



March 18, 2021

The Honorable Steven Cliff
Acting Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE, West Building
Washington, D.C. 20590

Dear Administrator Cliff:

I am writing regarding alarming reports that defective steering sensors and malfunctioning electronic stability control (ESC) systems in several General Motors (GM) vehicle models could present a serious and ongoing threat to public safety. Further, I am troubled that the National Highway Traffic Safety Administration (NHTSA) was informed about at least one fatal accident potentially connected to the defect, as well as an unusually high number of warranty claims and complaints, but inexcusably failed to open an investigation or warn the public. I am therefore requesting all information about the defective safety feature and NHTSA's inexplicable failure to open an investigation into the matter.

According to a deeply concerning investigative report by Reuters, GM has confronted a series of issues with steering sensors used in its ESC system, StabiliTrak, on several SUV models manufactured between 2006 and 2009.¹ These defects, caused by different wiring related issues and manufacturing anomalies, could cause StabiliTrak to trigger false safety warnings, improperly activate, or disable the system. StabiliTrak and ESC systems are critical safety features that adjust brakes and engine power to help drivers avoid losing control, rolling over, or crashing. Because ECS saves lives, NHTSA mandated its installation in all passenger cars manufactured since 2011.² I am alarmed that StabiliTrak could fail drivers when it is most needed and put them in harm's way.

¹ Mike Spector and Benjamin Lesser. "Special Report: Suit over deadly crash renews spotlight on GM safety practices," Reuters, March 17, 2021. <https://www.reuters.com/article/us-gm-safety-cooper-specialreport/special-report-suit-over-deadly-crash-renews-spotlight-on-gm-safety-practices-idUSKBN2B91DQ>

² "Federal Motor Vehicle Safety Standards; Electronic Stability Control Systems." National Highway Traffic Safety Administration. <https://www.nhtsa.gov/fmvss/federal-motor-vehicle-safety-standards-electronic-stability-control-systems-0>

GM has reportedly been aware of this pervasive and threatening problem for over a decade. Reportedly, an internal GM probe found 73,711 warranty claims regarding defective StabiliTrak steering sensors, as well as four lawsuits, 59 regulatory filings, and 5,861 complaints from dealers and customers. These tens of thousands of warnings cover close to 10% of SUVs sold in those models, vastly exceeding the normal rate of defects for vehicles. In one particularly haunting case, a mother was killed in November 2014 after her Chevrolet Trailblazer SUV swerved, lost control, and rolled into a ditch – potentially as a result of the failed steering sensor. Troublingly, about half a million vehicles containing the steering sensor remain on U.S. roads.

Auto manufacturers are required to inform NHTSA when a defect could increase the chance of a crash or pose a hazard to those on the road. Once aware of an unreasonable safety risk, manufacturers are also required to issue a recall. GM is especially on-notice about its obligations to report and recall defects based on its devastating failure to address dangerous, defective airbags in the past. As concerning, NHTSA acknowledged at least being warned about the defective sensors by the family of the woman killed, but decided in January of this year against opening a formal investigation into the steering sensors despite the voluminous reports of warranty claims and complaints.³

Consumers have a right to know when the cars they drive are vulnerable to defects that could pose a hazard and hinder critical safety features. NHTSA and GM have a vital duty to ensure they engage in a complete, thorough, and transparent investigation of any reports of such defects – particularly when connected to fatal accidents. Given these alarming reports and its unexplained failure to address GM’s defective steering sensors, I request all information about NHTSA’s involvement in this matter, as well as answers to the following questions by April 1st, 2021:

- 1.) Did GM notify NHTSA about complaints, warranty claims, and warnings from dealers and customers, as well as its own investigation into defective StabiliTrak and steering sensors in its vehicles? What information and data did GM provide to NHTSA about this matter, its investigation, and its decision not to issue a recall? Provide all documents and communications related to GM regarding this matter.
- 2.) What review or investigation did NHTSA conduct regarding reports of defective StabiliTrak and steering sensors in GM vehicles?
- 3.) Why did NHTSA decide not to open a formal investigation into the defects, including the fatal Chevrolet Trailblazer SUV accident in November 2014? Provide all communications, including e-mails between and among NHTSA officials and staff, regarding this deliberation.

³ Mike Spector. “Exclusive: U.S. safety regulators reviewed concerns over GM sensor,” Reuters, March 17, 2021. <https://www.reuters.com/article/us-gm-safety-cooper-nhtsa-exclusive/exclusive-u-s-safety-regulators-reviewed-concerns-over-gm-sensor-idUSKBN2B91E4>

- 4.) Please identify all GM models for which NHTSA is aware of reports of defective ESC systems and steering sensors.
- 5.) Given that several GM models suffered from excessively high warranty claims, why did NHTSA and GM not provide the public with information regarding the defect that would help facilitate repairs to this safety feature and enable further investigation into the issue?
- 6.) Provide copies of all complaints received since 2006 by NHTSA from any source that relates to defective StabiliTrak, ESC systems, and steering sensors in GM vehicles.

Thank you for your attention to these important issues. I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Richard Blumenthal". The signature is written in a cursive style and is positioned above a horizontal line.

RICHARD BLUMENTHAL
United States Senate