

August 2, 2018

The Honorable Phil Murphy
Governor, State of New Jersey
Office of the Governor
P.O. Box 001
Trenton, NJ 08625



Re: S2740/A4292 Request for Veto

Dear Governor Murphy:

I'm writing to urge you to put the safety of all New Jersey citizens first and veto S2740 (Beach)/A4292 (Greenwald), should these bills reach your desk.

As a safety professional, founder of the New Jersey Teen Safe Driving Coalition and former Director of the New Jersey Division of Highway Traffic Safety, I must take issue with this legislation as it would drastically weaken existing protections that discourage car dealers from knowingly or negligently selling recalled used cars to consumers, including teenage drivers, who have the highest crash risk of any age group on the road. While proponents of the bill argue that it requires dealers to notify a consumer about the unrepaired defect at the time of the sale, no matter how robust that warning, disclosure is inadequate to protect the public from hazardous recalled vehicles.

Recalls are a serious and deadly problem. According to the National Highway Traffic Safety Administration, approximately 60 million vehicles or one in four cars are on the road with unresolved safety recalls today. These recalls include 19 million vehicles with exploding Takata airbag inflators, which have resulted in at least 23 deaths worldwide, GM ignition switch failures which have resulted in at least 170 deaths in the U.S. and hundreds of other defects posing significant safety threats not only to drivers and their passengers, but all roadway users.

As New Jersey works to reduce motor vehicle crashes and the resulting injuries and fatalities on our roadways, car dealers play a vital role in this effort by ensuring that safety recall defects are addressed before vehicles leave their lots. They, unlike consumers, are better equipped to get safety recall repairs performed. Dealers do not need to take time off from work or school; arrange for and pay the cost of alternate transportation; contend with disabilities that may preclude driving any distance to the nearest dealership; or face the terrible choice of what to do when their only means of transportation is unsafe, but the necessary parts are unavailable.

Simply put, expecting consumers – who may not have the economic means, understanding or time – to make these repairs is a recipe for disaster. According to the National Safety Council, which administers the national *Check to Protect* program (<https://www.nsc.org/road-safety/safety-topics/vehicle-recalls>), the recall compliance rate for used vehicles is only 44%. New Jersey, therefore, should insist that a dealer, who can repair recalled vehicles at no cost (repairs are free of charge under federal law), be required to ensure any used car it sells is safe and free of recalls.

It is illegal to sell unsafe toys, food or drugs. Why should vehicles be any different? Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Pamela Shadel Fischer". The signature is fluid and cursive.

Pam Shadel Fischer
Principal