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CL-1099066D-3360

Completed

Berkeley, CA

May 19, 2017

MAY 30 2017

Vehicle Safety
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

AUG 25 2017

RE: Side Air Bag Disabled on 2013 Honda Fit VIN: JHMGE8H38DC
(Reported on website at nhtsa.gov as incident number 10990660)

CC:

Director of Customer Service, American Honda Motor Co, Inc.
Tim Beinke, Owner, Berkeley Honda, Berkeley, CA

Dear Madam or Sir:

I am writing in reference to the 2013 Honda Fit with the VIN number above. I have been in touch with American Honda, initially in a letter of December 30, 2016. I have attached a copy for your convenience. I write because I believe there is a widespread safety and engineering issue related to this vehicle that affects my wife and I and other Honda owners. In my opinion, American Honda has not responded appropriately to this issue, nor have they taken appropriate responsibility. Let me hasten to say that our dealer, Berkeley Honda, has been quite responsive and has attempted to mitigate the problem, but they have also not received the support I think they should be due from American Honda.

There have been many attempts at a diagnosis since my letter of December 30, and some attempts at remediation of the problem, but they have all basically failed. Since that time, I have learned through (admittedly non-scientific) internet research that this problem is wide-spread, not just in Honda Fit models, but in many other Honda models and model years.

The problem seems to manifest when the passenger is a light-weight adult, in the case of my wife, in the neighborhood of 115 pounds – light to be sure, but not absurdly so.

We see the problem intermittently and rarely. Maybe a handful of times in a week. The light on the dashboard that indicates that the side air bags are disabled comes on. If we are to believe this status indicator, for the period that this light is on, we are not protected by the side air bags as they would not deploy in an accident. This light stays on sometimes as little as three seconds, sometimes as long as a minute. Most often it stays on for about ten to fifteen seconds. There is no pattern for when it might come on, or what will make it go off. It can happen when stopped at a traffic light, or traveling at freeway speeds, or anything in between.

This problem ONLY manifests when I am driving the vehicle and my wife is in the passenger seat. If she is driving and I am in the passenger seat, it NEVER occurs. In addition, the reports I have seen from other Honda owners on the internet suggest that this is always the case, that this problem manifests only with light-weight adults in the passenger seat.

Indeed, we have seen this occur one time when my wife was driving and a light-weight adult friend of ours in the neighborhood of 100 pounds was riding in the passenger seat. So it seems to be very much related to passenger weight.

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I have been told by a service technician at Berkeley Honda that this light indicates that side air bags are disabled on both sides. So that when that light is illuminated, both the passenger and driver side side air bags will not deploy if there is an accident.

Our dealer Berkeley Honda has tested and recalibrated the sensor, they have replaced the sensor, and there is no improvement.

I have not been able to get an official answer from American Honda of why the side air bags should ever be disabled in the first place. I have heard anecdotally that the sensor is attempting to discern if there is some likelihood that the passenger is sleeping and leaning up against the door, but if that is so, it seems a tall order for a computer heuristic to discern from a single weight sensor, and furthermore this light turns on when my wife is not sleeping and not leaning against the door. American Honda seems unwilling to share what the purpose is in disabling the side air bags and are completely unwilling to contemplate that they may have some responsibility for the temporary safety glitch as a result of what seems to be an engineering problem.

My hope is that you may be able to investigate and convince them otherwise.

To fill you in on some more salient details. When we purchased the vehicle as a new vehicle, we had the dealer re-upholster the seats with leather. This was done before we took ownership of our vehicle. American Honda seems to be pointing at that upholstery as the culprit, and have asked that the seats be re-upholstered to their original material before they are willing to provide further engineering support. This is problematic for us, because for various reasons, we would only have ever purchased this vehicle with leather seats. More to the point though, if the entire safety system of the car can be compromised by different upholstery, it strikes me that there is STILL an engineering problem. And, I have determined that other drivers with this problem have factory-installed upholstery. My impression at this point is that American Honda is just doing everything they can to stall and to avoid responsibility for this issue.

As I said previously, they have also avoided any explanation of why these side air bags should ever be turned off in the first place, both when I have asked and when the dealer has asked.

Finally, it should be noted that after some initial difficulties with the staff at the dealership back in 2016, they have been outstanding in trying to get this fixed and handled since then. It appears, however, that they are hitting a wall with American Honda. The dealer has even offered us the possibility to buy a brand new Honda at dealer cost, but this would still be a significant expense for us, and would mean that American Honda would be reaping the benefit of the profit on two vehicles as a reward for denying their responsibility on one. And, of course, we have no particular expectation that the problem would not manifest also in a new vehicle. Owner reports online suggest that this problem covers a wide range of models and model years.

Please let me know what I can do to help you further your investigation.

Yours Truly,


A large black rectangular redaction box covering the signature area.

December 30, 2016


Director of Customer Service
American Honda Motor Co, Inc.
Honda Automobile Customer Services
Mail Stop 500-2N-7A
1919 Torrence Blvd.
Torrence, CA 90501-2746


COPY
NHTSA →

Via Certified Mail, Return Receipt Requested (Copy to Berkeley Honda via First Class mail).

RE: Airbag Safety, 2013 Honda Fit VIN JHMGE8H38DC 

Dear Madam or Sir:

My wife  and I are the original owners of the vehicle referenced above. We purchased the vehicle from Berkeley Honda in early 2014, and since that time we have had regular service from the service department at that dealer.

I am writing about an increasing safety concern, which I do not believe has been appropriately understood, acknowledged, diagnosed, or remediated by the service department at Berkeley Honda.

It is pertinent to note something about the relative sizes of me and of my wife. I am five feet eleven inches tall and weigh approximately 160 pounds. My wife is five feet four inches tall and weighs approximately 115 pounds.

We have become very aware that when my wife is in the passenger seat, the dashboard indicators suggesting that the passenger seat airbag and/or the side airbag is off will occasionally display, sometimes for minutes at a time. This never happens if the seat is empty, and it never happens if I am sitting in the passenger seat while my wife is driving. It happens only when I am driving and my wife is in the passenger seat.

It is often triggered when the car goes over a "hump" in the road at freeway speeds, in which case there may be a short compression with higher g-forces, and then a short period of time with lower g-forces. I believe (but don't know for sure) that the lights come on as a result of the lower g-forces, which may have to do with a sensor in the seat that is making the determination that my wife is not an adult but a child and that the airbag system should be turned off.

The problem, of course, is that my wife is NOT a child, and the airbag system should NOT be turned off. Even if only for minutes at a time. It could of course be that a serious accident could happen during the time that the airbag system is turned off, and this could lead to unnecessary injury, trauma, or fatality.

Of course I realize that there could be any of several different causes of this problem, or perhaps a combination, including:

1. The sensor that detects weight in the seat could be properly calibrated according to the Honda specifications, but this "proper" calibration may be incorrect and leading to unsafe conditions when my wife is seated because the heuristic improperly concludes she is a child.

2. The sensor that detects weight in the seat could be improperly calibrated according to the Honda specifications and improperly turning off the airbag leading to unsafe conditions when my wife is seated.
3. The indicator may be turning on incorrectly at times when the airbag is actually not disabled, which is merely a false reading but does not lead to a safety issue for my wife.

We have had no end of trouble over two successive service visits to Berkeley Honda getting them to understand and appreciate our concern. Twice it has been joked in very poor taste to us by Berkeley Honda staff that my wife should just gain weight. This is rude and unhelpful. We have had it seriously suggested to us that my wife should ride in the back seat. This is absurd and unhelpful. (There is of course also the question of whether you would want a staff that idiotic to represent your brand, but this letter is not fundamentally about a staffing complaint at your dealer and is more about a safety concern). The service advisor named "Rory" recently didn't seem to have the patience or desire to discuss this at all, rudely dismissing any concern. The service advisor named "Bill" was somewhat more helpful and willing to spend more time discussing this issue with us, but even there, Bill described a scenario which made me feel worse, not better. Bill suggested that when these indicators were on, not only was the passenger airbag rendered inoperable, *but so was the driver airbag*. If I have understood Bill correctly, and if he is correct, this goes from being merely poor engineering to a weird kind of Kafkaesque absurdity.

The point is that while my wife is admittedly on the small end of the spectrum of adults, she is not in any way outside of normal adult height and weight, and airbags should deploy when she is in the passenger seat, and the car should not be designed such that she can't use the passenger seat at her height and weight.

The last time we were at the Berkeley Honda service center, we did convince them to at least check the calibration of the seat sensor. For this they charged us \$150.00 but found nothing wrong.

I hope you can understand that we are now a little impatient with the unwillingness of the service department to appreciate the safety issue much less offer a way to fix it for us. We do not have children, we never have children riding in our vehicle, and we want all airbags to deploy for all passengers in any appropriate triggering incident.

I am not a litigious person, but I ask you to address this as quickly as you possibly can, and to let us know what we can do to fix this issue with our vehicle. We feel strongly enough about this issue that if we continue to get what feels like stonewalling (whether or not there is also rudeness in the stonewalling) we will be forced to escalate our concerns to appropriate California State and Federal trade and safety regulatory agencies. So please please please take our concern very seriously and provide us with an appropriate fix so that we can operate our vehicle safely for all the purposes that we purchased it for. Including my wife being able to ride safely in the passenger seat.

Many thanks for your prompt attention to this matter, I look forward to hearing from you at your earliest convenience.

Yours Truly,


cc: Manager, Berkeley Honda Auto Center.

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