

CL-10343471 - 6583

[REDACTED]
[REDACTED] Beltsville MD [REDACTED]
[REDACTED]
[REDACTED]

Sept. 21, 2010

US Dept of Transportation
National Highway Traffic Safety Administration (NHTSA)
Office of Defects Investigation, NVS-210
1200 New Jersey Ave SE
Washington DC 20077-9382

NHTSA Ref # 10343471 • HMA File # 4026906 • VIN: KMHDN45D31U [REDACTED] • Mileage: 176,114

To Whom It May Concern:

Thank you for responding to our report concerning the failure of airbags to deploy during our daughter's July 2, 2010, head-on accident. We reported this failure to Hyundai Motor America (HMA).

At our request, HMA hired an independent engineering firm to examine our 2001 Hyundai Elantra for the reasons stated in the enclosed letter. Our contact with that firm was Mr. Frank Alter at telephone number 609-748-4270. The examination was completed the week of Sept. 12, 2010.

Our insurance company declared the car totaled and towed it to

Copart
11055 Billingsley Rd
Waldorf MD 20602
301-870-7844
Lot # 19922410

In this package we have enclosed the photographs and relevant documentation HMA requested.

We look forward to hearing from you as soon as possible. Thank you.

[REDACTED]

OCT 05 2010

NH
10/8/10
TGW



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

15-JUL-2010

Repository ☐

Reference No.
10343471

OWNER INFORMATION (Type or Print)

Name

Address

City BELTSVILLE

State MD

Zip Code

Daytime Telephone Number

Evening Telephone Number

E-mail Address

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

KMHDN45D31U

Make

HYUNDAI

Model

ELANTRA

Model Year

2001

Date Purchased

7/28/2001

Dealer's Name and Telephone Number

College Park Hyundai 301 441-1313

Engine:

No: Cylinders

Fuel Type:

Reg.

Original Owner

☒

Dealer's City

College Park

State

MD

Zip Code

20740

4

Transmission Type

Auto

☐ Antilock Brakes

☒ Cruise Control

Powertrain

Multiple Failure:

Incident Date(s)

03-JUL-2010

FAILED COMPONENT(S)/PART(S) INFORMATION

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

Failure Mileage

150000

Failure Speed

30

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: DOTM19ABC036)

☐ 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

2

Number of Deaths

0

Reported to Police

☒

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. WHILE DRIVING AT 30 MPH, A VEHICLE ABRUPTLY MOVED INTO HER LANE AHEAD OF THE CONTACT. THE CONTACT DEPRESSED THE BRAKE PEDAL BUT CRASHED INTO THE PRECEDING VEHICLE. THE VEHICLE WAS DESTROYED. THE AIR BAGS DID NOT DEPLOY AND THE CONTACT SUSTAINED INJURIES TO HER CHEST. THE PASSENGER SUSTAINED HIP INJURIES. THE VEHICLE WAS TOWED FROM THE SCENE. THE DEALER ADVISED ALL RECALL REPAIRS RELATED TO THE AIR BAG WERE PREVIOUSLY PERFORMED ON THE VEHICLE AND THERE WAS NOTHING WRONG WITH THE AIR BAGS (NHTSA CAMPAIGN ID NUMBERS: 08V532000: AIR BAGS: FRONTAL: SENSOR/CONTROL MODULE AND 00V332000: AIR BAGS: SIDE/WINDOW). THE FAILURE AND CURRENT MILEAGES WERE 150,000 → 176,114.

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.

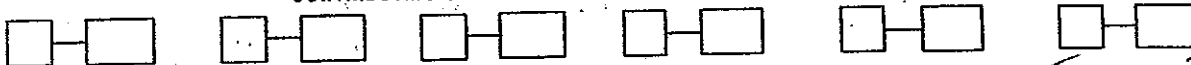
01	PAGE # 1 of 2	DSC USE ONLY	STATE M/D	UNITED STATES DEPARTMENT OF THE INTERIOR National Park Service		FIRST SHEET -OR- ☐ Continuation Sheet ☐ Supplemental Report	☐ Hit and Run ☐ Photos Taken ☐ USPP/NPS veh. inv. ☐ Park Property Damaged (Described on Reverse)	0
05	ACC. DATE (M/D/Y) 07/02/10	& TIME (Mil) 2232	MVA FILE		MVA MCJ			1
	PARK #	ORGANIZATION (PARK SITE) NAME B.W. Parkway	ROUTE #	Distance to Node	feet	Direction to Node ☐ N ☐ E ☐ S ☐ W	Node #	9
02	ROAD NAME PowderMill Rd.		LOCATION PowderMill Rd. @ Research Rd.					7
01								3
								7

UNIT # 01		UNIT # 02	
03	YEAR 01	MAKE & MODEL Hyundai 4dr	#OCCS 02
11	REGISTRATION STATE - PLATE NUMBER AND YEAR MD 2011		DIR. E
04	REGISTERED OWNER (if not driver) Full Name and Address		SP LMT 25
01	REPAIR EST.		
09	Same		
01	VEHICLE REMOVED To: AnA Towing Lot	VEHICLE REMOVED By: AnA Towing	
11	DRIVER'S LICENSE NUMBER and STATE	PED? Yes	
01	DRIVER/PED TELEPHONES (Home/Business)	DATE OF BIRTH	
12	DRIVER/PED Full Name	SEX 02	Belt 01
01	DRIVER/PED Address	Ejct 00	
13	INJURED TAKEN To	INJURED TAKEN By:	Inj. 00
02	N/A	N/A	

UNIT # 01		UNIT # 02	
15	PASSENGER'S Full Name	SEX 02	BELT 01
00	PASSENGER'S Address	AGE 18	SEAT 00
16	INJURED TAKEN To: Doctors Hospital	INJURED TAKEN By: P.G. Fire Ambulance	INJ. 01
00	PASSENGER'S Full Name	SEX	BELT
17	PASSENGER'S Address	AGE	SEAT
18	INJURED TAKEN To:	INJURED TAKEN By:	INJ.
00			

UNIT # 01		UNIT # 02	
19	WITNESS Full Name	Phone Number	
00	WITNESS Address		
20			
00			

CONTRIBUTING CIRCUMSTANCES - see back of coding guide (overlay)

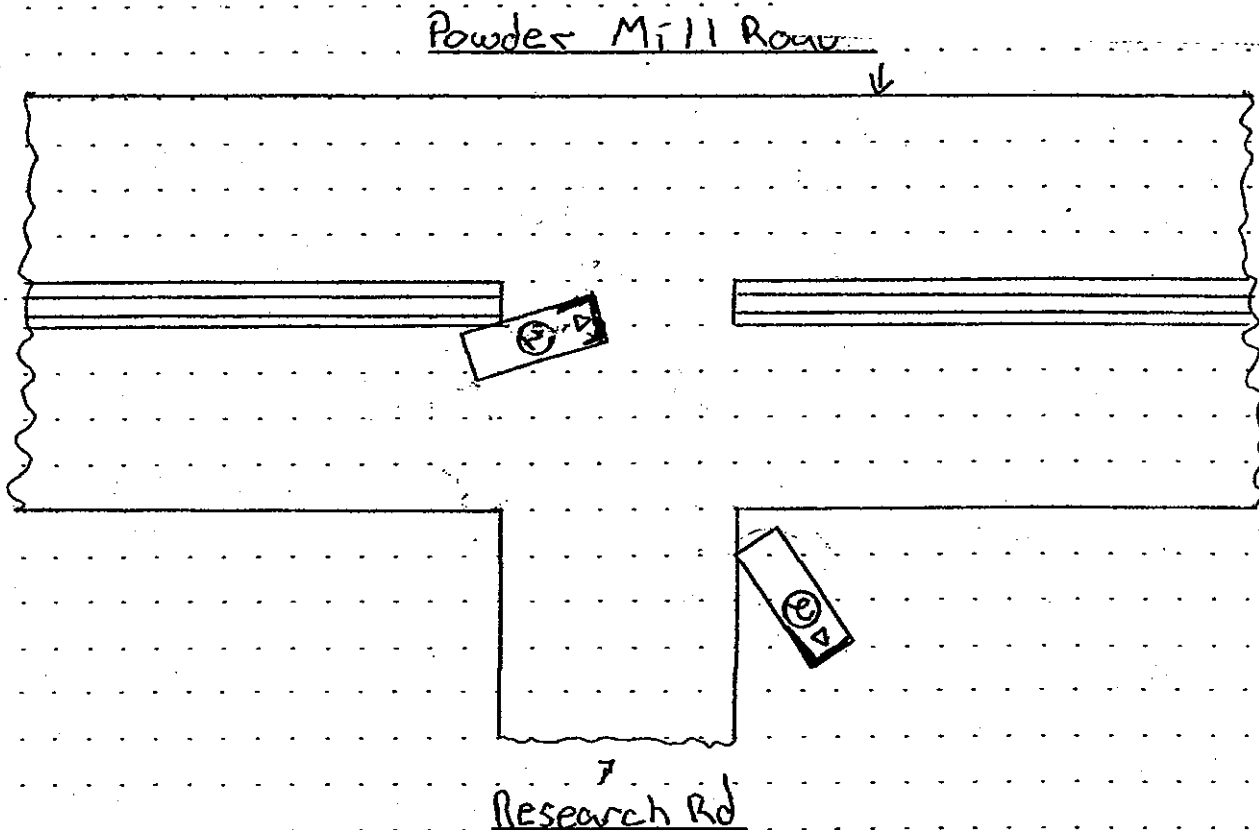


019737 (Case No.)

Unit #	Violation Charged	Disposition	Violation Charged	Disposition
02	Improper Turn	Pending		
Unit #	Violation Charged	Disposition	Violation Charged	Disposition

USE AREA BELOW FOR DIAGRAM AND ANY NARRATIVE NEEDED

In the diagram we are labeled Vehicle 1, even though the accident was deemed "not our fault."



DESCRIPTION OF ACCIDENT: Vehicle 2 was traveling westbound on Powder Mill Rd. and attempted to make a left hand turn onto Research Rd. Vehicle 1 was eastbound of Powder Mill Rd. and struck vehicle 2 in the intersection of Powder Mill Rd. and Research Rd.

INSURANCE INFORMATION-UNIT# 01

Property and Casualty #

INSURANCE INFORMATION-UNIT# 02

Liberty Mutual #

PAGE 2 of 2 Investigated by (ID #, Signature and Date)

2 of 2 Ofc. C. Gogarty

277

07/09/10

Approved by (ID #, Signature and Date)

103

7/15/10

(over)

COPY

[REDACTED]
[REDACTED] Beltsville MD [REDACTED]
[REDACTED] Home • [REDACTED]
[REDACTED]

Aug. 2, 2010

Carolyn B. Harvey
Hyundai National Consumer Affairs
PO Box 20850
Fountain Valley CA 92728

HMA File Number: 4026906 • VIN: KMHDN45D31U [REDACTED] • Mileage: 176,114

Dear Ms. Harvey:

Thank you for responding to our recent query. We have enclosed the photographs and documentation you requested in your letter dated July 21, 2010.

Since our Elantra's airbags did not deploy in the July 2 head-on accident, we have expressed concern to Hyundai and the National Highway Traffic Safety Administration (NHTSA). Our insurance company, in totaling the car, is anxious to settle and has offered us a dollar amount. We, however, are asking Hyundai and NHTSA to inspect our Elantra before we give up rights to the vehicle and settle.

Our daughter was driving Vehicle 1 as described in the police report, case # 019737. See the report for the incident description, which took place in the jurisdiction of the National Park Service in Beltsville, MD.

We are asking four things of Hyundai:

1. To inspect the vehicle to determine whether our College Park, MD, dealer performed the necessary work (and performed it correctly) on the air bag system per the motor vehicle recall notice we received a few years ago.
2. To determine whether the airbags should have deployed upon impact at 25-35 mph. Our daughter and her front-seat passenger were restrained from severe injury by their seatbelts. The airbag light always lit during vehicle startup, so we assume the system was in working order.
3. To restore our confidence that Hyundai manufactures safe vehicles. We have read reports and blogs detailing the failure of Hyundai airbags to deploy in vehicle crashes where people have been seriously injured and/or the vehicle has been totaled.
4. To provide fair compensation if Hyundai and/or NHTSA determine failure of equipment and/or improper recall repair. Frankly, we planned to drive our Elantra until it was no longer worth the maintenance costs or until we traded it in for a new Hyundai. In this economy, we aren't in a position to assume car payments. The insurance settlement amount does not provide for a significant down payment. We only ask compensation if failure is determined.

The vehicle has been parked in our driveway since we had it towed from the impoundment lot on July 3. We authorize a Hyundai representative, with prior notification, to inspect the vehicle on our property.

We look forward to hearing from you as soon as possible. Thank you.

Sincerely,

[REDACTED]







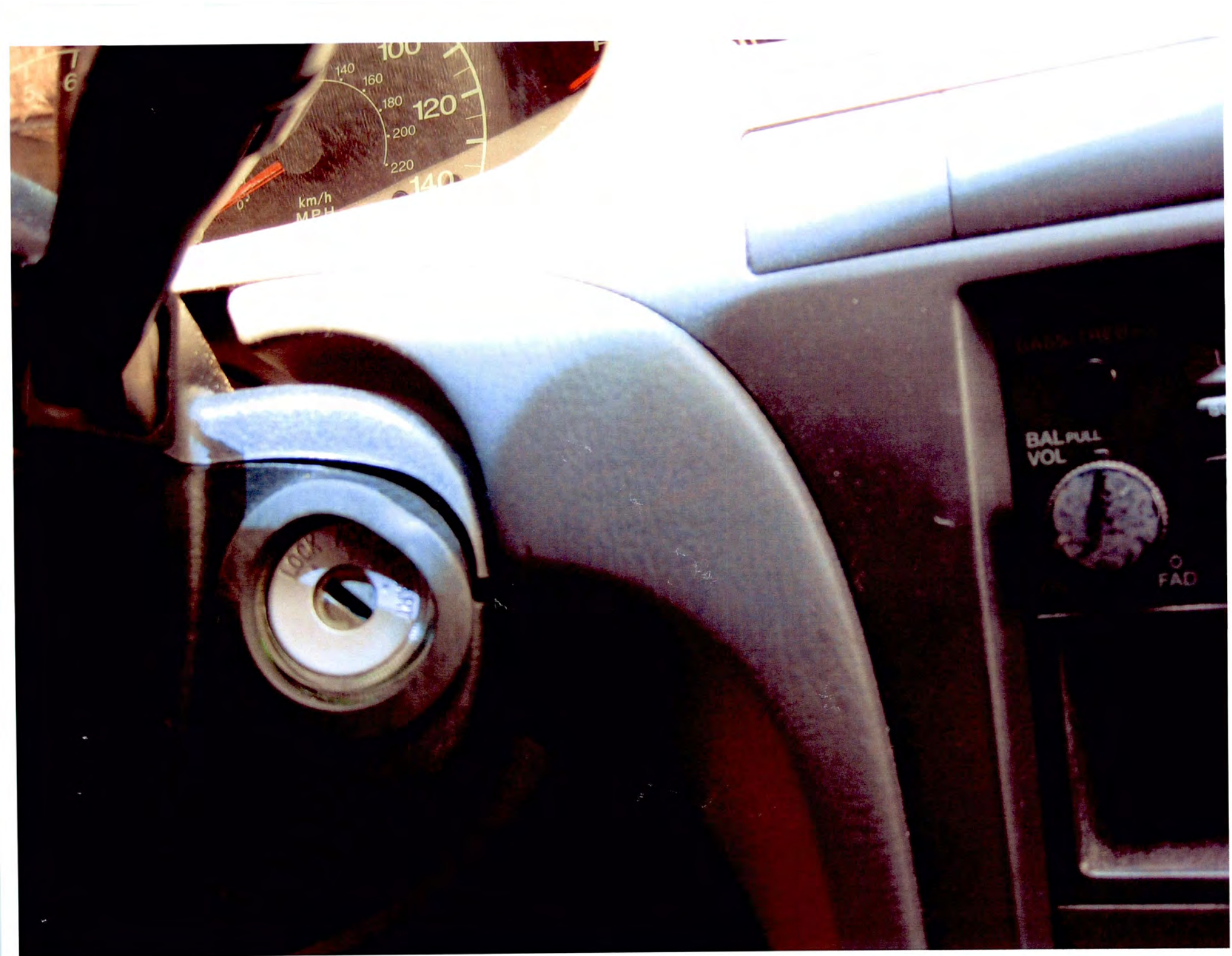
КНДН 45031

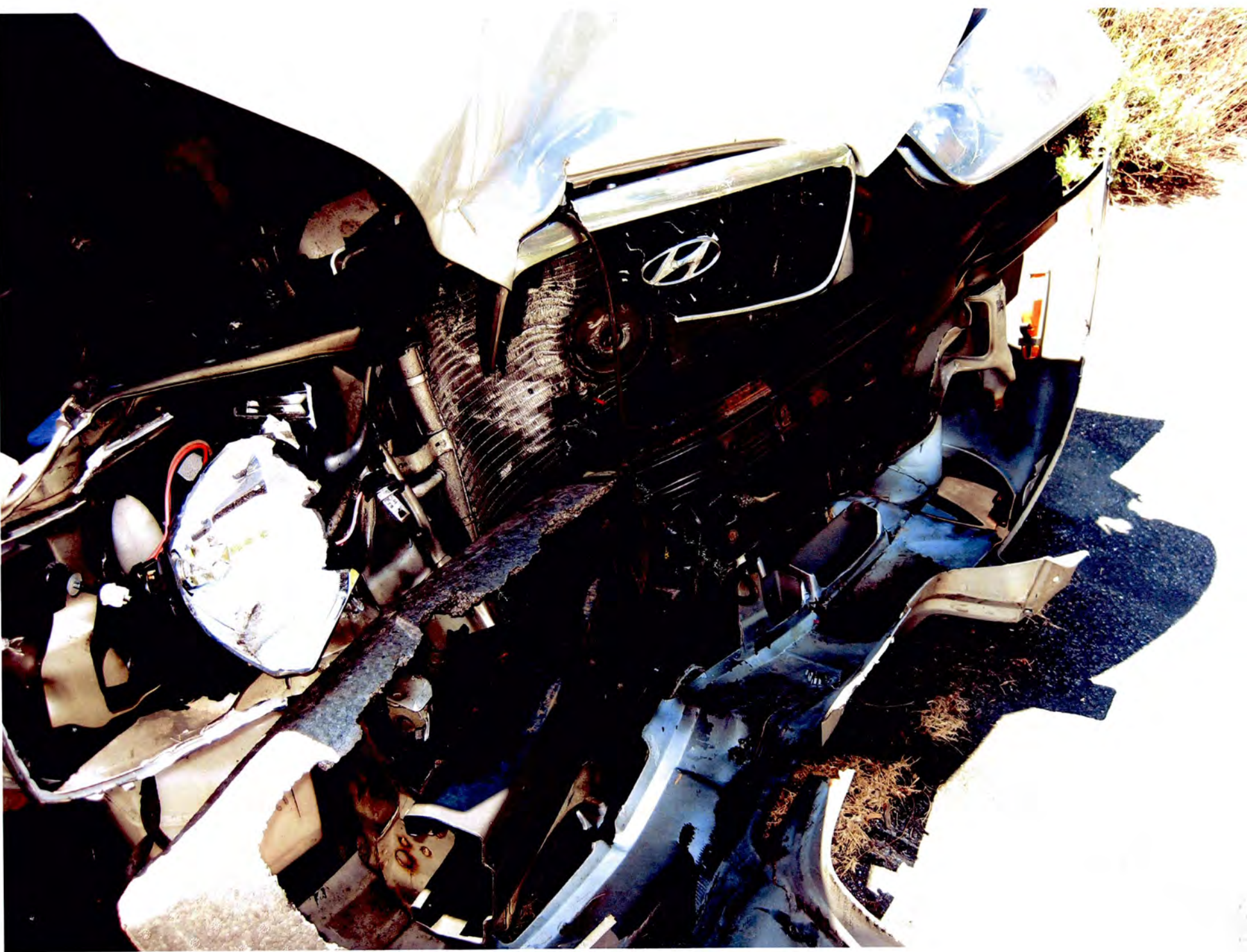
















1 LBS

1 OF 1

QCPRESS

WASHINGTON DC



MD 201 9-46



SHIP TO:

US DEPARTMENT OF TRANSPORTATION
NATIONAL; HWY. TRAFFIC SAFETY ADMIN
OFFICE OF DEFECTS INVESTIGATION,

23/Sep/2010 05:44 2004-P922-6334

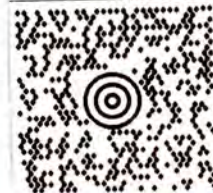
SHIP TO: NHTSA
KATHLEEN DEMETER
1200 NEW JERSEY AVE SE
RM W45-302
WASHINGTON DC 20590 1094

SE
0077-9382

UPS NEXT DAY AIR SAVER

TRACKING #: 1Z W2A 523 13 5469 3676

1P



MD 201 9-43



12W2A5231354693676

BILLING: P/P

WS 12 0 17 TOSHIBA 65850 06.0A 07/2010