

VW owners fuming over smog scandal

Area 'clean diesel' customers turn to courts as CEO resigns.

By Susan Sallsbury
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The CEO of scandal-ridden Volkswagen resigned Wednesday, leaving behind a badly discredited automaker facing billions in fines and lots of angry customers.

One of those, Lisa Low-



Artist Lisa Lowrance is suing Volkswagen over its emissions deception.

Lowrance of Boynton Beach, is so disgusted with Volkswagen for deceiving her and other eco-friendly consumers by selling them "clean diesel" cars that are polluters that she

has parked her beloved black Beetle in her garage.

"I'm not driving it. It is a rolling pollution machine. I have basically impounded my car. I feel unequivocally betrayed and heartbroken," said Lowrance, a multimedia artist who works from her home. She uses her husband's car when she needs to drive somewhere.

"I am very environmentally conscious on a personal level. I don't put my views on oth-

ers. I considered a hybrid, but their performance was poor. I researched further and learned that the clean diesel by Volkswagen offered better performance than a hybrid," Lowrance said.

But Volkswagen now concedes it installed software in engine computer systems designed to lie during emissions testing. The software switched engines to a tempo-



Lisa Lowrance, 54, of Boynton Beach, has loved her Volkswagen Beetle since buying it in May 2014. She now considers it a "pollution machine." SUSAN SALLSBURY / THE PALM BEACH POST

rary cleaner mode during tests, and then switched back to a more powerful mode for road and highway driving that emitted as much as 40 times legal pollution standards.

The U.S. Environmental Protection Agency, which revealed the VW deception, has said the German automaker could be punished by as much as \$18 billion in penalties – fines of \$37,500 per vehicle.

That doesn't include potential settlements in lawsuits by customers like Lowrance.

Scott Schlesinger, a Fort Lauderdale attorney, filed a federal lawsuit on Lowrance's behalf this week against Volkswagen and retailer AutoNation Volkswagen Delray in Delray Beach, where Lowrance bought the 2013 black Beetle on May 28, 2014, for \$26,790.

"'Clean diesel' was a hoax. Ms. Lowrance thought she was buying an eco-friendly car, when in fact she was unwittingly contributing to unlawful carbon emissions at up to 40 times the pollution allowed," Schlesinger said.

The lawsuit alleges that

Volkswagen violated the U.S. Racketeer Influenced and Corrupt Organizations Act and seeks more than \$5 million in damages. The five-count lawsuit claims fraud and deception, that the two conspired to sell and lease vehicles with "defeat devices" that hid unlawful carbon emission levels and delivered performance far below what consumers were told to expect.

"Defendants secretly installed 'defeat' devices to bypass fuel emissions controls and installed 'switch' devices to bypass EPA compliance testing," the lawsuit states.

Since 2009, approximately 500,000 of the vehicles have been sold or leased to U.S. consumers.

David Kleinman, 40, a computer engineer who lives in Jupiter, bought a top-of-the-line diesel engine Passat for \$32,700 from Schumacher Automotive Group on Northlake Boulevard in Palm Beach Gardens in January.

Kleinman said he was disappointed when he heard that the car was not what he thought it was and this week he asked both Schumacher and Volkswagen to provide a loaner vehicle, but both

refused.

"It is immoral to drive it. I asked for a loaner and they told me absolutely not," Kleinman said. "I think about it when I am driving. The car drives really well. It is an amazing car for the price and the performance. I chose this car because it was comparable to the hybrid, but decided this was a better value and had better performance."

In the latest development in the scandal over Volkswagen's evasion of U.S. emissions controls, Volkswagen CEO Martin Winterkorn resigned Wednesday. Winterkorn says he is stepping down "in the interests of the company" as it grapples with the emissions scandal.

Winterkorn said in a statement that "Volkswagen needs a fresh start – also in terms of personnel. I am clearing the way for this fresh start with my resignation." He said he was acting in the interests of the company "even though I am not aware of any wrongdoing on my part."

A successor was not immediately announced.

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