



# Motor Vehicle Safety Defects And Recalls

What Every Vehicle Owner  
Should Know



U.S. Department  
of Transportation  
**National Highway  
Traffic Safety  
Administration**



**NHTSA**



# Table of Contents

- Introduction . . . . . 1
- Purpose . . . . . 2
- Frequently Asked Questions on Recalls . . . . . 2
  - When Is a Recall Necessary? . . . . . 2
  - What Is a Safety-Related Defect? . . . . . 2
  - Examples of Defects Considered Safety-Related . . . . . 3
  - Examples of Defects Not Considered Safety-Related . . . . . 4
  - How Can I Report a Safety Problem to NHTSA? . . . . . 4
  - How Will My Report Be Used? . . . . . 5
  - Will I Be Contacted? . . . . . 7
  - How Many Reports Must Be Filed Before NHTSA Investigates an Issue? . . . . . 7
  - How Does NHTSA Conduct an Investigation? . . . . . 7
  - What Happens When NHTSA Determines a Safety Defect Exists? . . . . . 10
  - If NHTSA Makes a Final Decision, Can the Manufacturer Challenge That Decision? . . . . . 10
  - Do Manufacturers Ever Initiate Recalls Without a Government Order? . . . . . 11
  - How Will I Be Notified If a Recall Is Ordered or Initiated? . . . . . 11
  - How Are Problems With Recalled Vehicles or Equipment Remedied? . . . . . 12
  - If I Pay for Needed Repairs Before a Recall Is Ordered, Am I Entitled to Reimbursement? . . . . . 12
  - Are There Any Limitations to My Right to Have a Recalled Vehicle Remedied at No Charge? . . . . . 13
  - What About Tire Recalls? . . . . . 13
  - What If a Dealer Denies My Right to Have a Recalled Vehicle Remedied at No Charge? . . . . . 14
  - Once a Recall Is Initiated, Can I Take Independent Legal Action for Injuries I May Have Suffered? . . . . . 14
  - Where Can I Find Additional Resources on Recalls and Other Vehicle Safety Issues? . . . . . 15





## Introduction

On average over 40,000 people are killed on our Nation's highways each year. In addition to staggering emotional costs, the annual economic loss to society because of these crashes, in terms of worker productivity, medical costs, insurance costs, etc., is estimated at more than \$340 billion. Clearly, there is a need for dramatic improvement in motor vehicle safety. Getting recalls repaired and unsafe vehicles off the road is integral to improving safety and saving lives.

The National Traffic and Motor Vehicle Safety Act gives NHTSA the authority to issue vehicle safety standards and to require manufacturers to recall vehicles that have safety-related defects or do not meet Federal safety standards. Since this law was enacted in 1966, NHTSA has recalled more than 935 million cars, trucks, buses, recreational vehicles, motorcycles, and mopeds, as well as 63 million tires, 62 million child car seats, and 222 million other items of motor vehicle equipment due to safety defects.

Manufacturers initiate many vehicle safety recalls, while others are either influenced by NHTSA investigations or may be ordered by NHTSA. If a safety defect is discovered, the manufacturer must notify NHTSA, as well as vehicle or equipment owners, dealers, and distributors. The manufacturer is then required to remedy the problem at no charge to the owner. NHTSA is responsible for monitoring the manufacturer's corrective action to ensure successful completion of the recall campaign.

## Purpose

The purpose of this booklet is to answer the most commonly asked questions about how and why recall campaigns are initiated, and to inform consumers of their rights and responsibilities when a vehicle or item of motor vehicle equipment is recalled. In these pages, you'll discover how to report a safety-related problem to NHTSA, as well as how participation by vehicle owners like you helps to keep motor vehicles as safe as possible. See the following section for comprehensive answers to some of the most frequently asked questions NHTSA receives on recalls.

## Frequently Asked Questions on Recalls

### When Is a Recall Necessary?

- When a motor vehicle or an item of motor vehicle equipment (including tires) does not comply with a Federal Motor Vehicle Safety Standard.
- When there is a safety-related defect in the vehicle or equipment.

Federal Motor Vehicle Safety Standards set minimum performance requirements for those parts of the vehicle that most affect its safe operation (brakes, tires, lighting, etc.) or that protect drivers and passengers from death or serious injury in the event of a crash (air bags, seat belts, car seats and booster seats, energy absorbing steering columns, motorcycle helmets, etc.).

### What Is a Safety-Related Defect?

The United States Code for Motor Vehicle Safety (Title 49, Chapter 301) defines motor vehicle safety as “the performance of a motor vehicle or motor vehicle equipment in a way that protects the public against unreasonable risk of accidents occurring because of the design, construction, or performance of a motor vehicle, and against unreasonable risk of death or injury in an accident, and includes nonoperational safety of a motor vehicle.” A defect includes “any defect in performance, construction, a component, or material of a motor vehicle or motor vehicle

equipment.” Generally, a safety defect is defined as a problem that exists in a motor vehicle or item of motor vehicle equipment that:

- › poses an unreasonable risk to motor vehicle safety, and
- › may exist in a group of vehicles of the same design or manufacture, or items of equipment of the same type and manufacture.

### **Examples of Defects Considered Safety-Related**

- › Steering components that break suddenly, causing partial or complete loss of vehicle control
- › Problems with fuel system components that result in leakage of fuel and may cause vehicle fires or can cause a loss of power
- › Software problems causing the backup camera to become disabled and the driver to lose their rear visibility
- › Wheels that crack or break, which may result in loss of vehicle control
- › Engine cooling fan blades that break unexpectedly, causing injury to people working on a vehicle
- › Windshield wiper assemblies that fail to operate properly, causing loss of driver visibility
- › Seats and/or seat backs that fail unexpectedly during normal use
- › Critical vehicle components that break, fall apart, or separate from the vehicle, causing potential loss of vehicle control or injury to people inside or outside the vehicle
- › Wiring system problems that result in a fire, loss of lighting, or loss of propulsion
- › Car ramps or jacks that may collapse and cause injury to someone working on or under a vehicle
- › Air bags that deploy under conditions for which they are not intended to deploy or air bags that explode causing injury to vehicle occupants
- › Car seats and booster seats that contain defective straps, buckles, or components that create a risk of injury during a vehicle crash

## **Examples of Defects Not Considered Safety-Related**

- › Radios that do not operate properly
- › Ordinary wear of equipment such as shock absorbers, batteries, brake pads and shoes, and exhaust systems
- › Nonstructural or body panel rust
- › Quality of paint or cosmetic blemishes
- › Excessive oil consumption

## **How Can I Report a Safety Problem to NHTSA?**

If you think your vehicle or equipment may have a safety defect, reporting it to NHTSA is an important first step to take to get the situation remedied and make our roads safer. If the agency receives similar reports from a number of people about the same product, this could indicate that a safety-related defect exists that would warrant the opening of an investigation. In order to make it convenient for consumers to report any suspected safety defects to NHTSA, the agency offers two ways to file such complaints.

### ***NHTSA.gov***


Report a vehicle safety issue to NHTSA online at [NHTSA.gov/recalls](https://www.nhtsa.gov/recalls). Select "Report a Safety Problem" from the top of the web page. The information you submit via the website is recorded in VOQ format, entered into our consumer complaint database, and provided to NHTSA's staff for evaluation.

When you fill out a VOQ online, you will be given the option of checking a box to authorize or not authorize the release of your personal identifiers to the manufacturer of the alleged defective product you own. Again, while you are not required to provide such authorization, doing so can help facilitate the evaluation of your complaint.

### ***Vehicle Safety Hotline***

NHTSA operates the U.S. Department of Transportation's (DOT) Vehicle Safety Hotline to collect accurate and timely information from consumers on vehicle safety problems. Call 888-327-4236 or 800-424-9393 toll-free





from anywhere in the United States, Puerto Rico, and the Virgin Islands to register complaints or receive recall information about a vehicle. The Hotline also has Spanish-speaking representatives and offers a dedicated number, 888-275-9171, for use by people who are deaf or hard of hearing.

When you call the Hotline to report a vehicle-related safety issue, you will be asked to provide certain critical information that agency technical staff needs in order to evaluate the problem. The information you provide is filed on a Vehicle Owner's Questionnaire (VOQ), entered into the agency's consumer-complaint database, and forwarded to NHTSA staff for evaluation.

You will receive an explanation of how your report will be used, as well as a request for written authorization allowing NHTSA to provide your personal identifiers (name, address and telephone number) to the manufacturer of the alleged defective product you own. Note that you are not required to provide such authorization. However, sharing this information with the manufacturer can help facilitate the evaluation of your complaint.

### **How Will My Report Be Used?**

Information you provide on the questionnaire is entered into the NHTSA consumer complaint automated database, and catalogued according to vehicle make, model, model year, manufacturer, and the affected part, assembly, or system. These reports, with the consumer's personal identifiers removed, are listed on <https://www.nhtsa.gov/nhtsa-datasets-and-apis> and updated weekly. Consumer reports help NHTSA and manufacturers to determine if a safety recall is warranted, and also provide motorists with valuable information about potential safety problems currently under review.



## **Will I Be Contacted?**

In some cases, an investigator from the Office of Defects Investigation (ODI) may reach out to clarify or verify information from your report. Unfortunately, the large volume of reports received by the agency does not permit a return call for each report filed. Questions about whether your concern involves an investigation or recall are best answered by searching <https://www.nhtsa.gov/resources-investigations-recalls>

NHTSA staff conducts a continuous analysis of these reports to determine whether a potential safety defect trend exists with any specific line of vehicles, tires, or equipment (e.g., car seats, booster seats, jacks, trailer hitches). The number of reported complaints and the severity of the outcomes are carefully reviewed by NHTSA staff and measured against the number of vehicles (or items of equipment) manufactured, and how many years the vehicles or equipment have been on the road.

This ongoing evaluation process allows NHTSA staff to determine whether complaints represent isolated reports or a trend. If a trend is suspected and a problem has a potential for causing a risk to safety, the agency will open an investigation for more detailed analysis of the problem.

## **How Many Reports Must Be Filed Before NHTSA Investigates an Issue?**

There is no established number. NHTSA staff review every call, letter, and online report of an alleged safety problem filed with NHTSA. NHTSA reviews each report that suggests a potential safety defect involving groups of motor vehicles or vehicle equipment.

## **How Does NHTSA Conduct an Investigation?**

The agency's Office of Defects Investigation (ODI) investigative process consists of five parts:

- › Data Collection – NHTSA collects data through a variety of sources, including consumer complaints (VOQs), manufacturer communications, early warning reporting data submitted to NHTSA by companies, field reports, and crash reports.

- Data Review – NHTSA conducts a preliminary review of the data to assess potential severity and safety-related consequences and to identify potential safety defects for in-depth review. The agency also analyzes any petitions calling for defect investigations and/or reviews of safety-related recalls.
- Issue Review – NHTSA conducts a detailed analysis of all data related to the issue including potential severity and frequency to determine if the issue warrants opening an investigation.
- Investigation – NHTSA investigates alleged safety defects and notifies the public of the investigation. The investigation will include evaluating consumer, manufacturer, and other relevant data and could include vehicle testing or parts analysis. If NHTSA determines that a safety defect exists, the agency orders the manufacturer to issue a recall, notify owners of the safety defect, and remedy the safety defect at no charge to the consumer.
- Recall Management – NHTSA manages the recall process and determines the recall's effectiveness by reviewing recall plans and communications, monitoring recall completion rates, and conducting investigations into recalls.

The five-step process is outlined below:

## 1. Data Collection

When screening and analyzing information for potential safety defects, ODI reviews volumes of data from multiple sources. This data includes, but is not limited to, consumer complaints (also referred to as vehicle owner questionnaires or VOQs) submitted online at [www.nhtsa.gov](http://www.nhtsa.gov), through NHTSA's Vehicle Safety Hotline, or via U.S. mail; data submitted by vehicle and equipment manufacturers; anonymous tips; Congressional and consumer letters; and social media content.

## 2. Data Review

NHTSA reviews all data to determine if a potential safety issue exists. If a safety issue may be present, the item advances to the Issue Review stage.

During the data review stage, Defect Petitions are also reviewed. Any person may submit a petition requesting that NHTSA open an investigation into an alleged safety defect. After conducting a technical analysis of such a petition, ODI informs the petitioner whether it has been granted or

denied. If the petition is granted, a defect investigation is opened. If the petition is denied, the reasons for the denial are published in the Federal Register. Similarly, a person may submit a petition requesting that NHTSA hold a hearing on whether a manufacturer has reasonably met its obligation to notify and/or remedy a safety defect or noncompliance with a Federal Motor Vehicle Safety Standard. If the petition is granted, a hearing is held to assess the matter and decide what corrective action should be taken. If the petition is denied, the reasons for the denial are published in the Federal Register.

### **3. Issue Review**

During the issue review stage, ODI investigators assess the severity of the risk to determine whether opening a formal investigation is warranted. Investigators use a variety of internal and external resources to expand on existing evidence, such as vehicle history records, news media reports, insurance industry records, vehicle auction sites, NHTSA Special Crash Investigation reports, owner interviews, social media and forum posts, and more. Once this preliminary work is complete, investigators calculate the degree of risk posed by the alleged defect. If there is sufficient evidence of a potential safety defect in a motor vehicle or equipment, investigators will recommend opening a formal investigation that is made public.

### **4. Investigation**

During the investigative stage, ODI obtains information from the manufacturer (including data on complaints, crashes, injuries, warranty claims, modifications, manufacturer communications, and part sales) and completes a technical analysis of the data. The investigation may be supplemented with appropriate inspections, tests, parts analysis, surveys, and additional information obtained from the manufacturer and suppliers. During the investigation, the manufacturer has an opportunity to present its views regarding the alleged defect. Investigations are generally resolved within 18 months from the date they are opened. They are either closed because further investigation is not warranted, or because the manufacturer has decided to conduct a recall. If ODI believes further analysis is warranted, the investigator will conduct a more detailed and complete analysis of the nature and scope of the alleged defect.



If ODI believes that the data indicates that a safety-related defect exists, the ODI investigator prepares a briefing to be presented to a panel of agency experts for peer review. If the agency panel concurs with ODI's recommendation that a recall should be conducted, NHTSA notifies the manufacturer of the panel's concurrence and then sends a Recall Request Letter to the manufacturer.

## **5. Recall Management**

The Recall Management Division (RMD) maintains the administrative records for all safety recalls and monitors these recalls to ensure that the scope is appropriate, and that the recall completion rate and remedy are adequate. NHTSA's monitoring of recall performance may lead to the opening of a recall investigation if the facts indicate a problem with the recall adequacy or execution. A recall investigation can result in expanding the scope of previously announced recalls, or in the adjustment of existing recall remedies.


### **What Happens When NHTSA Determines a Safety Defect Exists?**

ODI analyzes all available data to assess the relative frequency and potential severity of any possible safety defect. If a potential defect trend is observed, ODI opens an investigation that is posted publicly. ODI then requests that the manufacturer provide additional data to further assess whether a safety defect exists. The length of each investigation varies as each safety issue is unique and addressed according to its specific circumstances. If NHTSA makes a safety defect determination, ODI insists that the manufacturer issue a recall, notify owners of the safety defect, and remedy the safety defect at no charge to the consumer.

### **If NHTSA Makes a Final Decision, Can the Manufacturer Challenge That Decision?**

Yes. Once the agency has made a final decision of a safety-related defect and ordered a manufacturer to issue a recall, the manufacturer may challenge that order in a Federal District Court.

The agency can also go to court to compel a manufacturer to comply with its order. Once a case is in court, the burden of proof lies with the agency.



In other words, NHTSA's evidence that a defect exists and that it is safety-related must be sufficient in the opinion of the court to outweigh evidence to the contrary presented by the manufacturer.

While the case is in the courts, however, the manufacturer may be required to notify consumers by letter that the agency did make a final decision of a safety defect, but that the manufacturer is contesting the decision.

## **Do Manufacturers Ever Initiate Recalls Without a Government Order?**

Yes. Most decisions to conduct a recall and remedy a safety defect are made voluntarily by manufacturers prior to any involvement by NHTSA. Through their own tests, inspection procedures, and information-gathering systems, manufacturers often discover that a safety defect exists or that the requirements of a Federal safety standard have not been met. The manufacturer is obligated to report such findings to NHTSA and take appropriate action to correct the problem. However, as vehicles age with use, certain design and performance problems may occur that prompt vehicle owners to file complaints with NHTSA. The many reports received by the public form the basis for NHTSA's defect investigations, which often result in significant safety recalls.

## **How Will I Be Notified of a Recall?**

Within 60 days after a recall is initiated for a safety defect or noncompliance, manufacturers must notify, by first-class mail, all registered owners and lessees of the affected vehicles of the existence of the problem and give an evaluation of its risk to motor vehicle safety. The manufacturer must explain to consumers the potential safety hazards presented by the problem. The letter must also instruct consumers on how to receive the remedy, remind them that remedies are to be made available at no charge, inform them when the remedy will be available, how long the remedy will take to perform, and whom to contact if there is a problem in obtaining the free remedy. If you do not receive a letter of notification from the vehicle manufacturer but think that your vehicle might be involved in a recall campaign, call the manufacturer or your dealer to verify if a recall is open on your vehicle. You can also check for open recalls on your vehicle

by visiting [NHTSA.gov/recalls](https://www.nhtsa.gov/recalls) or calling the Vehicle Safety Hotline at 888-327-4236.

Manufacturers of motor vehicle equipment—particularly tires, car seats, and boosters—maintain lists of owners who have registered their products with the manufacturer. When product or equipment recalls are initiated, the manufacturer uses these lists to directly notify owners. Product and equipment manufacturers may also be required to notify the public of recalls through a variety of additional methods (advertisements, point-of-purchase posters, etc.) to ensure that as many owners as possible are aware of the recalls. If you are unsure whether your tire, car seat, or booster is the subject of a recall, you may contact the manufacturer, call the Vehicle Safety Hotline, or visit [NHTSA.gov](https://www.nhtsa.gov).

### **How Are Problems With Recalled Vehicles or Equipment Remedied?**

Once a recall determination is made, the law gives the manufacturer three options for correcting the issue: repair, replacement, or refund. In the case of a vehicle recall, the manufacturer may choose to repair the vehicle at no charge; replace the vehicle with an identical or similar vehicle; or refund the purchase price in full, minus a reasonable allowance for depreciation. In the case of equipment—including tires, car seats, and boosters—the manufacturer may either repair or replace the affected equipment at no charge to the consumer, or refund the purchase price.

### **If I Pay for Needed Repairs Before a Recall Is Initiated, Am I Entitled to Reimbursement?**

Yes, under certain conditions. Manufacturers are required to provide reimbursement for certain costs incurred by owners to remedy safety defect conditions prior to a recall. Vehicle manufacturers are required to reimburse owners for costs incurred to remedy a defect based on either (1) the date NHTSA opens its Engineering Analysis, or (2) one year prior to the manufacturer's notification of a defect to NHTSA, whichever is earlier. The closing date of eligibility for reimbursement of repair of a motor vehicle is 10 days after the manufacturer mails the last of the owner notices informing owners of a safety defect recall and cost-free remedy. For replacement of equipment, the closing date is either the same as for motor vehicles or 30

days after the manufacturer's closing of its efforts to provide public notice of the existence of a defect, whichever is later. Documentation of the costs is required for reimbursement.

## **Are There Any Limitations to My Right to Have My Vehicle Remedied at No Charge?**

Yes. There is a limitation based on the age of the vehicle. In order to be eligible for a free remedy, the vehicle cannot be more than 15 years old on the date the defect or noncompliance is determined. Under the law, the age of the vehicle is calculated from the date of sale to the first purchaser. For example, if a defect is found in 2023 and a recall ordered, manufacturers are required to make the correction available at no charge only for vehicles purchased new from 2008 through 2023. Manufacturers may still provide a free remedy for older vehicles, even though not legally required. If you receive notification of a recall on a vehicle older than 15 years, it is still important to have your car repaired to eliminate unnecessary safety risks.

Also, if the manufacturer challenges the agency's final decision of a safety defect, there is no obligation for the manufacturer to remedy the defect while the case is in court. If you decide to have your vehicle remedied at your own expense while the case is pending and the court upholds NHTSA's final decision, you may be entitled to reimbursement. (Be sure to save all receipts and paperwork so that you can prove the repairs were made.) However, if the court ultimately rules the defect is not safety-related, Federal law does not require that the manufacturer reimburse you for the repair work.

## **What About Tire Recalls?**

The law requires tire manufacturers to repair or replace at no cost to the consumer only those tires purchased within five years of the defect or noncompliance determination. Furthermore, in order to obtain free replacement or repair of a recalled tire, consumers must bring the tire to the dealer within 180 days of receiving the recall notification letter from the manufacturer. If replacements are not available when you present your recalled tires, obtain a written acknowledgment from the dealer, and keep it until the dealer notifies you that there are more tires in stock.

## **What If a Dealer Denies My Right to Have a Recalled Vehicle Remedied at No Charge?**

If a dealer refuses to repair your vehicle in accordance with the recall letter you received from the manufacturer, you should immediately notify the manufacturer. In most cases, contractual agreements between a manufacturer and its dealers require all dealers to honor the recall and remedy defects at no extra charge – regardless of where the vehicle or equipment was originally purchased.

Under the law, if a vehicle recall has been initiated, consumers are entitled to the remedy without charge and within a reasonable time. In most cases, there will be a time lag between the date of the manufacturer's decision that a recall is warranted or the agency's final decision, and the date the remedy is available to consumers.

This time is provided to allow manufacturers to identify owners of vehicles or equipment included in the recall, develop remedial procedures, instruct dealers on how to repair the defect, distribute the parts necessary for repair or replacement to the dealerships, and send letters to consumers informing them how the recall campaign will be conducted.

In instances where a manufacturer needs extended time to develop a remedy, the agency will require the manufacturer to send an interim notice to ensure that the consumer is aware of the recall, and to provide information about any short-term actions that the consumer can take to lessen the likelihood of the defect occurring.

## **Once a Recall Is Initiated, Can I Take Independent Legal Action for Injuries I May Have Suffered?**

Yes. The law specifically states that the recall remedies are in addition to other available legal remedies. To determine specific State law remedies, you should consult a lawyer, your State attorney general, or your local district attorney's office.





## **Where Can I Find Additional Information on Recalls and Other Vehicle Safety Issues?**

NHTSA.gov is designed to make it faster and easier for you to file a safety-related complaint with NHTSA. It also serves as an important source of information about recalled vehicles, recalled equipment such as car seats, and ongoing safety defect investigations. The NHTSA website has a VIN and license plate lookup tool to identify recalls on your specific vehicle, as well as three interactive dashboards displaying information on recalls, recall completion rates, and investigations. In addition, the NHTSA website can provide you with updated NHTSA 5-Star crash test results for both new and used vehicles, information about safety bulletins, advice about which new vehicles are equipped with advanced safety features, and other vehicle safety information.



# Think your vehicle, tire, or car seat has a safety defect?

If so, please contact us to file a complaint.

Visit: [NHTSA.gov](https://www.nhtsa.gov)

Call: 888-327-4236

All complaints are carefully reviewed  
by our team of safety experts.  
We welcome your input.



U.S. Department  
of Transportation  
**National Highway  
Traffic Safety  
Administration**

