Message

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Sent: 5/24/2017 2:11:50 PM
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Subject: New York Times: U.S. Sues Fiat Chrysler, Accusing It of Using Software to Pass Emissions Tests, 5/24/17

New York Times
https://www.nytimes.com/2017/05/23/business/fiat-chrysler-diesel-emissions-lawsuit.html?_r=0
U.S. Sues Fiat Chrysler, Accusing It of Using Software to Pass Emissions Tests
By Neal Boudette 5/23/17

The federal government filed a lawsuit against Fiat Chrysler Automobiles on Tuesday, accusing it of using illegal engine-control software to enable its diesel-powered vehicles to pass emissions tests.

The filing occurred days after Fiat Chrysler proposed a modification to the software to ensure correct test results in hopes of resolving the issue.

In a statement, the automaker said it was disappointed by the action and would defend itself against any claims that its software represents a "deliberate scheme to install defeat devices to cheat U.S. emissions tests."

The Environmental Protection Agency accused Fiat Chrysler in January of installing the software on about 104,000 Ram pickup trucks and Jeep Grand Cherokee sport utility vehicles sold from 2014 through 2016.

In its complaint on Tuesday, the Justice Department noted that the engine controls in the Ram trucks and Jeeps are different from what are described in paperwork the company filed with the E.P.A.

The features of the software, it said, "alone or in combination with one or more of the others, bypass, defeat and/or render inoperative" the vehicles' emission control system, causing them to emit "emit substantially higher levels" of nitric oxide than allowed.

The E.P.A. made its accusation after Volkswagen's admission that it had used "defeat device" software to enable its cars to pass emissions tests while spewing far more pollutants than allowed in normal driving.

Volkswagen, of Germany, ended up paying billions of dollars in fines, several of its executives have been investigated or charged with crimes. As part of a settlement with authorities in the United States, Volkswagen is buying back hundreds of thousands of diesel cars from American customers.

United States officials view the Fiat Chrysler matter as less serious, and stopped short of accusing the company of intentionally engineering the software to cheat on emissions tests. Filing the suit is seen as an effort to accelerate

settlement negotiations, after the company outlined its proposal last Friday to reset the engine software in the affected vehicles.

The suit was filed by the Justice Department's environmental enforcement section in United States District Court for the Eastern District of Michigan.

The emissions issue has essentially stopped Fiat Chrysler's domestic sales of diesel-powered Ram trucks and Grand Cherokees. In 2015 and 2016, the company sold more than 50,000 diesel Ram pickups a year in the United States, making it by far the largest-selling diesel-powered light vehicle in the country.

But the company has been unable to sell diesel vehicles in the United States for the current model year because the E.P.A. has not certified that they meet emissions regulations.

Before any resumption of sales, the E.P.A. would have to test and approve the new engine software that the company has developed, a process that could take weeks or months.

Once the software is certified, Fiat Chrysler could alert owners to the update by a recall or possibly a less formal customer-service campaign. The method will be determined in negotiations with the E.P.A. Either way, customers would be notified by mail and other means to bring their vehicles to a dealer to have the software updated at no charge.

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