



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
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1200 New Jersey Avenue, SE
Washington, DC 20590

November 5, 2012

[REDACTED]

Peoria, AZ [REDACTED]

NVS-216 nam
Ref. No. 10472246

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2006 Hyundai Sonata. Your correspondence was received by the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect trend may exist. We do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

You indicate that you and your wife purchased a MY 2006 Hyundai Sonata in 2007 and have had an ongoing problem with the passenger air bag off warning light illuminating. You contacted two different dealers that advised the repair would cost \$1100.00. You did some research and found NHTSA Safety Recall Campaign No. 08V-161 for exactly the same problem you are experiencing. However, the dealers advised that your vehicle identification number is not included in the recall. You contacted the Hyundai Customer Service to report the problem and they also told you the vehicle is not included in the recall. Hyundai contacted a local dealer on your behalf and they offered to pay half the repair cost. You disagree with the offer because you feel the problem is related to the recall and the repair should be free of charge.

Hyundai initiated NHTSA Safety Recall Campaign No. 08V-161(summary enclosed) that affects all MY 2006 through MY 2008 Hyundai Sonata vehicles. The recall addresses a problem with the front passenger air bag warning light illuminating because the occupant classification system (OCS) requires reprogramming to accurately recognize small stature adults. The purpose of the occupant classification system is to detect the presence of a child restraint system or small child in the front passenger seat. In a crash the front passenger air bag deployment is suppressed to prevent injuries to a child occupying the front passenger seat.

Hyundai dealers are instructed to check vehicles to confirm that the OCS is not properly recognizing an adult passenger. After confirmation, the Hyundai dealer will remove the right front seat cushion assembly and send it to an evaluation and repair station. They will inspect the right front seat cushion assembly OCS for proper operation. They will reprogram the OCS, if necessary, to provide a greater margin of recognition for adults seated in the right front seat. However, if the OCS in the seat cushion is damaged the reprogramming cannot be performed. The seat cushion will require replacement which is not part of the recall and will be the responsibility of the owner.

We suggest you work with Hyundai and your local dealership to resolve your problem. If you have not done so, you may consider contacting the Federal Trade Commission (FTC). The FTC has jurisdiction over non-safety defects, paint, fraud or deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways to contact the FTC: by toll free telephone at 1-877-FTC-HELP (1-877-382-4357); by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at www.ftccomplaintassistant.gov.

In addition, the Better Business Bureau (BBB) Auto Line offers free mediation/arbitration to resolve warranty disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. You can visit their web site at www.bbb.org to file a complaint and review eligibility information, or call the BBB Auto Line at 1-800-955-5100.

Should you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, we would appreciate it if you would complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Auto Safety Hotline at 1-888-327-4236. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained from our web site.

Sincerely yours,



Randy Reid, Chief
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Office of Defects Investigation
Enforcement