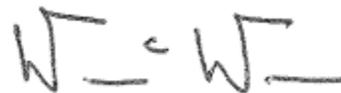
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Thank you for your consideration of our special investigation on shattering sunroofs. Consumer Reports stands ready to work with you to address all vehicle safety hazards and to make cars safer for all consumers.

Sincerely,



David Friedman
 Director, Cars and Product
 Policy and Analysis
 Consumers Union



William Wallace
 Policy Analyst
 Consumers Union

ConsumersUnion®

POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

The Honorable Rodney P. Frelinghuysen,
Chairman
The Honorable Nita Lowey, Ranking Member
U.S. House Committee on Appropriations
H-305, The Capitol
Washington, D.C. 20515

The Honorable Greg Walden, Chairman
The Honorable Frank Pallone, Jr., Ranking
Member
U.S. House Committee on Energy and
Commerce
2123 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Frelinghuysen, Ranking Member Lowey, Chairman Walden, and Ranking Member Pallone:

Consumers Union, the policy and mobilization division of Consumer Reports, writes regarding the risks to consumers posed by shattering sunroofs, as detailed in a new Consumer Reports special investigation published today. In this letter, we urge you to take several actions in response to our findings.

In a story available today at CR.org and in the December 2017 issue of *Consumer Reports* magazine, Consumer Reports explores the concerning, and surprisingly frequent, problem of sunroofs spontaneously shattering while consumers are driving. According to our analysis of consumer complaints to the National Highway Traffic Safety Administration (NHTSA) from 1995 to the present, at least 859 incident reports have been filed regarding sunroofs in U.S. vehicles suddenly shattering. While the exact cause of the shattering is unknown, 71% of the reported incidents happened in the last six years—during which time the size and popularity of sunroofs has grown as well.

Thankfully, no deaths or severe injuries have been officially linked to this hazard, but the reports do include at least 36 injuries, primarily minor cuts or scrapes. The falling shards of glass and unexpected bang associated with the shattering sunroof—described by one consumer as sounding “like a bomb”—could foreseeably distract a driver and result in a crash, causing much more serious harm.

Consumers should not have to face the risk of their sunroofs shattering when they are driving down the road—for no apparent reason and with little or no warning—and neither companies nor NHTSA should wait for serious injuries or fatalities to happen before acting on the very foreseeable risks. Unfortunately, the lack of widespread recalls is reminiscent of past approaches taken by automakers to drag out investigations to avoid providing consumers with an expensive repair. Companies that have yet to recall affected vehicles may be hoping that NHTSA either will exhaust significant time and resources building a bulletproof case that would

withstand challenge in court, or let the investigation lag to focus on possible defects that pose an even higher risk. Neither pathway is a responsible approach to take.

Consumer Reports supports your important work to advance motor vehicle safety through legislation and congressional oversight of relevant federal agencies. While our detailed findings are described in the enclosed report, our overall conclusions prompt us to make the following recommendations:

- **Congress should increase NHTSA’s funding and personnel, so that the agency—which is chronically underfunded—can thoroughly investigate more safety problems and more rapidly carry out research and rulemaking to enhance safety.** With its limited budget, NHTSA must ration its resources to decide which potential defects to investigate and must expend extra resources when automakers resist recalls. As a result, defect investigations, safety research projects, and rulemaking activities at NHTSA can take years, leaving the public without answers on whether a vehicle is safe. We appreciate the additional, much-needed funds offered to the agency under the 2015 FAST Act (Pub. L. 114-94), but they fall far short of providing NHTSA with the resources it needs to address both vehicle defects and the 37,461 lives that were lost on our roads in 2016 alone—most of which are attributable to factors other than defects.
- **Congress should push automakers to eliminate the problem of shattering sunroofs.** As key leaders in Congress, we urge you to use your influence with automakers to encourage the development of safer sunroofs and the issuance of product recalls for shattering sunroofs. Demonstrating your attention to this issue can help lead to auto safety improvements for your constituents.

In addition to examining NHTSA’s consumer complaint database, Consumer Reports interviewed affected consumers to learn more about this hazard. While exact scenarios differ, all of the reported incidents share a common factor: a sunroof suddenly shattering along with a shocking, loud noise, with no obvious or direct cause. One consumer explained that the shards of her broken sunroof would have fallen directly onto her children if the shade guard had been open.

The broad prevalence of shattering sunroof incident reports warrants action. Sunroof shattering incidents have been reported for 208 vehicle models and 35 different car brands, and in a diverse range of driving conditions. Despite consumer complaints of shattering sunroofs across many vehicle makes and models, Consumer Reports confirmed that the Kia Sorento (model years 2011-2013) is the only car in the U.S. currently being investigated by NHTSA for a potentially defective sunroof. NHTSA launched this investigation in 2013, and recently, visible progress appears to have slowed. While the agency continues to analyze test data, it has not said when it will complete the investigation into whether this model contains a safety defect in its sunroof.

The story published today includes advice to consumers about how to protect themselves—both physically and financially—against the risks of shattering sunroofs. While Consumer Reports is not suggesting that consumers should avoid buying cars with panoramic

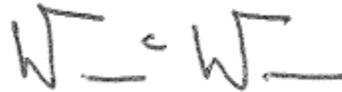
sunroofs, we encourage consumers to ask dealers if the sunroof of a given car is made with laminated glass, check with their auto insurance company about coverage for a sunroof incident, and listen for any warning signs. In the event of a sunroof suddenly shattering, we advise consumers to stay as calm as possible, and to safely pull over the car to evaluate damage. We also urge any consumers whose sunroofs have shattered to file a report with NHTSA, and to contact their dealer, insurer, and vehicle manufacturer.

Thank you for your consideration of our special investigation on shattering sunroofs. Consumer Reports stands ready to work with you to address all vehicle safety hazards and to make cars safer for all consumers.

Sincerely,



David Friedman
Director, Cars and Product
Policy and Analysis
Consumers Union



William Wallace
Policy Analyst
Consumers Union

cc: The Honorable Mario Diaz-Balart, Chairman
The Honorable David Price, Ranking Member
U.S. House Committee on Appropriations
Subcommittee on Transportation, Housing and
Urban Development, and Related Agencies

The Honorable Bob Latta, Chairman
The Honorable Jan Schakowsky, Ranking Member
U.S. House Committee on Energy and Commerce
Subcommittee on Digital Commerce and Consumer Protection

ConsumersUnion®

POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Kyung Soo Lee, President and CEO
Hyundai Motor America

Dear Mr. Lee:

Consumers Union, the policy and mobilization division of Consumer Reports, writes regarding the risks to consumers posed by shattering sunroofs, as detailed in a new Consumer Reports special investigation published today. In this letter, we urge you to take several actions in response to our findings.

In a story available today at CR.org and in the December 2017 issue of *Consumer Reports* magazine, Consumer Reports explores the concerning, and surprisingly frequent, problem of sunroofs spontaneously shattering while consumers are driving. According to our analysis of consumer complaints to the National Highway Traffic Safety Administration (NHTSA) from 1995 to the present, at least 859 incident reports have been filed regarding sunroofs in U.S. vehicles suddenly shattering. While the exact cause of the shattering is unknown, 71% of the reported incidents happened in the last six years—during which time the size and popularity of sunroofs has grown as well.

Thankfully, no deaths or severe injuries have been officially linked to this hazard, but the reports do include at least 36 injuries, primarily minor cuts or scrapes. The falling shards of glass and unexpected bang associated with the shattering sunroof—described by one consumer as sounding “like a bomb”—could foreseeably distract a driver and result in a crash, causing much more serious harm.

Consumers should not have to face the risk of their sunroofs shattering when they are driving down the road—for no apparent reason and with little or no warning—and neither companies nor NHTSA should wait for serious injuries or fatalities to happen before acting on the very foreseeable risks. Unfortunately, the lack of widespread recalls is reminiscent of past approaches taken by automakers to drag out investigations to avoid providing consumers with an expensive repair. Companies that have yet to recall affected vehicles may be hoping that NHTSA either will exhaust significant time and resources building a bulletproof case that would withstand challenge in court, or let the investigation lag to focus on possible defects that pose an even higher risk. Neither pathway is a responsible approach to take.

Consumer Reports supports actions by automakers to address vehicle safety hazards and provide consumers with cars that keep them safe in the event of a crash—and acknowledges the steps your company already has taken to recall defective vehicles. While our detailed findings are described in the enclosed report, our overall conclusions prompt us to make the following recommendations to you:

- **To put consumers' safety first, all cars with shattering sunroofs that are on the road should be recalled.** Safety must be a non-negotiable, core part of every automaker's culture, and safety problems should be handled in a way that prioritizes the fair treatment and well-being of consumers. Several companies already have determined that certain vehicles with shattering sunroofs contain a defect, and decided to issue recalls. Those affected vehicles that still are on the road—including those made by companies that already have recalled some cars, but not others—should be recalled, to put consumers first and avoid wasting taxpayer resources on NHTSA investigative or enforcement activities. Also, consumers should be reimbursed if they already spent money out-of-pocket to get their sunroofs repaired.
- **The design and performance of sunroofs, especially panoramic sunroofs, should be improved to eliminate the problem of shattering sunroofs in new vehicles.** In addition to individual company changes, we urge you to work to strengthen existing voluntary performance standards for sunroofs through an open process, with a consensus reached among companies, technical experts, and public interest representatives and in coordination with NHTSA. Work under the auspices of SAE International, ANSI, or another group could help bring about revised performance requirements for sunroofs to prevent them from shattering.

In addition to examining NHTSA's consumer complaint database, Consumer Reports interviewed affected consumers to learn more about this hazard. While exact scenarios differ, all of the reported incidents share a common factor: a sunroof suddenly shattering along with a shocking, loud noise, with no obvious or direct cause. One consumer explained that the shards of her broken sunroof would have fallen directly onto her children if the shade guard had been open.

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David Friedman
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William Wallace
Policy Analyst
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POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Joachim W. Eberhardt, President and CEO
Jaguar Land Rover North America

Dear Mr. Eberhardt:

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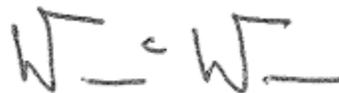
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David Friedman
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 Policy and Analysis
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William Wallace
 Policy Analyst
 Consumers Union

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POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Jang Won Sohn, President and CEO
Kia Motors America

Dear Mr. Sohn:

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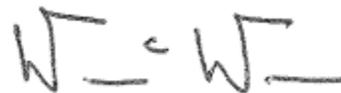
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David Friedman
 Director, Cars and Product
 Policy and Analysis
 Consumers Union



William Wallace
 Policy Analyst
 Consumers Union

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POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Masahiro Moro, President and CEO
Mazda North American Operations

Dear Mr. Moro:

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William Wallace
 Policy Analyst
 Consumers Union

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POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Dietmar Exler, President and CEO
Mercedes-Benz USA

Dear Mr. Exler:

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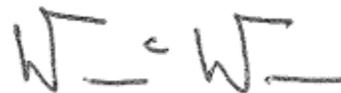
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POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Ryujiro Kobashi, President and CEO
Mitsubishi Motors North America

Dear Mr. Kobashi:

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Thankfully, no deaths or severe injuries have been officially linked to this hazard, but the reports do include at least 36 injuries, primarily minor cuts or scrapes. The falling shards of glass and unexpected bang associated with the shattering sunroof—described by one consumer as sounding “like a bomb”—could foreseeably distract a driver and result in a crash, causing much more serious harm.

Consumers should not have to face the risk of their sunroofs shattering when they are driving down the road—for no apparent reason and with little or no warning—and neither companies nor NHTSA should wait for serious injuries or fatalities to happen before acting on the very foreseeable risks. Unfortunately, the lack of widespread recalls is reminiscent of past approaches taken by automakers to drag out investigations to avoid providing consumers with an expensive repair. Companies that have yet to recall affected vehicles may be hoping that NHTSA either will exhaust significant time and resources building a bulletproof case that would withstand challenge in court, or let the investigation lag to focus on possible defects that pose an even higher risk. Neither pathway is a responsible approach to take.

Consumer Reports supports actions by automakers to address vehicle safety hazards and provide consumers with cars that keep them safe in the event of a crash. While our detailed findings are described in the enclosed report, our overall conclusions prompt us to make the following recommendations to you:

- **To put consumers' safety first, all cars with shattering sunroofs that are on the road should be recalled.** Safety must be a non-negotiable, core part of every automaker's culture, and safety problems should be handled in a way that prioritizes the fair treatment and well-being of consumers. Several companies already have determined that certain vehicles with shattering sunroofs contain a defect, and decided to issue recalls. Those affected vehicles that still are on the road—including those made by companies that already have recalled some cars, but not others—should be recalled, to put consumers first and avoid wasting taxpayer resources on NHTSA investigative or enforcement activities. Also, consumers should be reimbursed if they already spent money out-of-pocket to get their sunroofs repaired.
- **The design and performance of sunroofs, especially panoramic sunroofs, should be improved to eliminate the problem of shattering sunroofs in new vehicles.** In addition to individual company changes, we urge you to work to strengthen existing voluntary performance standards for sunroofs through an open process, with a consensus reached among companies, technical experts, and public interest representatives and in coordination with NHTSA. Work under the auspices of SAE International, ANSI, or another group could help bring about revised performance requirements for sunroofs to prevent them from shattering.

In addition to examining NHTSA's consumer complaint database, Consumer Reports interviewed affected consumers to learn more about this hazard. While exact scenarios differ, all of the reported incidents share a common factor: a sunroof suddenly shattering along with a shocking, loud noise, with no obvious or direct cause. One consumer explained that the shards of her broken sunroof would have fallen directly onto her children if the shade guard had been open.

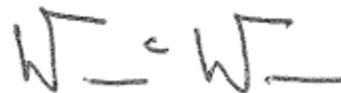
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Thank you for your consideration of our special investigation on shattering sunroofs. Consumer Reports stands ready to work with you to address all vehicle safety hazards and to make cars safer for all consumers.

Sincerely,



David Friedman
 Director, Cars and Product
 Policy and Analysis
 Consumers Union



William Wallace
 Policy Analyst
 Consumers Union



POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Ms. Heidi R. King
Acting Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue S.E., West Building
Washington, D.C. 20590

Dear Ms. King:

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Consumer Reports supports the important work of NHTSA to advance motor vehicle safety through research, data analysis, consumer education, standards-setting, and enforcement actions. While our detailed findings are described in the enclosed report, our overall conclusions prompt us to make the following recommendations to NHTSA:

- **NHTSA should declare the existence of a safety-related defect.** While NHTSA must abide by its investigative process, the foreseeable risks that shattered sunroofs pose and the fact that some companies have already performed safety recalls for shattering sunroofs indicate that a broad defect determination is warranted. A sunroof shattering without apparent cause or warning is a clear distraction to a driver that can foreseeably cause a crash, regardless of whether or not the broken glass itself injures anyone in the vehicle.
- **NHTSA should expand its investigation of shattering sunroofs.** Based on our analysis of consumer complaints in the agency's database, the problem of shattering sunroofs goes beyond just those vehicles already recalled (including several Audi and VW models, the 2012 Hyundai Veloster, and the 2004 Nissan Maxima) or investigated (including the 2011-2013 Kia Sorento and earlier Cadillac and Scion models) to include many additional models. For affected models that have not yet been recalled, NHTSA should investigate the likely existence of a safety defect, continue to gather additional information from companies, and determine what steps manufacturers must take under the law to protect consumers.
- **NHTSA should incorporate sunroof performance requirements into an existing safety standard.** Federal safety standards exist to verify the strength of a car's windshield and side windows, as well as its doors and roof, to make sure they adequately protect occupants in a crash. But the standards do not address the strength of sunroofs. When NHTSA revises its roof crush or ejection mitigation standards, it should require panoramic and other sunroofs to meet appropriate safety performance requirements.

In addition to examining NHTSA's consumer complaint database, Consumer Reports interviewed affected consumers to learn more about this hazard. While exact scenarios differ, all of the reported incidents share a common factor: a sunroof suddenly shattering along with a shocking, loud noise, with no obvious or direct cause. One consumer explained that the shards of her broken sunroof would have fallen directly onto her children if the shade guard had been open.

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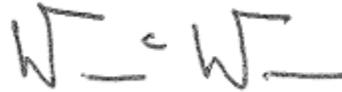
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Thank you for your consideration of our special investigation on shattering sunroofs. Consumer Reports stands ready to work with you to address all vehicle safety hazards and to make cars safer for all consumers.

Sincerely,



David Friedman
Director, Cars and Product
Policy and Analysis
Consumers Union



William Wallace
Policy Analyst
Consumers Union

ConsumersUnion®

POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. José Muñoz, Chairman
Nissan North America

Dear Mr. Muñoz:

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Consumer Reports supports actions by automakers to address vehicle safety hazards and provide consumers with cars that keep them safe in the event of a crash—and acknowledges the steps your company already has taken to recall defective vehicles. While our detailed findings are described in the enclosed report, our overall conclusions prompt us to make the following recommendations to you:

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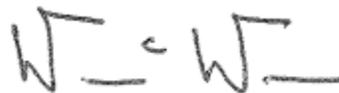
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David Friedman
 Director, Cars and Product
 Policy and Analysis
 Consumers Union



William Wallace
 Policy Analyst
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ConsumersUnion®

POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

The Honorable Thad Cochran, Chairman
The Honorable Patrick Leahy, Vice Chairman
U.S. Senate Committee on Appropriations
Room S-128, The Capitol
Washington, D.C. 20510

The Honorable John Thune, Chairman
The Honorable Bill Nelson, Ranking Member
U.S. Senate Committee on Commerce,
Science and Transportation
512 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Cochran, Vice Chairman Leahy, Chairman Thune, and Ranking Member Nelson:

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Consumer Reports supports your important work to advance motor vehicle safety through legislation and congressional oversight of relevant federal agencies. While our detailed findings are described in the enclosed report, our overall conclusions prompt us to make the following recommendations:

- **Congress should increase NHTSA’s funding and personnel, so that the agency—which is chronically underfunded—can thoroughly investigate more safety problems and more rapidly carry out research and rulemaking to enhance safety.** With its limited budget, NHTSA must ration its resources to decide which potential defects to investigate and must expend extra resources when automakers resist recalls. As a result, defect investigations, safety research projects, and rulemaking activities at NHTSA can take years, leaving the public without answers on whether a vehicle is safe. We appreciate the additional, much-needed funds offered to the agency under the 2015 FAST Act (Pub. L. 114-94), but they fall far short of providing NHTSA with the resources it needs to address both vehicle defects and the 37,461 lives that were lost on our roads in 2016 alone—most of which are attributable to factors other than defects.
- **Congress should push automakers to eliminate the problem of shattering sunroofs.** As key leaders in Congress, we urge you to use your influence with automakers to encourage the development of safer sunroofs and the issuance of product recalls for shattering sunroofs. Demonstrating your attention to this issue can help lead to auto safety improvements for your constituents.

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David Friedman
Director, Cars and Product
Policy and Analysis
Consumers Union



William Wallace
Policy Analyst
Consumers Union

cc: The Honorable Susan Collins, Chairman
The Honorable Jack Reed, Ranking Member
U.S. Senate Committee on Appropriations
Subcommittee on Transportation, Housing and
Urban Development, and Related Agencies

The Honorable Jerry Moran, Chairman
The Honorable Richard Blumenthal, Ranking Member
U.S. Senate Committee on Commerce, Science, and Transportation
Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security

ConsumersUnion®

POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Tomomi Nakamura, Chairman and CEO
Subaru of America

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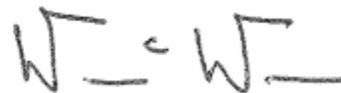
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POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Elon Musk, Chairman, Product Architect, and CEO
Tesla

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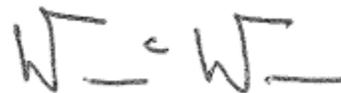
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 Policy and Analysis
 Consumers Union



William Wallace
 Policy Analyst
 Consumers Union

ConsumersUnion®

POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. James E. Lentz, III, CEO
Toyota Motor North America

Dear Mr. Lentz:

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Thankfully, no deaths or severe injuries have been officially linked to this hazard, but the reports do include at least 36 injuries, primarily minor cuts or scrapes. The falling shards of glass and unexpected bang associated with the shattering sunroof—described by one consumer as sounding “like a bomb”—could foreseeably distract a driver and result in a crash, causing much more serious harm.

Consumers should not have to face the risk of their sunroofs shattering when they are driving down the road—for no apparent reason and with little or no warning—and neither companies nor NHTSA should wait for serious injuries or fatalities to happen before acting on the very foreseeable risks. Unfortunately, the lack of widespread recalls is reminiscent of past approaches taken by automakers to drag out investigations to avoid providing consumers with an expensive repair. Companies that have yet to recall affected vehicles may be hoping that NHTSA either will exhaust significant time and resources building a bulletproof case that would withstand challenge in court, or let the investigation lag to focus on possible defects that pose an even higher risk. Neither pathway is a responsible approach to take.

Consumer Reports supports actions by automakers to address vehicle safety hazards and provide consumers with cars that keep them safe in the event of a crash. While our detailed findings are described in the enclosed report, our overall conclusions prompt us to make the following recommendations to you:

- **To put consumers' safety first, all cars with shattering sunroofs that are on the road should be recalled.** Safety must be a non-negotiable, core part of every automaker's culture, and safety problems should be handled in a way that prioritizes the fair treatment and well-being of consumers. Several companies already have determined that certain vehicles with shattering sunroofs contain a defect, and decided to issue recalls. Those affected vehicles that still are on the road—including those made by companies that already have recalled some cars, but not others—should be recalled, to put consumers first and avoid wasting taxpayer resources on NHTSA investigative or enforcement activities. Also, consumers should be reimbursed if they already spent money out-of-pocket to get their sunroofs repaired.
- **The design and performance of sunroofs, especially panoramic sunroofs, should be improved to eliminate the problem of shattering sunroofs in new vehicles.** In addition to individual company changes, we urge you to work to strengthen existing voluntary performance standards for sunroofs through an open process, with a consensus reached among companies, technical experts, and public interest representatives and in coordination with NHTSA. Work under the auspices of SAE International, ANSI, or another group could help bring about revised performance requirements for sunroofs to prevent them from shattering.

In addition to examining NHTSA's consumer complaint database, Consumer Reports interviewed affected consumers to learn more about this hazard. While exact scenarios differ, all of the reported incidents share a common factor: a sunroof suddenly shattering along with a shocking, loud noise, with no obvious or direct cause. One consumer explained that the shards of her broken sunroof would have fallen directly onto her children if the shade guard had been open.

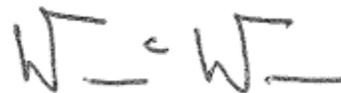
The broad prevalence of shattering sunroof incident reports warrants action. These incidents have been reported for 208 vehicle models and 35 different car brands, and in a diverse range of driving conditions. Despite consumer complaints of shattering sunroofs across many vehicle makes and models, Consumer Reports confirmed that the Kia Sorento (model years 2011-2013) is the only car in the U.S. currently being investigated by NHTSA for a potentially defective sunroof. NHTSA launched this investigation in 2013, and recently, visible progress appears to have slowed. While the agency continues to analyze test data, it has not said when it will complete the investigation into whether this model contains a safety defect in its sunroof.

Thank you for your consideration of our special investigation on shattering sunroofs. Consumer Reports stands ready to work with you to address all vehicle safety hazards and to make cars safer for all consumers.

Sincerely,



David Friedman
 Director, Cars and Product
 Policy and Analysis
 Consumers Union



William Wallace
 Policy Analyst
 Consumers Union

ConsumersUnion®

POLICY & ACTION FROM CONSUMER REPORTS

October 12, 2017

Mr. Hinrich J. Woebcken, President and CEO
Volkswagen Group of America

Dear Mr. Woebcken:

Consumers Union, the policy and mobilization division of Consumer Reports, writes regarding the risks to consumers posed by shattering sunroofs, as detailed in a new Consumer Reports special investigation published today. In this letter, we urge you to take several actions in response to our findings.

In a story available today at CR.org and in the December 2017 issue of *Consumer Reports* magazine, Consumer Reports explores the concerning, and surprisingly frequent, problem of sunroofs spontaneously shattering while consumers are driving. According to our analysis of consumer complaints to the National Highway Traffic Safety Administration (NHTSA) from 1995 to the present, at least 859 incident reports have been filed regarding sunroofs in U.S. vehicles suddenly shattering. While the exact cause of the shattering is unknown, 71% of the reported incidents happened in the last six years—during which time the size and popularity of sunroofs has grown as well.

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Consumers should not have to face the risk of their sunroofs shattering when they are driving down the road—for no apparent reason and with little or no warning—and neither companies nor NHTSA should wait for serious injuries or fatalities to happen before acting on the very foreseeable risks. Unfortunately, the lack of widespread recalls is reminiscent of past approaches taken by automakers to drag out investigations to avoid providing consumers with an expensive repair. Companies that have yet to recall affected vehicles may be hoping that NHTSA either will exhaust significant time and resources building a bulletproof case that would withstand challenge in court, or let the investigation lag to focus on possible defects that pose an even higher risk. Neither pathway is a responsible approach to take.

Consumer Reports supports actions by automakers to address vehicle safety hazards and provide consumers with cars that keep them safe in the event of a crash—and acknowledges the steps your company already has taken to recall defective vehicles. While our detailed findings are described in the enclosed report, our overall conclusions prompt us to make the following recommendations to you:

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Volvo Car USA

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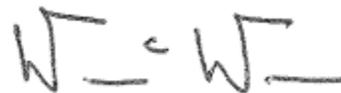
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