

SUBMISSION ON OPTION DISCUSSION PAPER 2014 REVIEW OF THE MOTOR VEHICLE STANDARDS ACT 1989

BACKGROUND

This submission is in relation **Vehicle Recalls** and is informed largely by my experiences with a passenger vehicle with a diesel engine which stopped working suddenly and without warning when being driven by my wife in November 2013 on a very busy road (which we consider was a very significant safety risk).

The vehicle was bought new in October 2007, had been fully serviced by the manufacturer's dealers and had travelled only 77,000 km.

The cause was identified as a broken rocker which had also resulted in other damage to the engine.

As result of talking to dealers, speaking to the RACQ, and an internet search, I become aware that:

- The problem was due to a design fault with the rocker roller needle bearings and it would be expensive (at least \$3000) to repair the engine.
- The problem was quite common and had occurred with some vehicles after travelling only about 20,000 km.
- The part has been changed in later models and when the problem occurs all the rockers in an engine are replaced with the new part.
- The manufacturer had issued a Service Procedure about the problem.
- The manufacturer did not recall vehicles that might be susceptible to the problem or did not advise owners about the potential problem.

After negotiations, the manufacturer offered to repair the vehicle if I was prepared to pay \$755 towards the costs. Reluctantly, I agree to pay this even though I had already paid \$300 for an initial diagnosis and had to hire a car at a cost of \$225 to go on a pre booked holiday.

COMMENTS AND RECOMMENDATIONS

As a result of contacting numerous people and organisations about my experiences, current requirements and procedures, and public policy issues it seems to me that:

1. The focus of policies, procedures etc regarding recalls or transparency of information is almost exclusively on problems likely to involve safety.

Recommendation

More attention should be given to the needs of consumers for recalls and transparency of information about problems that could result in a major expense for existing/potential future owners but which might not be regarded as safety risks.

2. There do not seem to be agreed views about what types of problems can/should be regarded as posing safety risks.

Recommendation

There should be agreed views on what constitutes a safety risk and the sudden and unexpected stopping of an engine due to an engine design fault should be regarded as a safety risk.

3. The current procedures for collecting information and making decisions including recalls on vehicle faults (safety and other) are inadequate and rely too much on information collected by the manufacturer who does not seem to be required to provide this information to others.

Recommendation

The present system should be changed to require manufacturers to provide information about faults to one government dept/agency and that dept/agency should also obtain relevant information for others to whom consumers are likely to make complaints for example other government depts/agencies and motoring organisations. It should also continuously monitor other sources of customer complaints, such as complaints websites, social media, etc. in Australia and overseas.

The present system for decision making on recalls etc for safety, and other reasons, should be streamlined and strengthened.

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