



Airbag Recall Loophole Could Leave Drivers at Risk

By Mary Harris

There is no federal law in effect that now requires rental car companies to warn consumers if the vehicle they are renting is under a safety recall.

On Wednesday, the U.S. Senate will consider legislation that could close the loophole, coming on the heels of the largest auto safety recall in US history.

• Honda Adds \$363M to Air Bag Recall Costs

Last week, manufacturer Takata Corp. expanded its recall to now include more than 57 million air bags worldwide, with 34 million air bags in the United States.

Jewel Brangman is one of eight people known to have died from injuries caused by a faulty air bags, after a car crash in Los Angeles while behind the wheel of one such rental car.



Alexander Brangman explains the "inseparable" relationship he had with daughter, Jewel, who died as a result of a faulty air bag in her rental car. (Video produced by Megan Caldwell)(Published Monday, July 13, 2015)

Her father, Alexander Brangman, remembers walking into County/USC Medical Center's trauma unit to see his vivacious daughter hooked up to various life sustaining machines.

"I couldn't even breathe. I collapsed to the floor," he says, recalling that moment.

Brangman remembers his 26-year-old daughter as inquisitive and humble. She was a source of boundless energy who brought so much life to his life, he said.

In a gentle voice he recalls the "petite" girl with the "big presence."



Founder and President of C.A.R.S. (Consumers for Auto Reliability & Safety) Rosemary Shahan explains why legislation being considered by the Senate does not make drivers safer. (Video produced by Megan Caldwell) (Published Monday, July 13, 2015)

"Her infectious laugh. How much she loved and wanted to heal," he says. "How dynamic she was. How much promise she had."

Jewel Brangman was a competitive gymnast. She had a master's degree and plans to earn a doctorate, which she intended to pay for with money made from her modeling career.

But Jewel Brangman died Sept. 8, 2014.

Last month the Honda corporation confirmed Brangman's fatal injuries resulted from the Takata Corp.-manufactured air bag in the 2001 Honda she was driving. Honda Corp. issued a statement in June, when it confirmed that Brangman had died as a result of the airbag deployment.



Attorney Adam Shea explains why Jewel Brangman's case is unusual and what he wants from auto giant Honda. (Video produced by Megan Caldwell)(Published Monday, July 13, 2015)

It is a painful irony for Brangman. "Air bags are supposed to save lives," he says. "Not be the cause to take them."

Of the eight known deaths caused by Takata air bags, Jewel Brangman is the only one to have died in a rental car. The 2001 Honda Civic she rented had been under recall since 2009.

Takata Corp. responded to NBC4's inquiries with the following statement:

"Our condolences go out to the driver's family. The incident cited involved a vehicle that had been previously recalled, and we are working in close collaboration with Honda to determine the facts and circumstances surrounding the situation. Takata's number one priority is the safety of the driving public."

Rosemary Shahan is president of Consumers for Auto Reliability and Safety. She never met Jewel Brangman, but talking about the "preventable" loss of her life, brings her to tears.

"It's totally heartbreaking. That not should have happened. She should still be alive."

Shahan says it is "crazy" that rental car companies do not have to comply with the same standard that new car dealers do.

"The whole point is the car is either safe or not," she says.

It is illegal for dealers to sell vehicles without first repairing a known safety defect, but rental car companies are allowed to rent cars even if the recalled safety defect has not been fixed.

Many of the larger rental companies voluntarily pull recalled cars off the street until they are repaired, but there is no federal oversight or legal consequence for renting a potentially unsafe vehicle.

"It's just really outrageous," says Shahan.

Shahan is critical of the upcoming bill introduced by Sen. John Thune (R- South Dakota). The bill would require rental car companies to disclose any recalls, but not require them to take the car off the road.

"That's really just passing the buck on to someone. Trying to shift the liability on to the consumer. It's just really not your job to make sure the car is safe," she says.

Los Angeles attorney Adam Shea is representing Alexander Brangman in a lawsuit against the San Diego-based company that rented Jewel Brangman the car, as well as Honda and Takata. Referring to a series of accident photos, he says it is "astonishing" the magnitude of Jewel Brangman's injuries when the four-car accident was really just a fender-bender.

According to the police report of the crash, the only air bag that deployed was in Jewel Brangman's car. None of the other drivers suffered serious injuries. No one but Jewel Brangman was taken away by an ambulance.

Shea explains that a metal fragment from the air bag left a 3-inch slice in Brangman's neck, causing a significant blood loss that ultimately cut off the oxygen to her brain. The coroner's report lists traumatic brain injury as the cause of death.

Shea says what makes this case so unusual is that Honda and Takata had known of the air bag problems for years, and chose "profits over safety." He wants Honda and Takata to make a bigger effort repairing the millions of cars still on the road with defective air bags.

"The way to get their attention is for a jury in LA to say, 'what you did was reprehensible. What you did was not right and you are going to pay for it,'" he says.

While his grief is overwhelming, Alexander Brangman takes some comfort from the very last text he got from his daughter — the day of her deadly crash.

"I love my life, dad," she wrote. "I love my life."

Alexander Brangman explains that it is difficult to talk about his daughter publicly, to go through the pain over and over. He takes motivation from his daughter, who he believes would want him to be an advocate so no other family will suffer as he has.

"I had her for 26 years, nine months, approximately 11 hours and 8 minutes," he says. "I will never get over this loss."

Source: <http://www.nbclosangeles.com/news/local/Airbag-Recall-Loophole-Could-Leave-You-at-Risk-314792671.html#ixzz4aCORv57X>