

# Recall delayed because General Motors refused to call power steering failure a safety issue

**Shannon Jones**  
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New documents released by the National Highway Traffic Safety Administration (NHTSA) show that General Motors waited for years to recall Saturn Ions with defective power steering prone to sudden failure. Despite receiving thousands of customer complaints, the company failed to act because it classified the problem as a “customer satisfaction” issue, not a safety concern.

In March 2014, GM issued a recall for 1.3 million cars with faulty power steering subject to sudden, unexpected failure. Among the vehicles recalled were 2004-2007 Saturn Ions, one of the models also included in the recent recall of vehicles with a deadly ignition defect. GM delayed a recall of the Ion power steering for years despite receiving thousands of customer complaints and 30,000 warranty repair claims, according to a report in the *Wall Street Journal*, which examined NHTSA records.

A complaint apparently even reached the desk of then-GM CEO Rick Wagoner in 2009. A subsequent investigation by GM showed that oil was leaking into the vehicle’s steering motor.

Later, in March 2010, GM issued a recall for more than a million cars with power-steering issues, but excluded the Ion, merely offering to extend the warranty.

If a vehicle loses its power steering it becomes much more difficult to handle. However, in a chronology submitted to the NHTSA earlier this year, GM described the impact on a driver’s ability to control the vehicle as “limited.”

In 2011, the NHTSA conducted a test, as part of an effort to collect data on the problem, in which drivers attempted to drive around cones on a test track. They

found that with power steering disabled drivers needed four to five times as much force to control the vehicles. There were 15 people involved in the study, but only 3 said they felt confident of their ability to control the vehicle. Eleven thought it was “unsafe.”

Nevertheless, the NHTSA concluded that it did not have enough information to say that the loss of power steering was a safety issue and delayed taking any action.

The NHTSA claims it is hamstrung by a court ruling in the 1980s involving a challenge by GM to a recall of so called X-platform vehicles, which were prone to have their brakes lock up. Despite thousands of customer complaints about the problem, GM was able to block the recall order because the court ruled that complaints alone did not prove the existence of a defect.

The case involving the Ion is not the first time GM refused to order a recall because it did not recognize that a potentially deadly defect represented a safety issue. The recent internal investigation of the GM ignition switch recall involving the Chevrolet Cobalt, Saturn Ion and other related models revealed that GM engineers did not consider sudden engine shutdown a safety issue. The ignition switches in the affected models could be easily jarred out of the “run” position, killing power to the engine. Engineers claimed they were unaware that turning off the car’s motor disabled airbags, leaving passengers unprotected in the event of a crash.

GM long did not recognize stalling itself to be a safety concern. However, according to a report in *Automotive News*, other car manufacturers consider engine stalling a serious safety issue. In 2007, Honda

recalled close to 167,000 cars, vans and pickups. In explaining its actions, it told the NHTSA “the engine could stall without warning and a crash could occur.”

In another case, Nissan recalled 747,000 SUVs and pickups in 2010 subject to engine failure, an event it told the NHTSA that could increase “the risk of a crash.”

In a 2011 recall involving 250,000 minivans and Dodge Journeys, Chrysler said, “Engine shutoff while driving could increase the risk of a crash.”

A May 21 letter to the NHTSA by Clarence Ditlow, executive director of the Center for Auto Safety, cites 300 safety recalls related to engine stalling. He notes that in the 1970s, the NHTSA litigated a series of cases, which established that loss of vehicle power was a safety defect. In one case, the judge noted that if a car “stops running the driver must then either abandon his vehicle in traffic or, if he can, pull over to the side of the road. Both situations are dangerous.”

In a service bulletin to dealers in 2005 relating to defective ignition switches, GM management omitted the word “stall,” present in the initial draft, in describing the problem. GM called “stall” a “hot” word that might draw the attention of the NHTSA. Under federal law an auto company must notify the NHTSA within five days if it determines a safety defect exists.

GM claims it now recognizes engine stalls as a safety issue. However, GM has refused to acknowledge its responsibility for crash deaths in recalled vehicles where engine stalls may have led to loss of control of the vehicle. In relation to the ignition switch recall of Cobalts and Ions, GM has only officially linked 13 deaths to the defect. These fatalities all involve frontal crashes where airbags failed to deploy.

For example, GM does not include in its official count the death of Brooke Melton, who was killed while driving her 2005 Cobalt on her 29th birthday in March 2010 in a side impact collision. The car’s data recorder showed the ignition shifted into the “accessory” position three seconds before the crash. Melton had just gotten the car back from the dealer after complaining of sudden engine stalls.

Melton’s parents sued GM and reached a settlement for an undisclosed amount last year. The lawsuit played a critical role in exposing GM’s more-than-a-decade-long cover-up of the ignition defect. It exposed that GM had known about the problem for at least a decade,

but failed to issue a recall.

Now, based on what has been publicly revealed by GM, the Melton family is seeking to reopen its lawsuit, alleging the company withheld critical evidence. GM has responded by attempting to move the case to federal court so it can use its 2009 bankruptcy filing as a shield from the claim.



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