U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

AUG 3 2004

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

William R. Willen, Managing Counsel
Product Legal Group
American Honda Motor Co., Inc
1919 Torrance Boulevard
Torrance, CA 90501-2746

NVS-212pco
PE04-053

Dear Mr. Willen:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE04-053) to investigate potential loss of driver front air bag protection in MY 2004 Honda Accord vehicles manufactured by Honda, and to request certain information.

This office is aware of 2 incidents of failure of the driver front air bag to fully inflate during a series of NHTSA Research and Development Vehicle compatibility Testing. Initial inspection indicates that the air bag fabric was torn and the inflation gas escaped rapidly without properly inflating the bag. In each case, the air bag failed to protect the driver-side test dummy and resulted in a high HIC value.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject vehicles:** all MY 2004 Honda Accord vehicles manufactured for sale or lease in the United States.

- **Subject component:** driver front air bag assembly and subcomponents that support the deployment of the driver front air bag.

- **Honda:** Honda Motor Company, all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Honda (including all business units and persons previously referred to), who are or, in or after 1997, were involved in any way with any of the following related to the alleged defect in the subject vehicles:

a. Design, engineering, analysis, modification or production (e.g. quality control);
b. Testing, assessment or evaluation;
c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.

- **Alleged defect:** loss of driver front air bag protection due to a tear in the fabric before or during air bag inflation.

- **Document:** "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Honda, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)"also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by Honda or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as Honda has previously provided a document to ODI, Honda may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After Honda's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model and model year, the number of subject vehicles Honda has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Honda, state the following:
   a. Vehicle identification number (VIN);
   b. Make;
   c. Model;
   d. Model Year;
   e. Date of manufacture;
   f. Date warranty coverage commenced; and
   g. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

   Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA."

2. State the number of each of the following, received by Honda, or of which Honda is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
   a. Consumer complaints, including those from fleet operators;
   b. Field reports, including dealer field reports;
   c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
   d. Property damage claims;

e. Third-party arbitration proceedings where Honda is or was a party to the arbitration; and
f. Lawsuits, both pending and closed, in which Honda is or was a defendant or codefendant.

For subparts "a" through "d," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Honda's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "e" and "f," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
   a. Honda's file number or other identifier used;
   b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
   c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
   d. Vehicle's VIN;
   e. Vehicle's make, model and model year;
   f. Vehicle's mileage at time of incident;
   g. Incident date;
   h. Report or claim date;
   i. Whether a crash is alleged;
   j. Whether property damage is alleged;
   k. Number of alleged injuries, if any;
   l. Number of alleged fatalities, if any.

   Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Honda used for organizing the documents.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Honda to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

   Separately, for each such claim, state the following information:

a. Honda's claim number;
b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
c. VIN;
d. Repair date;
e. Vehicle mileage at time of repair;
f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
g. Labor operation number;
h. Problem code;
i. Replacement part number(s) and description(s);
j. Concern stated by customer; and
k. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA."

6. Describe in detail the search criteria used by Honda to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Honda on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Honda offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Honda has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Honda is planning to issue within the next 120 days.

8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Honda. For each such action, provide the following information:
   a. Action title or identifier;
   b. The actual or planned start date;
   c. The actual or expected end date;
   d. Brief summary of the subject and objective of the action;
   e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
   f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

9. Describe all modifications or changes made by, or on behalf of Honda, in the design, material composition, manufacturing, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:
   a. The date or approximate date on which the modification or change was incorporated into vehicle production;
   b. A detailed description of the modification or change;
   c. The reason(s) for the modification or change;
   d. The part numbers (service and engineering) of the original component;
   e. The part number (service and engineering) of the modified component;
   f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
   g. When the modified component was made available as a service component; and
   h. Whether the modified component can be interchanged with earlier production components.

   Also, provide the above information for any modification or change that Honda is aware of which may be incorporated into vehicle production within the next 120 days.

10. Produce two of each of the following:
   a. Exemplar samples of each design version of the subject component (with the initiator removed);
   b. Exemplar samples of a folded subject air bag;
   c. Field return samples of the subject component exhibiting the subject failure mode; and
   d. Any kits that have been released, or developed, by Honda for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.

11. Provide a summary description of the vehicle's advanced air bag system including a component summary and compare the current system to the previous system of the driver air bag module used in the subject vehicle, including::
   a. Functional block/flow diagram;
   b. Picture/illustration of the components and component location including air bag module, crash sensors, occupant sensors and the electronic module; and
   c. Summary table outlining the differences between the two versions including comparison of the steering wheel, module cover, module housing, horn assembly, air bag size/volume, fabric material, fabric construction, fabric coating, fold pattern and initiator(s) designs.

12. Provide high speed video (at least 4,000 fps) of a driver air bag deployment showing clearly the deployment/inflation sequence with timing or frame counter, including:

a. Parameters of test (full frontal, vehicle speed, belted, seat position, scale, type of crash test dummy etc.)
b. Driver-side view of the driver air bag deployment;
c. Overhead view of the driver air bag deployment; and
d. Rear view (looking at the front air bag) of the driver deployment.

13. Furnish Honda's assessment of the alleged defect in the subject vehicle, including:
    a. The causal or contributory factor(s);
    b. The failure mechanism(s);
    c. The failure mode(s);
    d. The risk to motor vehicle safety that it poses;
    e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and
    f. The reports included with this inquiry.

This letter is being sent to Honda pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information. Honda's failure to respond promptly and fully to this letter could subject Honda to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) Please note that maximum civil penalties under 49 U.S.C. § 30165 have increased as a result of the recent enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Public Law No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to $5,000 per day, with a maximum of $15 million for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond to ODI information requests.

If Honda cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Honda does not submit one or more requested documents or items of information in response to this information request, Honda must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

Honda's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by September 17, 2004. Please refer to PE04-053 in Honda's response to this letter. If Honda finds that it is unable to provide all of the information requested within the time allotted, Honda must request an extension from me at (202) 366-5218 no later than five business days before the response due date. If Honda is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Honda then has available, even if an extension has been granted.

If Honda claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Honda must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended (68 Fed. Reg. 44209 et seq; July 28, 2003), to the Office of Chief Counsel (NCC-113), National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590. Honda is required to submit two copies of the documents containing allegedly confidential information and one copy of the documents from which information claimed to be confidential has been deleted to the office of Chief Counsel.

If Honda requests a pre-formatted data collection for its response to request numbers 1, 3, and 5, or if it has any technical questions concerning this matter, please call Peter Ong of my staff at (202) 366-0583.

Sincerely,

John Abbott
for

Thomas Z. Cooper, Chief
Vehicle Integrity Division
Office of Defects Investigation