



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

DOT Auto Safety Hotline

Vehicle Owner's Questionnaire

To Report Vehicle Safety Defects

1-888-DASH-2-DOT

(1-888-327-4236)

INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received

14-DEC-2009

Repository ☐

Reference No.

10295621

OWNER INFORMATION (Type or Print)

Name

Address

City

CHICOPEE

State

MA

Zip Code

Daytime Telephone Number

E-mail Address

Evening Telephone Number

The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side

KMHDN45D01U

Make

HYUNDAI

Model

ELANTRA

Model Year

2001

Date Purchased

Dealer's Name and Telephone Number

Engine:

No: Cylinders

Fuel Type:

Original Owner

Dealer's City

State

Zip Code

Transmission Type

☐ Antilock Brakes

Powertrain

Multiple Failure:

Incident Date(s)

27-NOV-2009

☐ Cruise Control

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Codes: 140000 AIR BAGS, 141100 AIR BAGS: FRONTAL: SENSOR/CONTROL MODULE

Failure Mileage

55000

Failure Speed

0

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM9ABC036)

☐ Original Equipment
☐ Prior Repair

Failure Location:

Tire Component Code

Tire Failure Type:

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:

Date Manufactured:

Model No./Name:

Seat Type:

Installation System:

Child Seat Component Code:

Failed Part:

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash

☐ Yes ☒ No

Fire

☐ Yes ☒ No

Number of Persons Injured

Number of Deaths

Reported to Police

N

Narrative Description of Incident(S), Crash(es), and Injury(ies).

Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

TL* THE CONTACT OWNS A 2001 HYUNDAI ELANTRA. HE HAD HIS VEHICLE REPAIRED ACCORDING TO RECALL # 08V532000 (AIR BAGS:FRONTAL:SENSOR/CONTROL MODULE). HOWEVER THE REMEDY REFERENCED IN THE RECALL DOES NOT ALLOW RECOURSE FOR CONSUMERS WHO HAVE EXPERIENCED CONTAMINATION AS A CONSEQUENCE HE WOULD HAVE TO PAY \$3000.00 TO REPAIR THE CONNECTOR MODULE. AFTER HE PAYS FOR THE REPAIR HE COULD THEN INQUIRE ABOUT REIMBURSEMENT. THE MANUFACTURER WAS NOTIFIED, BUT NO ASSISTANCE WAS PROVIDED, THE FAILURE AND CURRENT MILEAGES WERE 55,000.

referred to G. Rome
Service Manager
on 12/16/09

1 PRIOR TO RECALL SERVICE

REIMBURSEMENT VOID
AFTER 573.13(c)(2)

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

Chicopee MA

2/5/2010

US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NVS-210
1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382
RE: Reference No. 10295621- (08V532000 Recall)

Agency Members,

The **Remedy** (protective cover) as described in the Recall Acknowledgment (letter dated 10/15/08) is inadequate in repairing the **Consequences** (affect frontal airbag) of the defect as described by the **Summary** (If a liquid is spilled...contaminate the airbag control module...warning light illuminate). Even though this letter contains **SUBJECT: AIR BAG LIGHT ILLUMINATION- SPILLED LIQUID**, the recall directs Hyundai dealerships to perform technical service bulletins (TSB# 08-01-025) designed to protect the module rather than replacing a defected contaminated airbag control module. The 088 Recall emphasizes repairing the "conditions" 573.6(c)(6) rather than the safety defect "...a contaminated airbag control module..." 573.6(c)(5), and therefore, fails to protect the public in regards to Title 49 C.F.R.

Although replacement of the contaminated module is rightfully included in the pre-notification reimbursement (573.13(d)(4)(v)(B)), my experience is a dealership will avoid this part as a recall item and seek to charge the customer for the repair. With airbag warning light illuminated prior to seeking service for the 088 Recall, my vehicle left the dealership (Gary Rome invoice No. 195342) unsafe to drive after the recall service was performed. I later discovered that during this visit the tech made notes and a service advisor's photo was taken documenting the contamination of the defected airbag control module that was left inoperable in the vehicle (noted on Gary Rome invoice No. 196190 -see tech notes at B). This dealership claimed to follow the directive of the 088 Recall service bulletin, even though the subject (spilled liquids, airbag light illumination), and components (airbags: frontal:sensor/control module) are clearly stated in the safety recall.

My experience is probably not uncommon. Dealerships benefit from these repairs or from the sale of a new vehicle due to a trade-in. Many 2001 Hyundai Elantra vehicles that had the 088 Recall service performed could have the safety defect the campaign sought to remedy.

I support the effort to reverse the decision on the effectiveness of this recall. I also support an investigation to be made so Hyundai Corporation, which directed service departments (via inadequate service bulletins) to ignore the contamination and/or charge customers, be made accountable to pay back funds or to make the proper remedies if they have not done so already. Also, if a dealership chooses to "go the extra mile" (Hyundai Customer Service Representative -Tanya) and repair a contaminated airbag control module in relation to the 088 Recall (Balise Invoice No. 59531), it is noted as "1- Time Goodwill Warranty" without any part warranty or guarantee, leaving a customer without recourse should the part give out the next day. Hyundai's Customer Service Department (Case No. 3786718) was aware of my vehicle's defected airbag control module and this department stated the 088 Recall allowed only for a vinyl cover to be placed over the defected module coated with spilled liquids (Hyundai Cust. Rep-Tanya 12/11/09, 5 p.m.)

While 088 Recall adequately addresses the safety defect of a contaminated airbag control module, its remedy, even after recall service, may still continue to cause accidents and personal injury. Please help by changing the service procedures of this recall and direct Hyundai to financially reimburse those who rightfully deserve it.

Thank You, /

attachments:

Gary Rome Invoice No. 195342 (pages 1-2)

Gary Rome Invoice No. 196190

Balise Invoice No. 59531

GaryRome Hyundai

1000 Main Street
Holyoke, MA 01041
www.garyromehyundai.com
email: service@garyromehyundai.com
Main Phone (413) 536-4328
Fax No. (413) 533-1956



5387519

195342

INVOICE



PAGE 1

CHICOPEE, MA

HOME: [REDACTED] BUS:

SERVICE ADVISOR: 1490 ROBERT P MICHAELS

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
TAN	01	HYUNDAI ELANTRA	KMH0N45D01U		54803/54810	T720	
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
01JAN01 DD		01JAN2001	21:00 25NOV09		89.37	CASH	27NOV09
R.O. OPENED		READY	OPTIONS: ENG:1975CC DOHC				
23NOV09		27NOV09					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A** CUSTOMER REQUESTS PLEASE CHECK SUBFRAME FOR RUST AND ROT

CAUSE: F

91B021R6 SUBFRAME / LOWER ARM REPL CAMP 09-01-022

5681 WRIGHT, JAMES A LIC#: 5681

WN

1 62405-2D011-QQH CROSSMEMBE

1 54505-2D002-QQH ARM COMPLE

FC:

PART#: 62405-2D011-QQH

COUNT: 1

CLAIM TYPE: CPN

AUTH CODE:

(N/C)

(N/C)

(N/C)

B** PERFORM 088 RECALL

CAUSE: F

81B026R0 088 RECALL AIRBAG CONTROL UNIT

5681 WRIGHT, JAMES A LIC#: 5681

WN

1 91100-2D999-QQH WIRE KIT

1 95910-2D500-QQH VINYL COVE

FC:

PART#: 91100-2D999-QQH

COUNT: 1

CLAIM TYPE: CPN

AUTH CODE:

(N/C)

(N/C)

(N/C)

C** CUSTOMER REQUESTS PLEASE CHECK SUBFRAME FOR RUST AND ROT

CAUSE: WHILE PERFORMING SUBFRAME REPLACEMENT TECHNICIAN NEEDED

ADDITIONAL PARTS AND HARDWARE

54840R0B LINK ASSY-STABILIZER (BOTH SIDES) RE

5681 WRIGHT, JAMES A LIC#: 5681

WN

(N/C)

HOME OF TRULY OUTSTANDING SERVICE

I receive Truly Outstanding Service _____

I have received my Multi-Point Inspection From _____

Your Complete Satisfaction is very important to us.

ON BEHALF OF SERVING DEALER, I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE, THAT ANY PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY WAY WITH ANY ACCIDENT, NEGLIGENCE OR ABUSE. RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVING DEALER FOR INSPECTION BY MANUFACTURER'S REPRESENTATIVE.

STATEMENT OF DISCLAIMER
The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties other express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

(SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
MISC./ENVIRONMENTAL	
TOTAL CHARGES	
LESS	
SALES TAX	
PLEASE PAY THIS AMOUNT	

GaryRome Hyundai

1000 Main Street
Holyoke, MA 01041
www.garyromehyundai.com
email: service@garyromehyundai.com
Main Phone (413) 536-4328
Fax No. (413) 533-1956



5387519

195342

INVOICE



PAGE 2

CHICOPEE, MA

HOME: [REDACTED] BUS:

SERVICE ADVISOR: 1490 ROBERT P MICHAELS

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
TAN	01	HYUNDAI ELANTRA	KMHDN45D01U		54803/54810	T720	
DEL DATE	PROD DATE	WARR EXP	PROMISED	PO NO.	RATE	PAYMENT	INV DATE
01JAN01 DD		01JAN2001	21:00 25NOV09		89.37	CASH	27NOV09
R.O. OPENED		READY	OPTIONS: ENG:1975CC DOHC				

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
	4	13270-10001	NUT				(N/C)
	2	54830-2D000	LINK ASSY-				(N/C)
	4	28679-21000	NUT				(N/C)

CC: N29

FC: C31

PART#: 54830-2D000

COUNT: 2

CLAIM TYPE: WAR

AUTH CODE:

54803 WHILE PERFORMING SUBFRAME REPLACEMENT TECHNICIAN NEEDED
ADDITIONAL PARTS AND HARDWARE TECHNICIAN NEEDED ADDITIONAL PARTS TO
FINISH SUBFRAME REPLACEMENT THIS REPAIR TO BE COVERED BY DPSM GOODWILL
WARRANTY

OWN

TO MAINTAIN YOUR TIRES FOR LIFE ELIGIBILITY
ALL RECOMMENDED SERVICES,OIL CHANGES EVERY
3750 MILES,TIRE ROTATION EVERY 7500 MILES
AS WELL AS ALIGNMENT YEARLY OR 15000 MILES
THANK YOU FOR LETTING US SERVICE YOUR NEEDS

HYUNDAI
COMMITTED TO
CUSTOMER SATISFACTION

Rated #1 in Customer Satisfaction in the Nation

HOME OF TRULY OUTSTANDING SERVICE

I receive Truly Outstanding Service

I have received my Multi-Point Inspection From

Your Complete Satisfaction is very important to us.

ON BEHALF OF SERVING DEALER, I HEREBY CERTIFY THAT THE INFORMATION
CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES
DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO
INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE THAT ANY
PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY
WAY WITH ANY ACCIDENT, NEGLIGENCE OR MISUSE. RECORDS SUPPORTING THIS
CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION
AT THE SERVING DEALER FOR INSPECTION BY MANUFACTURER'S REPRESENTATIVE.

STATEMENT OF DISCLAIMER

The factory warranty constitutes all of the warranties
with respect to the sale of this item/items. The Seller
hereby expressly disclaims all warranties either
express or implied, including any implied warranty of
merchantability or fitness for a particular purpose.
Seller neither assumes nor authorizes any other
person to assume for it any liability in connection
with the sale of this item/items.

(SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC./ENVIRONMENTAL	0.00
TOTAL CHARGES	0.00
LESS	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

GaryRome Hyundai

5387519

196190

1000 Main Street
Holyoke, MA 01041
www.garyromehyundai.com
email: service@garyromehyundai.com
Main Phone (413) 536-4328
Fax No. (413) 533-1956

INVOICE



CHICOPEE, MA

HOME: [REDACTED] BUS:

PAGE 1

SERVICE ADVISOR: 7972 SEAN Z DAVIDSON

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
TAN	01	HYUNDAI ELANTRA	KMHDN45D01U		55024/55025	T295	
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO	RATE	PAYMENT	INV. DATE
01JAN01 DD		01JAN2001	21:00 09DEC09		89.37		09DEC09
R.O. OPENED		READY		OPTIONS: ENG:1975CC DOHC			
09DEC09		09DEC09					

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A FAST LANE CLIENT DROP OFF AT THE APPOINTMNET DESK, PLEASE FILL OUT ENVELOPE, INCLUDE YOUR KEYS AND GIVE TO THE APPOINTMENT CO-ORDINATOR.

FL FAST LANE CLIENT DROP OFF AT THE APPOINTMNET DESK, PLEASE FILL OUT ENVELOPE, INCLUDE YOUR KEYS AND GIVE TO THE APPOINTMENT CO-ORDINATOR.

99 INC

(N/C)

B CUST STATES AIR BAG LIGHT IS STILL ON AFTER WE DID WIRING HARNESS RECALL. ADVISOR SAID HE WOULD CHECK CODE. PLEASE CHECK INFO TECH VERIFIED SEE NOTES

5681 WRIGHT, JAMES A LIC#: 5681

CP

44.69

44.69

55024 THE TECH VERIFIED THE LIGHT BEING ON HE PULLED CODES B1363 B1369 B2503 B1361 B1364 B1461 B1370 B1367 B1620 HE FOUND LAST TIME HE LOOKED AT THE VEH THIER WAS FOOD AND DRINKS SPILLED ON THE SAFTEY RESTRAINT SYSTEM COMPUTER MODULE THE VEH NEEDS BOTH WIRING HARNESS AND THE MODULE AND BOTH SEAT BELT PRETENTIONERS DUE TO ISSUES WITH THE MODULE THE COST TO REPLACE THE COMPONENTS PARTS TAX AND LABOR IS \$3,585.63 TO CORRECT THE CONCERN

*TO MAINTAIN YOUR TIRES FOR LIFE ELIGIBLTY *
* ALL RECOMMENDED SERVICES,OIL CHANGES EVERY *
* 3750 MILES,TIRE ROTATION EVERY 7500 MILES *
*AS WELL AS ALIGNMENT YEARLY OR 15000 MILES *
THANK YOU FOR LETTING US SERVICE YOUR NEEDS

HOME OF TRULY OUTSTANDING SERVICE

I receive Truly Outstanding Service _____

I have received my Multi-Point Inspection From _____

Your Complete Satisfaction is very important to us.

ON BEHALF OF SERVICING DEALER, I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE, THAT ANY PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY CLAIM WITH ANY ACCIDENT, NEGLIGENCE OR MISUSE. RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVICING DEALER FOR INSPECTION BY MANUFACTURER'S REPRESENTATIVE.

STATEMENT OF DISCLAIMER
The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

(SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	44.69
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC./ENVIRONMENTAL	0.00
TOTAL CHARGES	44.69
LESS	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	44.69

CUSTOMER #: V18019

59531

BALISE HYUNDAI

INVOICE

683 E. Columbus Ave., Springfield, MA 01105
(413) 781-3430

LUDLOW, MA

PAGE 1

HOME: [REDACTED] CONT:N/A
BUS: [REDACTED] CELL:

SERVICE ADVISOR: 5895 PHILLIP LABONTE

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
CHAMPAGNE/	01	HYUNDAI ELANTRA	KMHDN45D01U		55229/55230	T2658	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
20JUL01 DE			17:00 17DEC09		VAR	CASH	17DEC09
R.O. OPENED		READY	OPTIONS: ENG:1975CC DOHC				

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
A CUSTOMER STATES AIRBAG LIGHT IS ON. PLEASE PERFORM COURTESY SCAN TO RETRIEVE CODES							

CAUSE:

INFO REPLACED MAIN SRS/AIR BAG MODULE THROUGH

1-TIME GOOD WILL WARRANTY

8605 LORENZO, JASON LIC#: 8605

WAR 0.00

(N/C)

1 95910-2D500 MODULE ASM

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE A: 0.00

TECH RETAINE CODE B1620 AND 7 HISTORY CODES. TECH INSPECTED AND FOUND MAIN SRS MODULE TO FAIL. TECH REPLACED MODULE THROUGH 1-TIME CUSTOMER GOODWILL WARRANTY TO CORRECT. AFTER REPAIR TECH TESTED SYSTEM, PERFORMING AS DESIGNED.

B .

INFO THIS LINE ADDED FOR INFORMATION ONLY

99 I67D 0.00

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

EST: 99.00 16DEC09 17:01 SA: 5895

THANK YOU FOR YOUR BUSINESS!

BALISE HYUNDAI683 E. Columbus Ave., Springfield, MA 01105
(413) 781-3430**STATEMENT OF DISCLAIMER**

The factory warranty constitutes all of the warranties with respect to the sale of this item(s). The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item(s)

DESCRIPTION	TOTALS
LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	0.00
LESS INSURANCE	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

baliseauto.com

CUSTOMER COPY