



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

INFORMATION ACT (FOIA), 5 U.S.C. 552 (b)(6)

FOR AGENCY USE ONLY 100148

Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

Date Received

30-AUG-2016

Repository ☐

Reference No.
10899427

OWNER INFORMATION (Type or Print)

Name

Address

City

MOUNT DORA

State

FL

Zip Code

Daytime Telephone Number

E-mail Address

Evening Telephone Number

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

KMHD35LE1DU

Make

HYUNDAI

Model

ELANTRA GT

Model Year

2013

Date Purchased

Nov. 2013

Dealer's Name and Telephone Number

JENKINS HYUNDAI (866) 495-6062

Engine: GAS

No: Cylinders 4

Fuel Type:

GAS

Original Owner

☒

Dealer's City

LEESBURG, FLORIDA

State

FL

Zip Code

34788

Transmission Type

AUTOMATIC

☒ Antilock Brakes

☒ Cruise Control

Powertrain

FRONT WHEEL DRIVE

Multiple Failure:

Incident Date(s)

13-AUG-2016

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Codes: 180000 VEHICLE SPEED CONTROL, 030000 BRAKES (PWS)

Failure Mileage

13000

Failure Speed

7

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

Number of Deaths

Reported to Police

N

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 2013 HYUNDAI ELANTRA. THE CONTACT STATED THAT WHILE DRIVING APPROXIMATELY 7 MPH, THE VEHICLE SUDDENLY ACCELERATED AND THE BRAKES FAILED TO RESPOND. NO WARNING INDICATORS ILLUMINATED. AS A RESULT, THE CONTACT WENT OVER A CURB AND FRACTURED THE FRONT DRIVER SIDE TIRE AND AXLE. THE CONTACT HAD TO SHUT THE ENGINE OFF IN ORDER TO STOP THE VEHICLE. THE MANUFACTURER WAS NOTIFIED OF THE FAILURE. THE VEHICLE WAS TAKEN TO THE DEALER BUT HAD NOT BEEN DIAGNOSED OR REPAIRED. THE APPROXIMATE FAILURE MILEAGE WAS 13,000.

POSSIBLY THE

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.

Narrative Description of Incident(s), Failure(s), Crash(es), and Injury(ies)

(SEE ATTACHED INFORMATION)

ATTACH ADDITIONAL SHEETS IF NECESSARY

U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382

Official Business
Penalty for Private Use \$300



**NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES**

BUSINESS REPLY MAIL

FIRST CLASS MAIL

PERMIT NO. 1888

WASHINGTON, DC

POSTAGE WILL BE PAID BY ADDRESSEE

**US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NEF-100
1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382**



**Think your vehicle
has a safety defect?**



If so:

**Use the enclosed
form to file a report.**

or visit:

www.safercar.gov

or call:

**Vehicle Safety Hotline
888-327-4236**



Vehicle Owner's Questionnaire (VOQ)
U.S. Department of Transportation
National Highway Traffic Safety Administration





HYUNDAI
NEW THINKING.
NEW POSSIBILITIES.

Hyundai Motor America
10550 Talbert Ave. P.O. Box 20850
Fountain Valley, CA 92728-0850
www.hyundaiusa.com

COPY

August 29, 2016

[REDACTED]
Mount Dora, FL [REDACTED]

Case Number: [REDACTED]

Dear [REDACTED]

This notice is sent to you in response to your recent inquiry. To assist us in our investigation, please send the following information or documents listed below:

- A. Color photographs of the damage to your Hyundai, including the front end, side and rear, engine compartment, front and rear interior, Vehicle Identification Number (VIN) plate, located on the top left side of the dashboard.
- B. Documentation reflecting payments made to you by your insurance company.
- C. An itemized list of what you are seeking. Attach any supporting documents you may have in your possession.
- D. A description of the Hyundai vehicle, including VIN, mileage and a copy of the current registration. (If you have not done so already, please ensure to preserve the vehicle in its current condition for possible inspection.)
- E. All reports indicating the cause of the incident.
- F. The date, location and details of the incident, including the usage of the vehicle prior to the incident.
- G. Purchase Agreement/Bill of Sale.
- H. Repair/maintenance invoices in your possession.
- I. Signed Owner Authorization Request.
- J. The Hyundai file number assigned to your case.
- K. Current daytime telephone number.

Providing this information will expedite our investigation and ensure a prompt response to your inquiry. Providing authorization alone will not be sufficient. We need all relevant information and documentation in your possession as request above. We will contact you once the documents have been received and reviewed. Please be advised that any documents and/or photographs you provide will be disposed of within thirty (30) days of our receipt of them. Thus, we recommend you provide copies rather than originals.

If we do not receive all the information/documentation requested within 30 days from the date of this letter, we will presume that you no longer wish to have Hyundai review your matter.

Please direct all correspondence to:

Mailing Address:

Hyundai Motor America
10550 Talbert Ave.
P.O. Box 20850
Fountain Valley, CA 92728-0850

Sincerely,

Hyundai National Consumer Affairs

REVISED 9-21-16

INCIDENT WITH THE HYUNDAI ELANTRA GT WHERE DEFECTIVE PARTS CAUSED CONTINUED SUDDEN ACCELERATION OF VEHICLE AND FAILURE OF BRAKE PEDAL TO FUNCTION AND STOP THE CAR:

DATE: SATURDAY, AUGUST 13, 2016

WHERE: PARKING LOT OF STRIP SHOPPING MALL ON U.S. HIGHWAY 441 AND EUDORA ROAD, IN EUSTIS, FLORIDA.

TIME: 3:45 TO 4:00 P.M EASTERN STANDARD TIME

WHAT: WHILE PULLING INTO A DESIGNATED PARKING SPACE LOCATED AT THE END OF A ROW, THE CAR CONTINUED TO ACCELERATE AFTER MY RIGHT FOOT WAS REMOVED FROM THE **ACCELERATOR** PEDAL. I IMMEDIATELY APPLIED THE BRAKE BUT THE **BRAKE** PEDAL WAS "FROZEN" WITH **NO** FREE PLAY (**AS IF THE BRAKE HAD A LARGE ROCK BEHIND IT**) AND WOULD NOT STOP THE CAR. I AIMED THE CAR BETWEEN TWO OAK TREES PLANTED IN THE MEDIAN AND SIDE OF THE PARKING SPACE. THE CAR JUMPED THE CURBS ON THE SIDE AND FRONT OF THE SPACE, THEN BACKED DOWN OFF THE CURBS WHEN I SHUT THE ENGINE OFF. A VERY LOUD "BANG" WAS HEARD FROM THE **LEFT FRONT SIDE OF THE CAR**---LIKE METAL HITTING CONCRETE AND/OR ASPHALT. **THE CAR WAS TAKEN TO THE LOCAL DEALER (JENKINS HYUNDAI OF LEESBURG) IMMEDIATELY AFTER THE INCIDENT. THE SERVICE MANAGER CALLED ME THE NEXT DAY, SAYING THE CAR WAS READY FOR PICK UP---THAT "NOTHING WAS WRONG WITH IT -THAT IT WAS FINE".**

THE ELANTRA HAD ONLY 13,000 +/- MILES ON THE ODOMETER AND HAS CONSISTENTLY BEEN GARAGED PRIOR TO INCIDENT. THERE WAS NOT A SCRATCH ON THE CAR, INSIDE OR OUTSIDE, PRIOR TO THE INCIDENT.

THE SAME CAR PROBLEM WAS REPORTED ON NATIONAL NEWS BROADCASTED BY THE ABC AND CBS AFFILIATED STATIONS ON JANUARY 4, 2016 AND THEN MORE RECENTLY JUST DAYS AFTER THE INCIDENT.

Page 2

I CONTACTED HYUNDAI MOTORS IN BOTH ARIZONA AND CALIFORNIA, FILED A WRITTEN COMPLAINT TO THEM ALONG WITH A RECORDED MESSAGE. HYUNDAI REQUESTED ALMOST 35 WRITTEN PAGES FOR THEIR REVIEW BUT DENIED THE CAR WAS AT FAULT AND WAS NOT GOING TO RECALL IT.

I ALSO FILED AN ORAL COMPLAINT TO THE FEDERAL HIGHWAY AND TRAFFIC SAFETY BOARD (NHTA) IN WASHINGTON, D.C. (REF # = SAFER CAR.GOV, COMPLAINT # [REDACTED] OD&I = 10899427).

AT THE CURRENT TIME, NEITHER HYUNDAI CORPORATE NOR THE LOCAL DEALER WILL ADMIT RESPONSIBILITY FOR THE CAR.

I FOUND TWO ISSUES RELATED TO THIS CAR ON THE INTERNET: ONE FROM [REDACTED] AND THE OTHER FROM [REDACTED] BOTH COMMENTS ARE ATTACHED HEREWITH.

ITEMIZED LIST OF WHAT RESOLUTIONS I AM SEEKING:

REPLACE ALL PARTS CONNECTED WITH BRAKING AND ACCELERATING THE CAR

1. Repair left front wheel assembly including axle and shaft.
2. Repair left front tire and possible tire rim.
3. Re-align front end of car including tow-in and tow-out.
4. Replace brake pedal stopper pad with new part.
5. Replace brake switch plunger to allow proper retraction with new part.
6. Replace accelerator pedal and linkage with new part.
7. Replace existing computer chip(s) with new, recalibrated chips that control the brakes and the accelerator.
8. Provide me with loaner car while repairs are being made.
9. All parts must be new, factory authorized from Hyundai.
10. Issue me a formal apology from Hyundai for its uncaring and deliberate denial of this problem.
11. Compensate me for my cardiologist appointment and related tests that may be necessary for the induced stress and anger with Hyundai and the Hyundai dealer in Leesburg, Florida.
12. Compensation and exoneration by the General Manager of the Hyundai dealer who threatened me with arrest by police because I refused to buy a new car to replace the 2013 Elantra, then called my neighbors (who are not related to me and who have no business at all with this issue) to inform them of the arrest if I did not bring back the loaner car immediately. His actions violated my civil right to privacy under the amendments to the U.S. Constitution.

CUSTOMER #:

INVOICE

JENKINS HYUNDAI of Leesburg

9145 US Highway 441 · Leesburg, Florida 34788
Phone: (352) 326-3585

PAGE 1

Registration Number: MV-41933

MOUNT DORA, FL

HOME:

CONT:

BUS:

CELL:

SERVICE ADVISOR: 113456 THOMAS P SCHETTINO

COLOR	YEAR	MAKE/MODEL		VIN	LICENSE	MILEAGE IN / OUT		TAG
RED	13	HYUNDAI ELANTRA		KMHD35LE1DU		13613/13613		T2098
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED		PO NO.	RATE	PAYMENT	INV. DATE
30NOV13 IS								
14JAN14 DD			17:00 15AUG16			105.00	CASH	16AUG16
R.O. OPENED		READY		OPTIONS:		SOLD-STK:		

09:01 15AUG16 17:43 16AUG16

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
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A C/S WENT TO BRAKE AND THE VEHICLE ACCELERATED ON ITS OWN? // CHECK

FOR ANY DAMAGED UNDER VEHICLE

MISC PUT VEHICLE ON LIFT, NO SIGNS OF ANY DAMAGE

ANYWHERE UNDER VEHICLE, ALSO PULLED DTC'S NO

CODES

156041 ISA

(N/C)

PARTS:	0.00	LABOR:	0.00	OTHER:	0.00	TOTAL LINE A:	0.00
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COMPANY NAME IDELITY WARR SVC, INC

COMPANY PHONE

POLICY NUMBER

TBD

POLICY TERM

48

EFFECTIVE DATE

30 NOV 2013

DEDUCTIBLE

0.00

MILEAGE LIMIT

BEGIN MILES

24

END MILES

48000

COMPONENTS

ALL PARTS INSTALLED ON THIS VEHICLE ARE NEW OR REMANUFACTURED
UNLESS OTHERWISE SPECIFIED.**Thank you for servicing your vehicle at****JENKINS HYUNDAI of Leesburg**

DESCRIPTION	TOTALS
LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	0.00
LESS INSURANCE	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

Please see reverse side for information regarding repairs



PRINT PAGE

2013 Hyundai Elantra Recalled for Brake Problem

By Anita Lienert | Published Aug 22, 2016

WASHINGTON — Hyundai Motor America is recalling 64,500 2013 Hyundai Elantra sedans for a brake problem, according to the National Highway Traffic Safety Administration.

"The brake pedal stopper pad can deteriorate, allowing the brake light switch plunger to remain extended when the brake pedal is released," the NHTSA said in its recall summary. "If the brake light switch plunger does not retract as it should when the brake pedal is not being pressed, the brake lights may stay illuminated, preventing accurate communication to following vehicles that the vehicle is slowing or stopping."

"Additionally, if the brake switch plunger is not retracted, then the transmission can be shifted out of 'Park' without depressing the brake pedal. Either condition increases the risk of a crash."

No accidents or injuries are linked to the recall, Hyundai told federal safety regulators.

The affected Elantras were built from December 1, 2012, to April 30, 2013.

Hyundai dealers will replace the brake pedal stopper pad with an improved part. The recall is expected to begin on September 30. Owners can contact Hyundai customer service at 1-855-371-9460.

Edmunds says: Owners of these vehicles with an immediate concern should contact their Hyundai dealer now. Others should wait for their official recall notice and then schedule a service appointment.

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2013 Hyundai Elantra

CARS.COM

Vehicles Affected: Approximately 65,000 model-year 2013 Hyundai Elantra sedans manufactured between Dec. 1, 2012, and April 30, 2013

The Problem: The brake pedal stopper pad can deteriorate, allowing the brake light switch plunger to remain extended when the brake pedal is released. This can result in the brake lights remaining illuminated, preventing accurate communication to following vehicles that the vehicle is slowing or stopping. In addition, the transmission could be shifted out of Park without the driver pressing the brake pedal. Either condition increases the risk of a crash.

The Fix: Dealers will replace the brake pedal stopper pad with an improved part for free.

What Owners Should Do: Hyundai will begin notifying owners on Sept. 30. Owners can call the automaker at 855-371-9460 or the National Highway Traffic Safety Administration's vehicle-safety hotline at 888-327-4236, or go to www.safercar.gov for more info.

Need to Find a Dealer for Service? Go to Cars.com Service & Repair to find your local dealer.