



December 23, 2019

Director Julia Dale
Corporations, Securities & Commercial Licensing Bureau
P.O. Box 30018
Lansing, MI 48909

Taxis with Open Recalls Should Not Pass an Inspection

Dear Director Dale:

The Center for Auto Safety (Center) is writing today to urge the Department of Licensing and Regulatory Affairs (LARA) to prohibit vehicles with unrepaired federal safety recalls in your jurisdiction from carrying passengers. Taxis with open recalls endanger not only drivers and passengers but also other road users, pedestrians, and cyclists. Vehicles are only recalled when there is a safety defect or a violation of a federal regulation. Recalls are never undertaken for cosmetic reasons, yet potentially thousands of Michigan residents and visitors are unknowingly exposed every day to these deadly risks. Taxis are regulated by your Division, and consumers presume that your oversight protects them from the safety risk of recalled vehicles.

The Center, the nation's premier independent, non-profit consumer advocacy organization dedicated to improving vehicle safety, quality, and fuel economy, makes this request on behalf of our members and all drivers, passengers, and pedestrians who live in, or visit, Michigan. LARA could easily address the unnecessary risk faced by consumers by requiring a check against the federal recall database at each LARA inspection and at least annually. Anything less than such a requirement is willful neglect when it comes to the safety of your drivers and passengers.

We urge LARA to immediately take regulatory and enforcement steps to require all recalls be fixed prior to accepting passengers. To determine whether a vehicle has open recalls is as simple as running its vehicle identification number (VIN) against the National Highway Traffic Safety Administration's (NHTSA) recall database at www.safercar.gov.

We also recommend the recall-free requirement be made explicit and prominent on LARA's website and other safety materials. Such a requirement is something LARA should be promoting, because maintaining a taxi fleet free from open recalls is a safety feature that attracts customers. Further, such a requirement could help the taxi industry stay competitive with rideshare companies such as Uber and Lyft, neither of which requires their vehicles to be repaired when under recall, a safety lapse which continues to place their drivers, customers, and everyone on the road at risk.

Today, there are over 70 million cars with open recalls across the country, including vehicles with exploding Takata airbags causing at least 24 deaths and General Motors vehicles with faulty ignition switches causing at least 124 deaths. Although we found no statistics about Michigan or Detroit taxis, the recall rate is probably close to that of other major cities: one in six taxis has open recalls in DC, one in three among Seattle, New York City, Tampa, and Houston.¹

In conclusion, taxis with open recalls pose a serious safety risk for everyone in Michigan. Because taxi owners may be resistant to removing vehicles out of service due to potential lost income while the vehicles are being repaired, it is the moral responsibility of LARA to direct these repairs be made for everyone's safety. The Center for Auto Safety urges LARA to take decisive actions and require Michigan taxis to not be on the road with open recalls.

Thank you for your attention to this important matter,

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Levine". The signature is fluid and cursive, with a large loop at the end of the last name.

Jason Levine
Executive Director
Center for Auto Safety

¹ Whitney Wild, *1 in 6 DC Taxis Have Open Recalls and Warnings are Regularly Ignored*, WUSA9 (May 9, 2018), <https://www.wusa9.com/article/news/local/dc/1-in-6-dc-taxis-have-open-recalls-and-warnings-are-regularly-ignored/65-548809101> (finding that one in six DC taxis has open recalls, based on a review of 5,400 VINs); Danielle Leigh, *Could Your Next Cab, Uber, or Lyft be Unsafe?*, THV11 (Nov. 24, 2016), <https://www.thv11.com/article/news/investigations/could-your-next-cab-uber-or-lyft-be-unsafe/354771686> (Seattle, New York City, Tampa, and Houston). See also Ryan Felton, *1 in 6 Uber and Lyft Cars Have Open Safety Recalls, Consumer Reports' Study Suggests*, CONSUMER REP. (Aug. 16, 2019), <https://www.consumerreports.org/ridehailing/uber-and-lyft-cars-have-open-safety-recalls/> (finding that almost one in four New York City taxis has open recalls, based on a review of 32,000 VINs).

