

Certified Dangerous: Used Cars' Airbags

Many "Certified" Used Cars are Rebuilt Wrecks with Bogus Titles

By Lisa Wade McCormick
ConsumerAffairs.Com

September 25, 2006

A grieving mother -- haunted by her 16-year-old son's death on a dark, two-lane road in Hoke County, North Carolina -- repeatedly visited the crash scene.

She combed the area for clues into the 2004 death of her son -- a national honor student who volunteered at a nursing home.

"I became a Crime Scene Investigator," Diane W. of Fayetteville, North Carolina, recalls. "Nobody was giving me any answers. I had to find out what happened -- why my son died."

What she discovered shattered her faith in a safety feature she believed would protect her son in a serious accident.

Now she's convinced that safety feature -- one the federal government has required in all passenger vehicles since 1998 -- failed to protect her son and contributed to his death.

October 22, 2004

To understand how she reached that conclusion you have to journey back to the night of October 22, 2004.

Diane's husband and son, Torian, went on their regular, Friday night outing to shoot pool and swap stories.

"My husband was driving and my son was in the passenger's seat," Diane says, adding they were in the family's 2002 Ford Explorer. "A dog suddenly came running out and my husband swerved to miss him. His front tire got stuck on the soft shoulder of the road and the Explorer flipped eight times."

Diane learned the Explorer rolled to the right and landed first on Torian's side.

Startling Discovery

Diane then made another discovery -- one she's still struggling to understand. The side airbag -- the one she believed gave her family added protection in rollover accidents -- did not deploy on Torian's side.

"The death certificate says my son died of severe head trauma," says Diane, who took Torian out of the body bag to inspect his injuries. "The right side of his head took the brunt of the accident. His skull was pushed in ... when I identified him, I could see on his skull where his head took the brunt of the accident."

Diane is convinced her son -- a 5'9", 300-pound football player who dreamed of being an architect -- would be alive if the side airbag had deployed.

"That would have saved his life because his head wouldn't have taken the brunt of the accident and the injuries wouldn't have been so massive," she says, adding the Explorer had six airbags and only the one on the driver's side deployed in the accident. Her husband survived the crash, but has a permanent shoulder disability. "When we bought that vehicle, our main concern was having airbags. We wanted a safe vehicle."

Similar Concerns

A five-month ConsumerAffairs.Com investigation reveals the problem of airbags not deploying in serious accidents like the one that claimed Diane's son is not an isolated instance.

We examined more than 160 complaints from consumers nationwide who echoed Diane's concerns and say their airbags failed to deploy and protect them in an accident.

Most of the accidents were the type that drivers expect will cause their airbags to deploy: head-on collisions, rollovers, and broadside crashes. Few were minor fender-benders.

Many consumers suffered serious and life-changing injuries when their airbags failed to deploy.

Others lost loved ones.

During our investigation, we interviewed more than 60 consumers -- from Hawaii to New Jersey -- about their accidents.

Many told us authorities who responded to their crash scenes -- paramedics, firefighters, state troopers and tow truck drivers -- expressed concerns about their airbags' failure to deploy.



Torian and the wreckage of his Ford Explorer

Our investigation found these accident happened in cars, trucks, minivans, and SUV's made by Ford, General Motors, DaimlerChrysler, Mitsubishi, Kia, Volkswagen, Nissan, and Honda. One happened in a rental car.

Some occurred in new vehicles, even though national car experts say airbags in new vehicles rarely fail to deploy when needed because of the systems' advanced technology. They also say airbags aren't designed to deploy in every accident. And only a crash scene investigator -- someone who has inspected the vehicle, the accident site, and all the data -- can determine if an airbag should have deployed in a particular wreck.

Many accidents we examined also happened in older, one-owner, models.

But the majority of the complaints we received about airbags failing to deploy in different accidents involved used vehicles. We also discovered the accidents in which consumers suffered the most serious injuries -- or lost a loved one -- happened in used vehicles.

Diane's son, for example, died in a used Ford Explorer.

Certified Dangerous

Her complaint -- and the scores of others we investigated -- led us into a seedy world where unscrupulous individuals haphazardly rebuild severely damaged vehicles and then sell them as safe and "certified" used cars, trucks, minivans, and SUV's.

We learned these unsavory "rebuilders" often disable the airbags when they put the wrecks back together. And in some cases, they don't even bother to replace the deployed airbags.

These shady rebuilders conceal all signs of previous damage to the vehicles -- and their titles. Unsuspecting consumers who buy them have no idea they're getting a rebuilt wreck -- until it's too late.

"I'm here to tell you there are a whole lot of these cases where the airbags aren't deploying in rebuilt wrecks," says nationally recognized consumer attorney Bernard Brown of Kansas City, Missouri. His specialty is car fraud and he's represented clients who've been duped by car dealers selling rebuilt wrecks and vehicles with rolled-back odometers.

"Unlike Ford, GM, Honda, and other car makers, there are no safety standards that protect consumers from these rebuilders," he said.



A rebuilder stuffed a used airbag back into the steering wheel on this retitled wreck.

During our interview with Brown, we reviewed some of the complaints we received about airbags failing to deploy in different accidents -- specifically those in which consumers suffered serious injuries or lost a loved one.

"Are those used vehicles?" Brown immediately asked. "I would suspect that's what you have ... that would be at the top of my list."

Brown was right.

The accidents we discussed with him all happened in used vehicles.

Does that mean our consumers unknowingly purchased rebuilt wrecks? Our investigation reveals many of their vehicles had problems that are typical -- and telltale signs -- of rebuilt wrecks: airbags not deploying in serious accidents and seat belts not holding occupants in place.

But the consumers we interviewed didn't have a car expert -- someone specifically trained to identify previous damage -- inspect their vehicles after the accidents. And their vehicles have since been repaired, totaled, or crushed.

Consumer experts also say reports that list a vehicle's history, like [Carfax](#), don't always reveal previous damage.

Fiance Dies In Head-On Collision

During our investigation, we interviewed a woman whose 26-year-old fiance died in a head-on collision.

Alicia S. of Mountain View, Arkansas, says her fiance, Ricardo, was driving a used 1998 Dodge Neon.

The car's airbags didn't deploy when he hit a tree.

"The accident occurred at night on a single lane, paved road in Arkansas," Alicia says, adding Ricardo had just started working for a company that raised chickens. He was driving from one chicken house to another when the accident occurred. "Ricardo had three co-workers in the car when he fell asleep at the wheel. He left the road and struck a tree head-on. The airbag on the passenger's side deployed, but the driver's side did not.

"His cause of death is listed as blunt force trauma to the chest," Alicia says, adding Ricardo's co-workers survived the crash. "If the airbag had deployed, he would be alive because he might not have had the chest trauma that killed him. That's what the state troopers told me. They also said they couldn't believe his airbag didn't deploy."

Single Mom Suffers Head Injury

Beth R. of Albany, Oregon dreamed of becoming a veterinarian. But that dream vanished when she sustained a head injury in a roll-over accident.

The single mom went from a straight "A" college student to someone who can no longer solve simple problems.

Her accident happened in a used 2000 Dodge Neon. Its airbags didn't deploy, either.

"I was driving a few miles under the speed limit, on a straight flat road in Albany, on my way to college" she says of the January 18, 2005, accident. "As I approached an upcoming wide turn, I took my foot off the gas. When I did, the rear of the vehicle began to fishtail. I had the knee-jerk response to brake. The car immediately began to do 360's and eventually rolled over several times until I ended up crashing head first into an irrigation ditch.

"My head hit the windshield," adds Beth, who is still going through rehabilitation. "I physically walked away from the accident, but my brain no longer has the same capacity. If the airbags had deployed, I would not have the injuries I have. The airbags not deploying took away the remainder of what I thought was going to be a great life."

Pregnant Woman Injured

Shantel C. of Henderson, Nevada, was eight months pregnant when she was injured in a head-on collision.

Her baby is fine, but she's still struggling with debilitating headaches.

She was driving a used 1999 Chevrolet Camaro. And its airbags didn't deploy in the accident.

"I was hit head-on by a guy doing 50 mph," Shantel says of the January, 2006, accident.

"Thankfully, I was wearing my seatbelt and my baby is all right. But I did do some nerve damage when my head smacked into the windshield, and I'm now working with a neurologist.

"My dad said the airbags should have deployed," she adds. "He's been in the towing business for 35 years and has seen a lot of accidents. My car had two front airbags and you could see that both sensors were hit. When we called the dealership, though, they told us: 'Even if the airbags are faulty, it's not our fault you got in a crash, and next time watch where you are driving.' And then they hung up."

Car Dealers Assured Consumers

Shantel and other consumers we interviewed say the main reason they bought their vehicles is because they had airbags. Those airbags, they say, gave them an added sense of safety.

So did the dealerships, which assured them the airbags -- and their used vehicles -- were in perfect condition.

"We were told the car had gone through an inspection and had never been in an accident," Shantel says. "We specifically asked about the airbags because we wanted that protection. We had them run a [Carfax](#) report (which checks the vehicle's history) and we were told everything checked out."

ConsumerAffairs.Com also ran a Carfax report on Shantel's Camaro, and confirmed it doesn't list any previous damage.

The report also shows Shantel's Camaro now has a junk title the state of Nevada issued two months after her accident -- in March, 2006.

Remember Diane, who lost her son in a rollover accident? Her husband, Willy, says the dealership convinced his family the Explorer was in mint condition.

"They gave us a checklist of everything on the vehicle and said it all checked out fine. That's why I went to a dealer ... I thought they were reliable."

Willy, however, recalls one comment the dealership made that -- in retrospect -- makes him question the Explorer's history.

"They said the vehicle had all new airbags. At the time, I really didn't get the concept of what that meant or why the car would even need new airbags. I didn't think about that until later."

ConsumerAffairs.Com ran a Carfax report on Willy's Explorer, which shows the SUV was a previously leased vehicle and its airbags have never deployed. The report also shows the SUV had a clean title when an auto auction sold it as a fleet vehicle in April 2004.

Willy bought the Explorer one month later.

The Carfax report also reveals Willy's Explorer is now flagged as a "salvage" vehicle -- one that's apparently back on the road. We learned the Explorer was registered as a lease vehicle on March 15, 2005.

When Alicia and her fiance bought their used Neon, the dealership said it had examined the car and found no problems.

"They said the car had been inspected, the airbags had been checked out, and everything was fine," Alicia recalls. "Having airbags was important to Ricardo. He asked the dealer if everything worked and he was told the car was fine."

But Alicia later made a troubling discovery -- one that also makes her question the car's history.

"We ran the car's VIN (vehicle identification number) after the wreck and it came back to a completely different person ... someone other than the name (listed as the previous owner) on the title."

That doesn't surprise Ira Rheingold, general counsel for the National Association of Consumer Advocates.

"This is a typical thing where folks buy a used car and they don't know what has happened to the vehicle," says Rheingold, whose non-profit group is comprised of attorneys and consumer advocates. "On a federal level, there is very limited protection for consumers. There is no national data base and people often times buy a vehicle and they don't know its real history."

Article Furnished by ConsumerAffairs.com