

TOM CORBETT
ATTORNEY GENERAL



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL

SEP 15 2010

BUREAU OF CONSUMER PROTECTION
564 Forbes Avenue, 6th Floor
Pittsburgh, Pennsylvania 15219
412-565-5134
September 7, 2010

[REDACTED]
Ambridge, PA [REDACTED]

Re: Hyundai Motors
BCP-10-05-007303

Dear [REDACTED]

Your complaint regarding the above referenced matter has been reviewed and appears to come within the primary jurisdiction of another agency or another state. By copy of this letter, your complaint has been forwarded with a request that it be handled by the office listed below. By forwarding your complaint, we believe the issues you raise will be addressed by the agency primarily responsible for dealing with these types of problems.

Please direct any further inquiries about this matter to that office. If you would like more information on this referral, please feel free to contact our office.

A copy of your complaint will remain on file for our future reference. On behalf of the Office of Attorney General, thank you for bringing this matter to our attention.

Very truly yours,

Kathryn L. Passarelli
Agent

klp
23

Cc: NHTSA Headquarters
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

KB
093010
TGW

PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL



CONSUMER COMPLAINT FORM

TOM CORBETT
ATTORNEY GENERAL

www.attorneygeneral.gov

Office Use Only Investigator:
Complaint #

12LP

Code 1

135-65

Code 2

200-25
215-75

Bureau of Consumer Protection
Manor Building, 6th Floor
564 Forbes Avenue
Pittsburgh, PA 15219
(412) 565-5135

Your Age:

- ☐ 18-29
☐ 30-44
☒ 45-59
☐ 60 or older

How did you find
out about us:

- ☐ Visited Office
☐ Attended County/
Senior Fair
or Speaking
Engagement
☒ State Legislator/
Agency
☐ News Story
☐ Internet
☐ Other-
Please Specify.

(This information
will be used for
Statistical &
Enforcement
Purposes Only)

1-800-441-2555

[Redacted Address]

ADDRESS
Ambridge

STATE
Pa

ZIP CODE
[Redacted]

COUNTY
Beaver

HOME PHONE NUMBER

BEST NUMBER TO CALL DURING THE DAY

Hyundai Motor America

NAME OF BUSINESS COMPLAINT IS AGAINST

NAME OF OWNER OR OTHER INDIVIDUAL TO WHOM YOU COMPLAINED

10550 Talbert Ave PO Box 20850

ADDRESS
Fountain Valley CA 92728

CITY STATE ZIP CODE COUNTY

714-965-3493

PHONE

PRODUCT(S) OR SERVICE(S) PURCHASED

Hyundai Elantra 2003

DATE OF PURCHASE

PURCHASE PRICE

To what other agencies have you complained?

What action was taken?

Have you retained an attorney? ☐ Yes ☒ No

If yes, please provide your attorney's name, address and telephone number

Have you filed a legal action? ☐ Yes ☒ No

If yes, please state WHEN, WHERE and WHAT decision was made?

RECEIVED

MAY 11 2010

BCP - WRO

PLEASE COMPLETE THE REVERSE SIDE OF THE COMPLAINT FORM

Please explain your complaint. You may use additional sheets if necessary. Please print or type clearly. Try to be brief, but be sure to tell **WHAT** happened, **WHEN** it happened and **WHERE** it happened. Be specific about any oral statements the business made to you, **ESPECIALLY** those that influenced you to deal with the company. Describe events in the order in which they happened. Attach **COPIES** of all contracts, letters, receipts, canceled checks (front & back), advertisements or any other papers that relate to your complaint.

My daughter boyfriend had our 2003 Hyundai Elantra
an had an accident in which the car was totalled
This happened April 14, 2010 at 8:45pm On I79 South 902
feet North of State Highway 3074 - NONE of the airbags
deployed. This vehicle was to be considered safe.

WHAT WOULD YOU LIKE THE BUSINESS TO DO TO SETTLE YOUR COMPLAINT?

Financial restitution

PLEASE READ CAREFULLY

The Attorney General cannot act as your private attorney. As a law enforcement agency, the primary function of the Office of Attorney General is to represent the public at large by enforcing laws prohibiting fraudulent or deceptive trade practices that impact the public interest.

The Attorney General, through the Bureau of Consumer Protection, provides a mediation service to consumers where an attempt may be made to mediate your individual consumer complaint if it falls within the jurisdiction of the office. Please be advised that the information you provide will be shared with the party against which you have filed a complaint. Additionally, your complaint may be shared with or referred to other Governmental Law Enforcement or Regulatory Agencies.

Your complaint will also be kept on file with our office and the information contained therein may be used to establish violations of Pennsylvania Law. Attached to this complaint form is an informational sheet which will help you in completion of the complaint form and also will explain in greater detail the mediation process.

By signing this complaint form, I authorize the Bureau of Consumer Protection to contact the party(ies) against which I have filed a complaint in an effort to reach an amicable resolution. I further authorize the party(ies) against which I have filed a complaint to communicate with and provide information related to my complaint to the Bureau of Consumer Protection. I verify that I have read and understand the informational sheet about this process; and, that the information I am providing is true and correct to the best of my knowledge, information and belief.

YU [REDACTED]

5. 7. 10
DATE

Audatex
a Solutia Company

Autosource Valuation

Administrative Data
2003 Hyundai Elantra

Colleen Eberhardt
 State Farm Insurance
 Concordville CTLU Branch
 License # 134045
 Concordville PA 19339

Claimant
 Insured [REDACTED]
 Claim [REDACTED]
 Loss Date 04/14/2010
 Loss Type Collision
 Policy
 Other

Claim Rep Name EXT #4111
 Owner Name [REDACTED]
 Owner Address [REDACTED]
 Owner City Ambridge
 Owner State PA
 Owner Zip [REDACTED]
 Estimator Name BILL STONE
 Estimator License [REDACTED]
 Primary Impact 12

Valuation Summary
2003 Hyundai Elantra

	See N.A.D.A. Value Section	See Valuation Detail Section	Autosource/ N.A.D.A.
	N.A.D.A. Retail	Autosource	Average
Base Price	\$4,825	\$5,407	\$5,116
Engine			
Transmission			
Odometer	-550	-1,255	-903
Equipment	600	370	485
Value Before Adjustments	\$4,875	\$4,522	\$4,699
Value Before Condition Adjs.		\$4,522	\$4,699
Suggested Total Condition Adj.			-165
Total Condition Adjusted Mkt Val			\$4,534

General Sales Tax 6.000% \$272.04

Title Fee [REDACTED]

Transfer Fee ~~\$550~~

Deductible \$ -100.00

Net Adjusted Value ~~\$4701.00~~

Salvage/Other [REDACTED]

2003 Hyundai Elantra

VIN KMHDN45D03U [REDACTED]

Commonwealth of Pennsylvania Driver Notice and Exchange Report

INCIDENT NUMBER
B03-1770664

PA STATE POLICE - PITTSBURGH

(412) 787-2000

DATE OF CRASH 04/14/2010		TIME OF CRASH 20:45 hrs.		DAY OF WEEK WEDNESDAY		COUNTY ALLEGHENY		MUNICIPALITY ROBINSON TWP	
ROUTE # 0079		SEGMENT #		STREET 179		STREET ENDING HIGHWAY			
PATROL ZONE 75	INVESTIGATOR \ INVESTIGATOR SIGNATURE YUHAS, THOMAS P						BADGE NUMBER 06566		
REVIEWER						REVIEWER BADGE NUMBER		APPROVAL DATE	
Latitude:	Degrees 40	Minutes 28	Seconds 57	Decimal 339	Longitude: -	Degrees 80	Minutes 07	Seconds 21	Decimal 673
Location: ON I 79 902 FEET NORTH OF STATE HWY 3074									

Driver / Vehicle	UNIT # 001	DRIVER'S LAST NAME		FIRST NAME		MI A	SUFFIX	DOB	GENDER MALE	PHONE NUMBER
	STREET ADDRESS				CITY CANONSBURG				STATE PA	ZIP CODE
	LICENSE NUMBER				LICENSE STATE PA		CLASS C		EXPIRATION DATE 12/01/2012	
	INSURANCE COMPANY STATE FARM				POLICY NUMBER				POLICY EXPIRATION DATE	
	OWNER'S LAST NAME OR BUSINESS NAME				FIRST NAME		MI A	SUFFIX		
	STREET ADDRESS				CITY AMBRIDGE				STATE PA	ZIP CODE
	VEHICLE YEAR 2003		MAKE HYUNDAI		MODEL ELANTRA					
	VIN KMHDN45D03U		LICENSE PLATE #		STATE PA		VIOLATIONS (INCLUDING SECTION NUMBERS): 3309		DRIVER CHARGED? YES	

Driver / Vehicle	UNIT # 002	DRIVER'S LAST NAME		FIRST NAME		MI M	SUFFIX	DOB	GENDER MALE	PHONE NUMBER
	STREET ADDRESS				CITY BETHEL PARK				STATE PA	ZIP CODE
	LICENSE NUMBER				LICENSE STATE PA		CLASS CM		EXPIRATION DATE 02/28/2012	
	INSURANCE COMPANY STATE FARM				POLICY NUMBER				POLICY EXPIRATION DATE	
	OWNER'S LAST NAME OR BUSINESS NAME				FIRST NAME		MI M	SUFFIX		
	STREET ADDRESS				CITY BETHEL PARK				STATE PA	ZIP CODE
	VEHICLE YEAR 2005		MAKE HONDA		MODEL ACCORD					
	VIN 1HGCM56465A		LICENSE PLATE #		STATE PA		VIOLATIONS (INCLUDING SECTION NUMBERS): NONE		DRIVER CHARGED? NO	

Property Damage	OWNER'S FIRST NAME		MI	LAST NAME		SUFFIX	PHONE NUMBER	
	STREET ADDRESS P O BOX 15238		CITY PITTSBURGH		STATE PA		ZIP CODE 15238	
	PROPERTY DESCRIPTION GUIDE RAIL END DAMAGE							

Remarks/Notes

Units 1 & 2 traveling south on SR 79. Operator 1 made lane change from right to left apparently at a high rate of speed. Unit 1 front center had impact with unit 2 rear left in the left lane. After impact unit 1 spun clockwise and traveled south and struck guide rail on west shoulder with its left side. Unit 2 after impact traveled south west off of roadway and struck guide rail end with its front right. Unit 2 continued to travel south west and came to rest in culvert facing south.

APPLICATION TO OBTAIN COPY OF POLICE CRASH REPORT

PA STATE POLICE - PITTSBURGH
(412) 787-2000

FOR POLICE USE ONLY
(LEAVE BLANK)

PLEASE DO NOT SUBMIT THIS APPLICATION UNTIL 15 DAYS HAVE ELAPSED SINCE THE DATE OF THE CRASH.

THIS CRASH, WHICH YOU WERE INVOLVED IN, WILL BE INVESTIGATED IN ACCORDANCE WITH SECTION 3746(C) OF THE PENNSYLVANIA VEHICLE CODE BY THE POLICE AGENCY LISTED ABOVE.

PERSONS AUTHORIZED BY SECTION 3751(B) OF THE PENNSYLVANIA VEHICLE CODE, WHO MAY OBTAIN A COPY OF THE POLICE CRASH REPORT, INCLUDE ANY PERSON INVOLVED IN THE CRASH, THEIR ATTORNEY, INSURER, THE FEDERAL GOVERNMENT, BRANCHES OF THE MILITARY SERVICE, COMMONWEALTH AGENCIES, OFFICIALS OF POLITICAL SUBDIVISIONS, OR AGENCIES OF OTHER STATES AND NATIONS AND THEIR POLITICAL SUBDIVISIONS.

THE POLICE CRASH REPORT MAY BE VIEWED OR PHOTOGRAPHED (WITH PERSONAL EQUIPMENT) BY ANY PERSON INVOLVED (NOT WITNESSES), THEIR ATTORNEY, INSURER, AND CERTAIN GOVERNMENT OFFICIALS ONLY AT THE POLICE AGENCY LISTED ABOVE.

DATE OF CRASH 04/14/2010	TIME OF CRASH 20:45 hrs.	INCIDENT NUMBER B03-1770664
COUNTY ALLEGHENY	MUNICIPALITY ROBINSON TWP	
ROUTE # 0079	LOCATION 179	ROUTE SIGNING INTERSTATE(NOT TURNPIKE)

REASON FOR REQUEST:

☐ DIRECTLY INVOLVED IN CRASH	YOUR INVOLVEMENT (E.G. DRIVER, OWNER, ETC.)
☐ ATTORNEY OR INSURER FOR PERSON INVOLVED IN CRASH	CLIENT'S NAME
☐ GOVERNMENT AGENCY OR OFFICIAL	AGENCY AND TITLE
☐ OTHER (EXPLAIN):	

REQUESTOR:

NAME	PHONE #
ADDRESS	CITY STATE ZIP CODE
SIGNATURE	

OTHERS INVOLVED IN THE CRASH (E.G. DRIVERS, OWNERS, PEDESTRIANS, PROPERTY OWNERS, ETC.):

NAME	NAME
INVOLVEMENT (ADDRESS IF PROPERTY OWNER)	INVOLVEMENT (ADDRESS IF PROPERTY OWNER)

ENCLOSE CHECK WITH APPLICATION:

PAYABLE TO: COMMONWEALTH OF PENNSYLVANIA	IN THE AMOUNT OF: \$8.00
MAIL TO: PA STATE POLICE: CRASH REPORTS UNIT	
ADDRESS: 1800 ELMERTON AVE.	CITY: HARRISBURG STATE: PA ZIP CODE: 17110

ENTER YOUR COMPLETE NAME, MAILING ADDRESS AND EMAIL ADDRESS WHERE COPY IS TO BE SENT:

NAME	REQUEST COPY VIA EMAIL (IN LIEU OF MAILING) ☐ COPY WILL BE PROVIDED IN AN ADOBE FORMAT * NOT AVAILABLE FOR CRASHES PRIOR TO 1/2004 LEGIBLY ENTER YOUR EMAIL ADDRESS
ADDRESS	
CITY STATE ZIP CODE	

IMPORTANT NOTICE

**REGARDING YOUR FINANCIAL RESPONSIBILITY
INSURANCE IDENTIFICATION CARD**

State Farm is required by Pennsylvania law to send you an I.D. card. The card shows that an insurance policy has been issued for the vehicle(s) described satisfying the financial responsibility requirements of the law.

If you lose the card, contact State Farm or your Agent for a replacement.

The I.D. card information may be used for the vehicle registration and replacing license plates. If your liability insurance policy is not in effect, the I.D. card is no longer valid.

You are required to maintain financial responsibility on your vehicle. It is against Pennsylvania law to use the I.D. card fraudulently such as using the card as proof of financial responsibility after the insurance policy is terminated.

**KEEP YOUR CURRENT ID CARD UNTIL
THE EFFECTIVE DATE OF THIS CARD**

1843
(01/0317f) (01/0310a)

MUTL VOL

1-G
Sys Pends

PENNSYLVANIA FINANCIAL RESPONSIBILITY IDENTIFICATION CARD

NAIC
NUMBER
25178

State Farm Mutual Automobile Insurance Company

AGENT JIM MONTAGNA
PHONE NO. (412)741-5599

2835-391



POLICY NUMBER

AMBRIDGE PA

EFFECTIVE DATE
MAR 10 2010

EXPIRATION DATE
SEP 10 2010

MUTL
VOL

Office issuing this card
PENNSYLVANIA OFFICE
One State Farm Drive
Concordville, PA 19339

[Signature]
Authorized Representative

Applicable with respect to the following Motor Vehicle
Year Make
2003 HYUNDAI ELANTRA

Vehicle Identification Number
KMHDN45D03U

CAR NO.
002

SEE IMPORTANT MESSAGE ON REVERSE SIDE



Hyundai Motor Ar
10550 Talbert Avenue
P.O. Box 20839
Fountain Valley, CA 92728-9937

MOTOR VEHICLE RECALL

Dear 2001-2003 Elantra or 2003 Tiburon Owner:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act.

Hyundai has decided that a defect, which relates to motor vehicle safety, exists in certain model year 2001 through 2003 Hyundai Elantra vehicles that were produced during the period beginning June 30, 2000 through January 13, 2003 and certain model year 2003 Hyundai Tiburon vehicles produced beginning on October 26, 2001 through January 13, 2003. This recall affects such vehicles registered in and operated in Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia, and Wisconsin, and the District of Columbia (the Salt Belt).

Federal law requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten days.

What is the problem?

- During winter months, large quantities of salt are used to de-ice roads in the Salt Belt states, noted above. Road salt may result in internal corrosion and thinning of the steel in the front lower control arms. In severe cases, the corrosion may progress to the point where the lower control arm's upper and lower panels become perforated. A perforated front lower control arm may fracture between its ball joint attachment and the forward and rearward pivot attachments to the chassis. This could affect your control over the tire and wheel assembly.

Reduced control of the front wheel direction may increase the risk of a vehicle crash without warning.

What will Hyundai do?

- We are asking you to schedule an appointment as soon as possible to take your vehicle to your Hyundai dealer. The Hyundai dealer will inspect the front lower control arms for corrosion damage. If specified levels of internal corrosion damage are found, the front lower control arms will be replaced with new front lower control arms incorporating additional holes in the upper and lower panels. If your front lower control arms do not require replacement, the dealer will add drainage holes to the front lower control arms and will treat the front lower control arms with rust-proofing material to arrest the internal corrosion process.

In addition to treating the front lower control arms, the Hyundai dealer will inspect the front subframe of your vehicle for signs of corrosion that could potentially progress and ultimately affect vehicle performance. This additional inspection is a precautionary measure to offer improved drainage in the front subframe. If the dealer finds a specified level of corrosion damage, the dealer will replace the front subframe. Otherwise, the dealer will treat the front subframe with rust-proofing materials and add drainage holes.

(over)

C/091

MOTOR VEHICLE RECALL

Both procedures will be performed at no charge to you. You should plan to leave your vehicle at your Hyundai dealer to have this service performed. Repair times will vary and depend on your dealer's appointment schedule.

What should you do?

- We urge you to call your Hyundai dealer to schedule an appointment to have this work performed as soon as possible.

What if you have other questions?

- If you have any difficulty having this repair performed, we recommend that you call the Hyundai Customer Assistance Center at 1-800-633-5151. If you are still not satisfied that we have remedied this situation without charge, and within a reasonable amount of time, you may wish to write to the Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE, Washington, D.C. 20590, or call their toll-free Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9153), or go to <http://www.safercar.gov>.

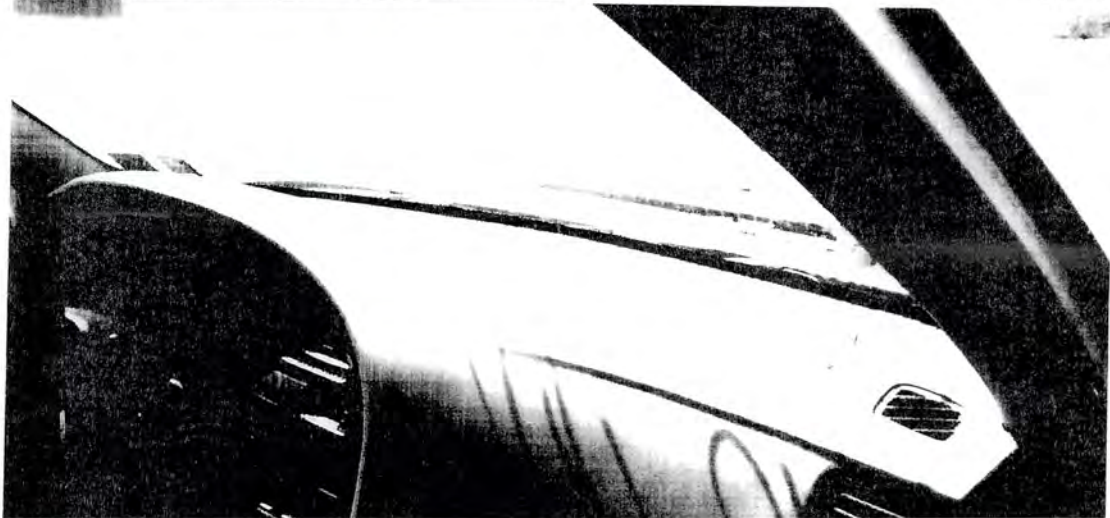
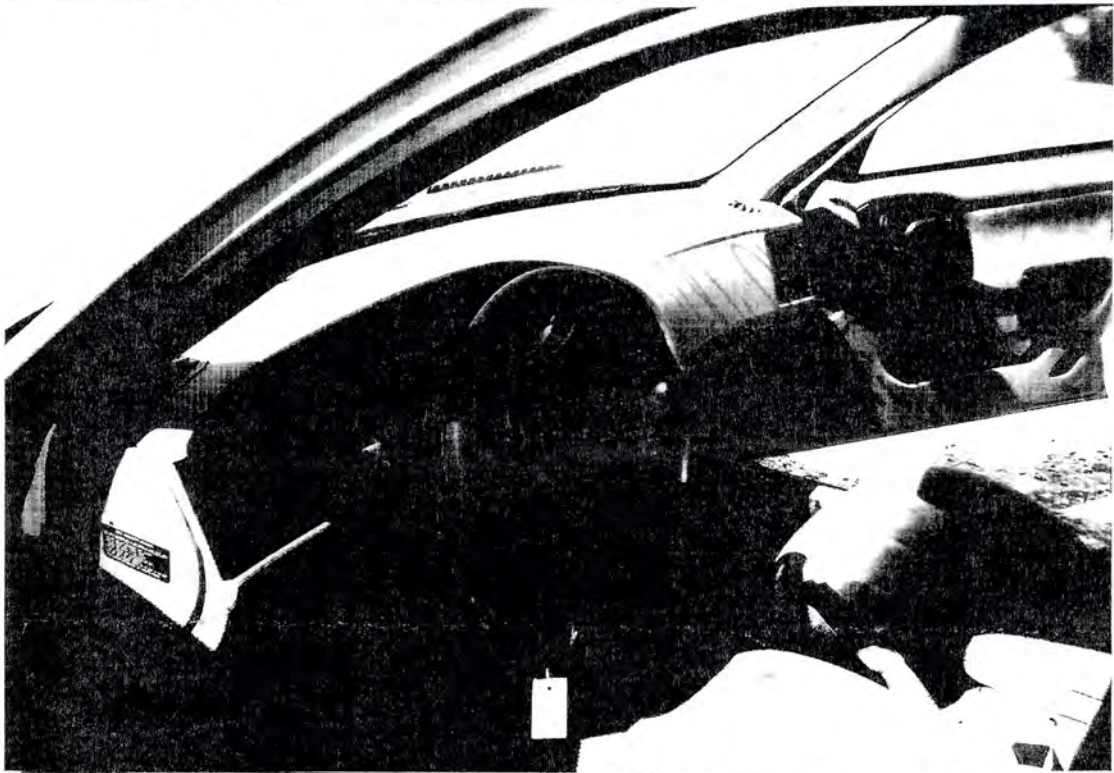
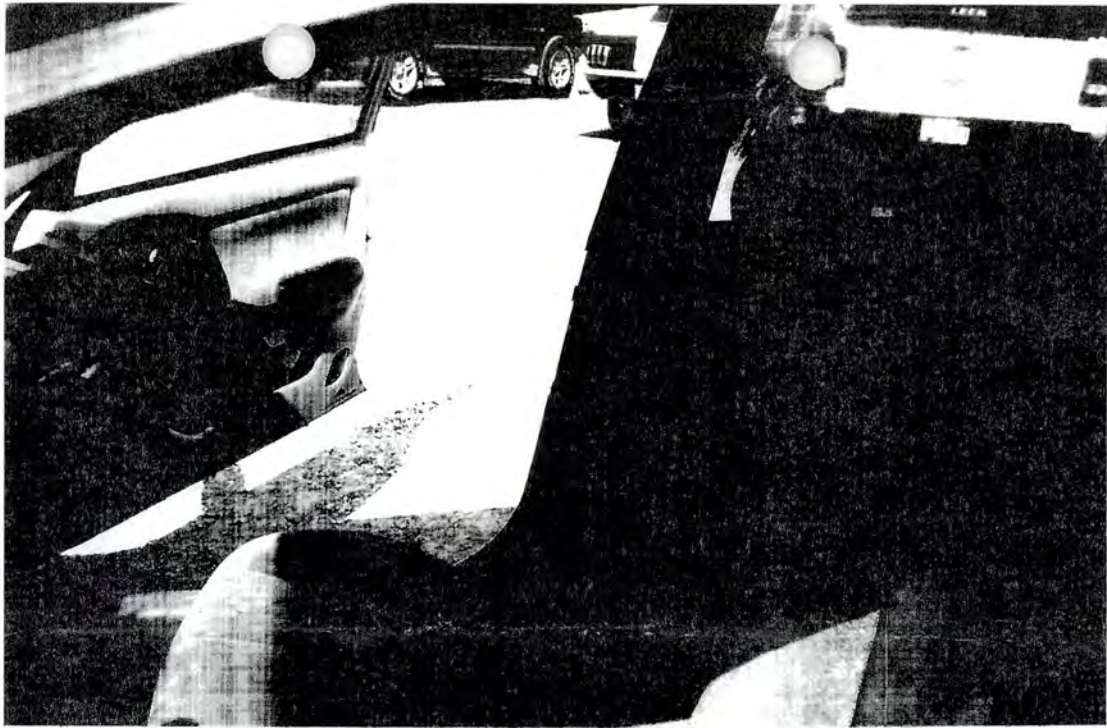
Reimbursement Notification

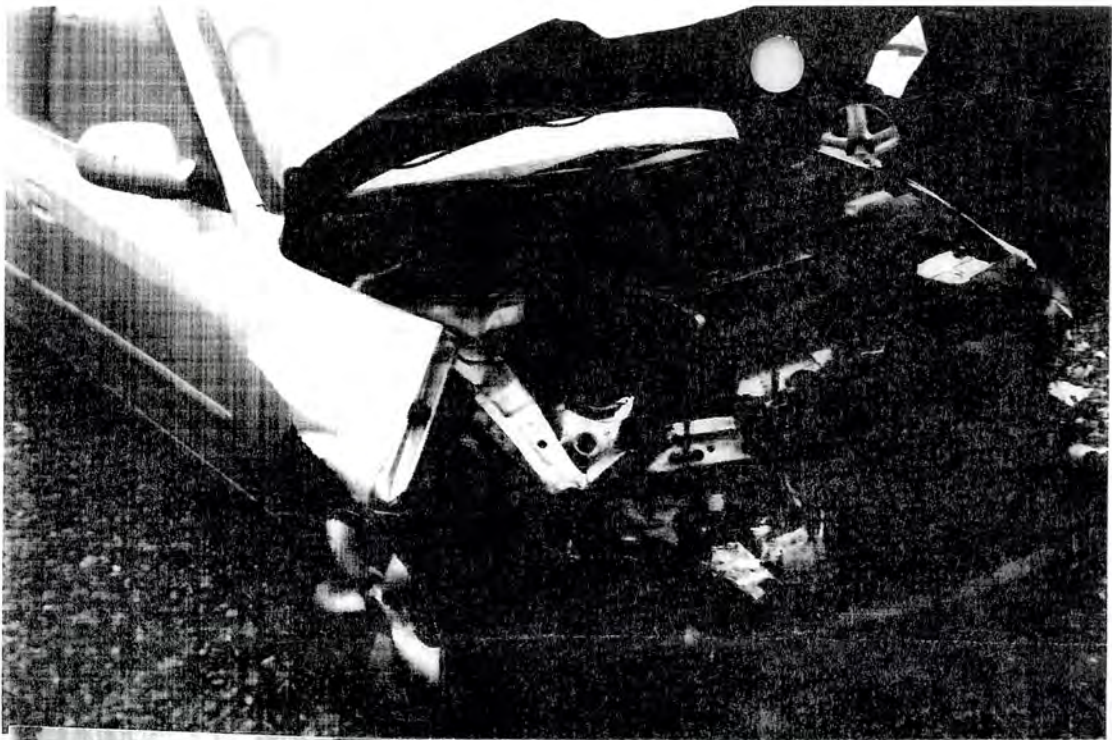
- Hyundai has a program for reimbursing owners of 2001 through 2003 Elantras and 2003 Tiburons produced through January 13, 2003 who paid to have the front lower control arms replaced after April 14, 2008 and prior to receiving this recall notification letter.

To obtain information about reimbursement from Hyundai, please call the Hyundai Customer Assistance Center at 1-800-633-5151. Ask about reimbursement information for campaign 091.

We urge your prompt attention to this important safety matter.

Hyundai Motor America





OFFICE OF ATTORNEY GENERAL
COMMONWEALTH OF PENNSYLVANIA
564 FORBES AVENUE, 6TH FLOOR
PITTSBURGH, PA 15219

Hasler

FIRST-CLASS MAIL

09/08/2010

US POSTAGE

\$00.61⁰



ZIP 15219
011D11612242

Defects
PM

