



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

August 24, 2018

The Honorable Benjamin L. Cardin
United States Senator
Tower 1, Suite 1710
100 South Charles Street
Baltimore, MD 21201

NEF-109 rrr
Ref. No. 11104640

Dear Senator Cardin:

Thank you for your correspondence on behalf of your constituent, [REDACTED] concerning his model year (MY) 2012 Hyundai Tucson. Your correspondence was forwarded to the National Highway Traffic Safety Administration (NHTSA). I am pleased to respond.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair motor vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. We also monitor the completion rates and adequacy of manufacturers' recall campaigns.

We appreciate the report you provided. Reports from motorists are a very important source of information for us. [REDACTED] requests that your office follow up on an inquiry that Senator Bill Nelson sent to NHTSA regarding engine failures in certain Hyundai and Kia vehicles. He experienced an engine failure in his MY 2012 Hyundai Tucson and was informed by his dealer that the engine would have to be replaced.

NHTSA's Office of Defects Investigation (ODI) has received reports similar to [REDACTED]. On May 5, 2017, ODI opened an investigation, Recall Query (RQ) 17-004 (resume enclosed) to further analyze MY 2011 through MY 2014 Hyundai and Kia vehicles with "Theta II" engines previously recalled under NHTSA Safety Recall Campaign Nos. 15V-568 and 17V-226. The recalls address a condition which could cause the engine to seize and the vehicle to stall. There have been reports of fires in severe cases of catastrophic engine failure when internal components pierce an oil pan or engine block, resulting in fluids contacting hot surfaces. To this date our investigation continues and no determinations have been reached at this time.

For [REDACTED] information, we enclosed a copy of the letter that was sent to Senator Nelson that answered his questions regarding the Hyundai/Kia engine failures and non-collision fires. The information you provided has been entered into our database. It will be considered with any future reports as part of our investigation. An explanation of NHTSA's investigation and recall process is on our website at www-odi.nhtsa.dot.gov/recalls/recallprocess.cfm. Also, [REDACTED] should continue to monitor our website at www.nhtsa.gov for future updates to our investigation.

The Honorable Benjamin L. Cardin

██████████ may consider contacting his local Consumer Protection Agency or the Maryland Office of the Attorney General for immediate assistance with the engine repair and his rights under the State laws. He may also ask his dealership for a meeting with a Hyundai district manager regarding his problem. In addition, the Federal Trade Commission (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 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.

██████████ may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB 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. ██████████ can visit their website at www.bbb.org to file a complaint and review eligibility information, or call the BBB Auto Line at 800-955-5100.

I hope this information is helpful. If you have any questions, please contact me at 202-366-2386.

Sincerely,



Brian Barnard
Director, Governmental Affairs,
Policy and Strategic Planning

Enclosures

cc: The Washington Office



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, DC 20590

June 26, 2018

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science, and Transportation
United States Senate
Washington, DC 20510

Dear Senator Nelson:

Thank you for your letter of June 13, 2018 calling attention to reports of fires from several models of Kia and Hyundai vehicles, as highlighted by the recent Center for Auto Safety (CAS) review of filed consumer complaints. The National Highway Traffic Safety Administration (NHTSA) is currently reviewing the CAS petition and will take all actions necessary to ensure vehicle safety.

Below, please find answers regarding each of the questions you posed in your letter.

- 1. Has NHTSA initiated a safety defect investigation into these non-collision-related Kia and Hyundai fires? Provide all communications, including e-mails between and among NHTSA officials and staff, regarding this deliberation.**

RESPONSE: NHTSA is currently investigating certain Kia and Hyundai vehicles (investigations RQ17-003 and RQ17-004 respectively) for engine failure issues, many of which were reported to NHTSA as having resulted in non-collision fires. As part of these investigations, the agency is reviewing all non-collision fires related to engine failures.

During the investigations, NHTSA has found that the majority of the non-collision fire related complaints received by NHTSA on the vehicles referenced in the CAS review are covered by these two investigations.

The agency is reviewing any non-collision fire complaints to NHTSA, and other available data on all Kia and Hyundai vehicles. To date, NHTSA has not initiated a separate safety defect investigation into the model year 2011-2014 Kia Optima and Sorento and Hyundai Sonata and Santa Fe vehicles referenced in the CAS petition. However, NHTSA will not hesitate to formally initiate a separate safety defect investigation and take action as warranted and based upon the data.

While NHTSA does not provide deliberative communications during an ongoing investigation, the agency is able to offer an in-person briefing to provide further information.



2. What action is NHTSA taking to address these spontaneous fires in Kia and Hyundai vehicles?

RESPONSE: NHTSA is currently investigating a number of Kia and Hyundai vehicles for engine failure issues, as described in response to your first question. The agency is actively reviewing all non-collision fire complaints to NHTSA and any other available data that might be relevant to these issues on all Kia and Hyundai vehicles.

3. Has NHTSA been in contact with Kia and Hyundai regarding these alleged fires in their vehicles? If so, provide all communications, including e-mails, between NHTSA staff and Kia and Hyundai relating to these alleged fires.

RESPONSE: NHTSA communicates frequently with any automaker as part of an ongoing investigation. The communications typically include telephonic and in-person meetings, and cover a broad range of topics including engineering analysis, scientific test results, examination of relevant timelines, and information submitted to NHTSA by the public or third parties. This information is potentially used in enforcement actions and/or litigation. NHTSA strives to make as much information publicly available without impeding ongoing investigations or enforcement actions.

While NHTSA does not provide deliberative communications during an ongoing investigation, the agency is able to offer an in-person briefing to provide further information.

4. Provide copies of all complaints received in the past five years by NHTSA from any source that relate to alleged fires in Kia and Hyundai vehicles.

RESPONSE: NHTSA has received 402 complaints related to both collision and non-collision fires on all Kia and Hyundai vehicles. Vehicles fires can result from a number of diverse causes, including electrical faults and flammable fluid leaks. NHTSA prioritizes any complaint involving a vehicle fire. The complaints NHTSA has received are currently being compiled in response to your request into one package and will be transmitted to you in the near future.

The agency will not hesitate to use its oversight authorities to ensure vehicle safety. Thank you again for your letter and your continued commitment to public safety.

Sincerely yours,



Heidi R. King
Deputy Administrator



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

ODI RESUME

OFFICE OF DEFECTS INVESTIGATION
OF THE
NHTSA
Authentic US Government Information
National Highway Traffic Safety Administration
uses a digital sealmark to ensure
the content has remained unchanged

Investigation: RQ 17-004
Date Opened: 05/18/2017
Investigator: Stephen Mchenry
Approver: Bruce York-B
Subject: Scope and Timeliness
Reviewer: Greg Magno

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: Hyundai Motor America
Products: Vehicles subject to Recalls No. 15V-568 and 17V-226.
Population: 1,042,000 (Estimated)
Problem Description: Model Year (MY) 2011 - 2014 Hyundai vehicles with "Theta II" engines previously recalled under Recalls No. 15V-568 and 17V-226. The recalls addressed a condition which could cause the engine to seize and the vehicle to stall.

FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
Complaints:	0	TBD	TBD
Crashes/Fires:	0	TBD	TBD
Injury Incidents:	0	TBD	TBD
Number of Injuries:	0	TBD	TBD
Fatality Incidents:	0	TBD	TBD
Number of Fatalities:	0	TBD	TBD

ACTION / SUMMARY INFORMATION

Action: A Recall Query has been opened.

Summary:

On September 10, 2015, Hyundai Motor America (Hyundai) filed a Defect Information Report (DIR) recalling 470,000 MY 2011 and 2012 Sonata vehicles with "Theta II" engines (Recall No. 15V-568). Hyundai's DIR described the defect as an issue involving manufacturing debris. Hyundai limited the population of recalled vehicles to those produced on or prior to April 12, 2012, stating that a process change in April 2012 resolved the issue of manufacturing debris.

On March 31, 2017, Hyundai expanded its original recall to include 572,000 MY 2013-2014 Sonata and Santa Fe Sport vehicles with "Theta II" engines (Recall No. 17V-226). The DIR continues to describe the defect as an issue involving manufacturing debris.

This RQ is being opened to investigate both the timeliness and scope of Hyundai's "Theta II" engine recalls, and Hyundai's compliance with reporting requirements.