



**PAM BONDI**  
**ATTORNEY GENERAL**  
**STATE OF FLORIDA**

OFFICE OF THE ATTORNEY GENERAL  
Citizen Services

CL-10504008-9294

MAR 13 2013

PL-01, The Capitol  
Tallahassee, Florida 32399-1050  
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March 1, 2013

[REDACTED]  
Patrick Air Force Base, Florida [REDACTED]

Dear [REDACTED]

Florida Attorney General Pam Bondi received your correspondence regarding your purchase of a 2012 Hyundai Tucson and the vehicle's failure to get the fuel economy advertised. Attorney General Bondi asked that I respond.

The Attorney General's Office is concerned with all potentially unfair and deceptive trade practices. Our office uses complaints such as yours to identify patterns of questionable business activities which may indicate the need for formal investigation or action by our office to protect the broad public interest. We are alerting the Attorney General's Consumer Protection Division about your concerns. However, our office does not generally mediate individual consumer complaints, and we are not at liberty to give legal opinions or advice to private individuals or businesses. I hope the following information proves helpful.

I am also forwarding a copy of your correspondence to the National Highway Traffic Safety Administration (NHTSA), Office of Defects Investigation (ODI) for any assistance or information that may be available. The ODI conducts defect investigations and administers safety recalls to support the NHTSA's mission to improve safety on our Nation's roadways. You may reach that agency toll-free at (888) 327-4236 or online at [www-odi.nhtsa.dot.gov/ivoq/](http://www-odi.nhtsa.dot.gov/ivoq/).

Additionally, please continue with the Hyundai Corporation for a resolution to your complaint. The contact information for the company's Corporate Office is:

Hyundai Motor America  
Post Office Box 20850  
Fountain Valley, California 92728-0850  
Toll-free: (800) 633-5151  
Email: [consumeraffairs@hmausa.com](mailto:consumeraffairs@hmausa.com)  
Website: <https://www.hyundaiusa.com/contact-us.aspx>

I am enclosing information regarding new car purchases and car advertisements for your review. If you are seeking to resolve an individual complaint, another resource for you may be the Florida Department of Agriculture and Consumer Services, Division of Consumer Services (DACS). The DACS serves as the state's consumer complaint clearinghouse and operates a voluntary mediation program that helps resolve individual complaints.

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March 1, 2013

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The contact information for DACS is:

Florida Department of Agriculture and Consumer Services  
Division of Consumer Services  
2005 Apalachee Parkway  
Tallahassee, Florida 32399-6500  
Phone: (850) 410-3800  
Toll-free within FL: (800) 435-7352  
Website: <http://www.800helpfla.com/>

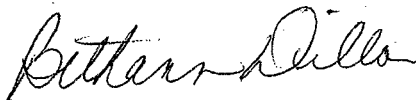
If you need to file a complaint against the local dealer, the Florida Department of Highway Safety and Motor Vehicles (DHSMV) licenses motor vehicle dealers in Florida. You may wish to contact that agency's Consumer Advocate for whatever information or assistance that may be available:

Florida Department of Highway Safety and Motor Vehicles  
2900 Apalachee Parkway  
Tallahassee, Florida 32399-0500  
Phone: (850) 617-2000  
Website: [www.flhsmv.gov/html/](http://www.flhsmv.gov/html/)

Finally, please consider consulting a private attorney for any legal guidance you may need. An attorney can give you the legal advice which our office is precluded by law from providing to private individuals. If you need help finding an attorney, The Florida Bar offers a Lawyer Referral Service toll-free at (800) 342-8060 or online at [www.floridabar.org](http://www.floridabar.org).

Thank you for sharing your concerns with Attorney General Bondi's Office. I hope you are able to reach a satisfactory resolution.

Sincerely,



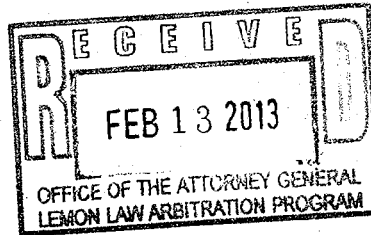
Bethann Dillon  
Office of Citizen Services

Enclosures

cc: National Highway Traffic Safety Administration  
Office of Defects Investigations/CRD  
Auto Safety Hotline, NVS-216  
1200 New Jersey Avenue Southeast  
Washington, D.C. 20590

Florida Attorney General's Office  
Consumer Protection Division

Office of Attorney General  
State of Florida  
The Capitol PL-01  
Tallahassee, FL 32399-1050



CSI  
auto dealers/  
manufacturers  
2/28  
(LL sent back to  
CS)

January 17, 2013

Patrick AFB, FL

Dear Attorney General Bondi,

I want to alert you of a critical situation that affects thousands and thousands of Floridians (including seniors). In April 2012 I purchased a Hyundai Tucson 2012 - it had advertised great gas mileage and struck a good balance with luxury and comfort. However, I began to notice that the mileage was not what had been advertised. I let the dealer know on my first oil change. They did not have any information for me. In the fall, I learned that in fact Hyundai had overstated their sticker mileage.

**Gas Mileage**

Following a federal probe in November (see: <http://www.usatoday.com/story/money/cars/2012/11/02/hyundai-kia-mpg-wrong-correct/1676987/>) Hyundai motor company was found to overstate sticker MPG : Here is an excerpt:

*EPA had received a number of consumer complaints about Hyundai mileage estimates. Through the agency's ongoing audit program, staff experts at EPA's NVFEL observed discrepancies between results from EPA testing of a MY2012 Hyundai Elantra and information provided to EPA by Hyundai. The agency expanded its investigation into data for other Hyundai and Kia vehicles, leading to today's announcement. EPA's audit testing occasionally uncovers individual vehicles whose label values are incorrect and requires that the manufacturer re-label the vehicle. This has happened twice since 2000. This is the first time where a large number of vehicles from the same manufacturer have deviated so significantly.*

I learned that Hyundai offered a remedy to their customers of reimbursing them each year the amount of overpaid gas due to MPG. This solution is not good for the consumer. It is a unilateral self-imposed decision of Hyundai. It is not adequate solution for the following reasons:

1) It still places a burden on the consumer to seek reimbursement at the end of each driving year- essentially the consumer must front the money for Hyundai mistake is or poor business practice.

2) The remedy for those who have recently purchased the vehicle is not comprehensive in that it also suggests that what compelled a consumer to make a purchase of a vehicle was singular and not multifaceted- I purchase a car when the aggregate reasons favor one company over another. Yet, if a company overstates the MPG values an individual may purchase a car that they would have never purchased had they known the full truth- perhaps I would have chosen a Chevy or Honda when I considered all of the factors. If this is the case, a company can do a bait and switch move and then calculate that the price to get X number of customers from another company will cost a modest gas card for the few customers who go through the effort of making a yearly claim.

3) Finally, the gas card is only good for the original owner- therefore the consumer has lost real value to the automobile when they seek to sell or transfer ownership- a car in the day's volatile energy climate is worse less if it has noncompetitive MPG. Further, if I wish to give my car to a friend or family member I cannot bequeath the value for which I paid.

The remedy of Hyundai is not sufficient for consumers. Floridians should be offered a return option as well. Or some other type of option beyond the self-imposed policy of Hyundai; Anything less feels a lot like a bait and switch.

### **Misfire**

Subsequently, I began having trouble with the vehicle; on intermittent starts, the car would idle below 1000 RPM and shuddered and misfired. I had the dealership look into it at another visit. The problem was not found and no correction made. I was told to try different gas.

Then, I decided to video tape the misfires -- then, I contacted the dealer. The dealer did not return my call. After trying again, I was able to schedule a visit. When I arrived (45 minute drive), I showed the video to the clerk. I was told that this issue would need to be looked at by a regional rep. I was told to comeback. On January 7 2012, I returned and dropped off the car for the rep- over that following week no rep showed up --despite several calls on my part to see what was happening, I was told the rep would be there. Today, I was told that the rep spoke with the service manager (but did not physically see the car) to update the ECU. Updating the ECU normally helps if a code has occurred and check engine light is on.

This was not the case with my car- there were no codes or lights. Also, I was told to try different gas again. This is not a solution – I have not had my car for a week and the reason is that a rep needed to see it- yet this this never happened.

**Solution**

I have initiated two customer service cases- one for the mileage issue and the other for the misfires (# 5240199 and 5240248) with Hyundai- where in each case I have asked for a buyback. I have contacting the Florida State Attorney General as well for help with these issues; especially because the gas mileage issue **affects a broad number of Floridians**. Although there are existing lemon laws- Hyundai does not see the mileage issue as applicable to Florida lemon laws and therefore has stated that this is the only remedy that is offered- no buybacks or returns. *I believe the lemon law does apply does apply and can be enforced by your office.* I am requesting that a better solution be provided by Hyundai to this issue. I want the option to have the car bought back. I can be reached if you wish to discuss this at [REDACTED]

Sincerely,

[REDACTED]

[REDACTED]



Patrick ACO FL



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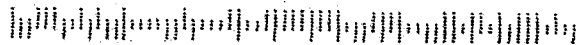


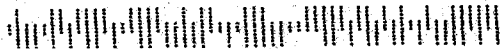
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**Office of the Florida Attorney General**  
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