



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

Repository

17-AUG-2011  
SEP 19 2011

Reference No.  
10419903

**OWNER INFORMATION (Type or Print)**

Name [REDACTED]  
Address [REDACTED]  
City HAMPTON State VA Zip Code [REDACTED]

Daytime Telephone Number [REDACTED]

E-mail Address

Evening Telephone Number [REDACTED]

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  
KMHDN56D05U [REDACTED] Make HYUNDAI Model ELANTRA Model Year 2005

Date Purchased 7-19-05 Dealer's Name and Telephone Number PRIORITY HYUNDAI (757) 877-9995 Engine: No: Cylinders 4 Fuel Type: GASOLINE

Original Owner  Dealer's City Newport News State VA Zip Code 23608

Transmission Type AUTOMATIC  Antilock Brakes Powertrain Multiple Failure: Incident Date(s) 29-JUL-2011  
 Cruise Control

**FAILED COMPONENT(S)/PART(S) INFORMATION**

Vehicle Component Code: 140000 AIR BAGS Failure Mileage 50000 Failure Speed 55

**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 Failure Location:  
 Prior Repair

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 1 Number of Deaths Reported to Police Y

**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 2005 HYUNDAI ELANTRA. THE CONTACT STATED THAT THE DRIVER OF THE VEHICLE WA TRAVELING 55 MPH WHEN ANOTHER VEHICLE FAILED TO YIELD THE RIGHT-OF-WAY. AS A RESULT, A MULTIPLE CAR CRASH ENSUED AND CAUSED THE DRIVER TO CRASH INTO THE REAR OF A BUS. THE FRONT AIR BAGS DID NOT DEPLOY AND AS A RESULT, THE CONTACT SUSTAINED INJURIES TO THE HEAD, NECK AND BACK. THE VEHICLE WAS DESTROYED. A POLICE REPORT WAS FILED FOR THE INCIDENT. THE MANUFACTURER WAS MADE AWARE OF THE FAILURE. THE FAILURE MILEAGE WAS 50,000.

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 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.

Hampton, Virginia  
9-13-11

Randy Reid, Chief  
Correspondence Research Division  
Office of Defects Investigation Enforcement  
National Highway Traffic Safety Administration  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
Washington, DC 20590

Reference #: 10419903

Dear Mr. Reid:

Following my transmission to you of the enclosed report of the failure of the airbag in my 2005 Hyundai Elantra, VIN KHMDN56DO5U [REDACTED], to deploy in a 7-29-11 front end collision in which the vehicle was declared to be totally destroyed, I telefaxed the enclosed 9-13-11 letter to Hyundai. Because I have little confidence in Hyundai's integrity to perform and report on an accurate investigation into the airbag failure to deploy, and because other such vehicles may represent a hazard to drivers, I would be grateful if your agency could have performed, an inspection of the vehicle which is located at Tidewater Express, Inc., 1749 West Pembroke Avenue, Hampton, Virginia 23670 Telephone: (757) 723-1214 or 596-2067; Telefax: (757) 723-3784. Please let me know:

1. if you will be able to have that accomplished
2. if you need additional information
3. your telefax number

I am telefaxing a letter to Tidewater Express requesting them to retain, and allow your agency access to, the vehicle. Thank you for your consideration.

Sincerely  
[REDACTED]

enc: my letters to Hyundai of:  
9-12-11  
9-13-11

Telefax to (586) 582-5840; (714) 965-3837; (801) 736-3561

Hampton, Virginia  
9-12-11

Kissany Craighead, Hyundai National Consumer Affairs  
Carolyn, Case Manager, Hyundai Customer Connect  
Post Office Box 20850  
Fountain Valley, California 92728-0850  
Mark King, Director  
Engineering Analysis Association (EAA)  
28635 Mount Road  
Warren, Michigan 48902

VIN KMHDN56DO5U  
Hyundai Case #: 4503939

Dear Madams & Sirs:

Following:

1. my telefaxed 8-27-11 letter to Hyundai requesting a copy of the report of the inspection of my above cited vehicle regarding the failure of its airbag to deploy at the time of a major front end impact sustained in a 7-29-11 motor vehicle accident at high speed which destroyed the front end
2. my 9-2-11 receipt of Ms. Craighead's 8-29-11 letter to me in which she refused to agree to provide me with the requested report because it was, "considered proprietary and confidential"
3. Ms. Craighead's 9-2-11 telephone call to me informing me that the inspection of my vehicle would be cancelled, in which I requested that it not be cancelled
4. my telefaxed 9-2-11 letter to Hyundai:
  - A. re-requesting that the inspection of my vehicle not be cancelled
  - B. noting that the failure of airbag deployment had been reported to the National Highway Traffic Safety Administration and that I had received acknowledgement from its Office of Defects Investigation Enforcement
5. my telefaxed 9-8-11 letter to Hyundai noting that I had received a 9-7-11 notification that the vehicle would be inspected on 9-8-11
6. the 9-8-11 inspection of the vehicle by the contracted engineer of Hyundai's agent, EAA in today's mail postmarked 9-9-11 I received a 9-8-11 letter from Ms. Craighead stating, "an inspection would have confirmed the proper operation of the vehicle's airbag system" "we were prevented by your insurance carrier from performing an inspection of the vehicle. Accordingly, based on the information available to us, we must respectfully deny any liability in connection with your accident."

Please be correctly informed that:

1. my insurance carrier did not prevent an inspection of the vehicle inasmuch as the vehicle was not covered by collision insurance
2. the vehicle was inspected on 9-8-11 by EAA's contracted engineer, David Kingsbury, who said he had downloaded information from its computer system to forward to Hyundai's agent, EAA
3. as a responsible concerned citizen, I had requested the inspection and investigation for safety, not "liability", reasons, so that Hyundai and appropriate federal authorities could take necessary action

Ms. Craighead's:

1. misrepresentation of:

A. my initial request for information

B. the reason for my request for Hyundai's investigation of the failure of the airbag to deploy

2. belief, in the absence of the report of an airbag investigation, that the airbag system operated properly

3. apparent eagerness to cancel an airbag inspection

appears to represent bad faith and irresponsibility on the part of Hyundai in an attempt to prevent a proper investigation of an apparent safety defect. Hyundai should do everything in its power to properly and thoroughly investigate possible safety defects.

In addition to the previously requested information, including the report of the investigation of my vehicle, which Hyundai should not thwart, please have me provided with information regarding any other reported failures of airbags to deploy in front end collisions of 2005 Hyundai Elantra vehicles.

Finally, please provide to the National Highway Traffic Safety Administration, a copy of the report of your investigation of my vehicle, and let me know when you have done so. Thank you for your consideration of my requests and concerns.

Sincerely,



Telefax to (386) 582-5840; (714) 965-3837; (801) 736-3561

████████████████████  
Hampton, Virginia ██████████  
9-13-11

Kissany Craighead, Hyundai National Consumer Affairs  
Carolyn, Case Manager, Hyundai Customer Connect  
Post Office Box 20850  
Fountain Valley, California 92728-0850  
Mark King, Director  
Engineering Analysis Association (EAA)  
28635 Mount Road  
Warren, Michigan 48902

VIN KMHDN56DO5U ██████████  
Hyundai Case #: 4503939

Dear Madams & Sirs:

Following my telefaxed 9-12-11 letter to you:

1. expressing concern over Ms. Craighead's:
  - A. misrepresentation of my requests
  - B. apparent eagerness to cancel an investigation of the failure of the driver's airbag to deploy in a 7-29-11 MVA of the above cited vehicle
2. correcting misinformation Ms. Craighead provided to me
3. re- requesting a number of clearly specified items of not yet received previously requested information

I have reviewed the message of Ms. Craighead's telephone call this morning to my non-published telephone number, which call awakend from needed sleep a member of my family who is painfully disabled with life threatening illnesses. That is the reason we try to restrict all incoming calls to only those that are medically temporally urgent.

Ms. Craghead was said to have stated that she:

1. needed clarification of the requests in my letter about which she needed to talk with me
  2. had discussed my letter with her administrative superior, Darla, who instructed her to telephone me
- I have reviewed my cited letter and find it to be clear, precise, and specific. Please mail me the not yet received previously requested information, a response to my concerns, and communicate with me via regular U. S. Postal Service First Class Mail rather than by telephone. Following that, if necessary, I will telephone Ms. Craighead or Darla. Please also mail me Darla's full name and Hyundai title.

Please have all information, written and electronic, including that contained in the 9-8-11 downloading by Hyundai's contracted engineer (EAA) of the vehicle's computerized airbag information, retained and provide it to Randy Reid, Chief, Correspondence Research Division, Office of Defects Investigation Enforcement, National Highway Traffic Safety Administration, (NHTSA), U. S. Department of Transportation, 1200 New Jersey Avenue SE, Washington, DC 20590, to whom you should also provide a copy of the report from your contracted engineers regarding the conclusions of Hyundai's investigation of the failure of the driver's airbag in my vehicle to have deployed. As requested in my 9-12-11 letter, please also provide to me and Mr. Reid, information regarding other reported failures of airbags in 2005 Hyundai Elantra vehicles to deploy in front end collisions where they should have deployed.

Finally, please provide me with the identity, address, and telefax number of the:

1. Registered Agent of your Company in Virginia
2. Virginia Commonwealth agency which regulates the safety of Hyundai vehicles sold in Virginia
3. Federal agencies other than NHTSA which regulate the safety of Hyundai vehicles sold in the U.S.A

Thank you for your consideration.

Sincerely,



c: Randy Reid

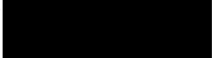


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USAA Confidential



Hampton, Virginia



NORFOLK VA 233  
HAMPTON ROADS  
14 SEP 2011 PM 2 T



RANDY REID, CHIEF  
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