

THE GM COVER-UP

GM has engaged in a classic cover-up of the ignition defect in several of its vehicles. This was a safety defect that put people at risk of serious injury and death. It was a defect the automaker had knowledge of as far back as 2001 – and one that may well have caused over 300 deaths.

The ignition defect covered 1.6 million GM cars and the sad truth is that there was relatively inexpensive and easy fix available to the automaker. A replacement for the defective parts will cost \$2 - \$5 to produce and will take a service technician a few minutes to install.

According to GM internal documents the automaker definitely learned of the defect in 2004 – but elected not to fix the problem. Now, after the February recalls, GM has acknowledged that it had learned about the ignition problems in 2001 during testing of the Saturn Ion.

While GM says 12 people have died in accidents that are linked to the ignition defect, a research group says the total number of deaths is actually 303.

There are several investigations currently underway that include a criminal investigation by the U.S. Justice Department, two congressional investigations and a belated probe by NHTSA.

GM will have great difficulty in explaining why there was no recall until February of this year.

NHTSA will also have to explain why it failed to start a defects investigation since it had hundreds of consumer complaints involving the defect over the past 10 years.

Based on what we have learned, GM's wrongful conduct and cover-up was comparable to that of Toyota in its handling of the sudden acceleration debacle.

Congress has an obligation to investigate NHTSA to determine why the regulatory agency is so ineffective in dealing with safety issues and recalls.

The Toyota safety problems and now those of GM are clearly enough to justify a total change in how NHTSA regulates the automobile industry.

It's significant that in October 2005 GM issued a TSB alerting service technicians about the inadvertent turning of the key cylinder rewriting in the loss of the car's electrical system. The TSB applied to the 2005 and 2006 Chevrolet Cobalts and other vehicles that have now been recalled.

GM is now remedying the defect by replacing the ignition switch. In 2006 GM approved a design change for the Cobalt's ignition switch which was supplied by Delphi. The new design was not produced until the 2007 model year.

In 2007, NHTSA crash investigators met with GM staff to discuss airbag issues. GM was informed of a crash of a 2005 Cobalt in Maryland in 2005 that killed a 16 year old. The airbags failed to deploy in a frontal collision because of the ignition defect. This was a red flag for both NHTSA and GM.

By the end of 2007, GM had learned of 10 frontal collisions in which the cars' airbags failed to deploy. From 2007 to 2013, GM continued to received complaints involving frontal crashes in which the airbags failed to deploy.

GM notified NHTSA on February 7, 2014 of the first recalls and followed up with another notice on February 24, 2014 in which the other vehicles were added to the first recall.

GM also sent NHTSA a chronological sequence of events – relating to the ignition defects – which began in 2004.

On March 4, 2014, NHTSA sent a 27 page Special Order to GM requesting a great deal of information relating to the defect and the recalls from the automaker.

Lance Cooper, a lawyer from Atlanta, Georgia, is due a great deal of credit in exposing GM's ignition defect. Lance settled a case against GM after obtaining a great deal of damaging information in pre-trial discovery.

Two well-respected safety groups have led the charge to make GM and NHTSA account for the manner in which the recalls were handled. Those groups, The Center for Auto Safety, based in Washington D.C., and Safety Research & Strategies, Inc., located in Rehoboth, Mass., have worked very hard on this matter. Clarence Ditlow with the Center and Sean Kane with the Massachusetts Safety group have worked and continue to work on the GM safety problems.

Friedman Research Corporation reviewed airbag failures from 2003 to 2012 involving the Cobalts and Saturn Ions. The researchers checked data from NHTSA's FARS. The researchers found 303 deaths in accidents of GM vehicles in which the airbags failed to deploy.

Based on all we have learned GM should have done the recall of the 2005 Cobalt no later than 2007. It is totally indefensible to have waited until this year to finally issue the recalls.

The GM vehicles that have been recalled because of the ignition defect are:

Chevrolet Cobalt (2005 – 2007 model years)

Pontiac G5 (2005 – 2007 model years)

My Chevrolet HHR (2006-2007 model years)

Pontiac Solstice (2006 -- 2007 model years)

My Saturn Ion (2003 -- 2007 model years)

My Saturn Sky vehicles (2007 model years)

Pursuit (sold in Canada) (2005 – 2006 model years)