

of Transportation

National Highway Traffic Safety Administration

OCT 27 2004

400 Seventh Street, S.W. Washington, D.C. 20690

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. John Maddox Product Compliance Volkswagen of America, Inc. 3800 Hamlin Road Auburn Hills, MI 48236

NVS-212jfa PE04-073

Dear Mr. Maddox:

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 (PE04-073) to investigate allegations of turn signal and hazard flasher failure in certain Jetta and GTI vehicles manufactured by Volkswagen AG, and to request certain information.

This office has received nine consumer complaints on the 2000 and 2001 Jetta and GTI vehicles. The complainants report that the turn signals and or hazard flashers in their vehicles would fail to blink, or flash. Some complainants reported the lights would blink only a few times and then stop. Several of the complainants reported that having the hazard flasher switch replaced repaired their vehicles. Copies of each of the complaints are enclosed for your information.

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

- Subject vehicles: 2000 and 2001 Jetta and GTI vehicles and all other Volkswagen vehicles that utilize the same turn signal and hazard flasher system as the 2000 and 2001 Jetta and GTL manufactured for sale or lease in the United States.
- Subject component(s): all components of the turn signal and hazard flasher system produced for use in the subject vehicles.
- <u>YW</u>: Volkswagen AG, Volkswagen of America, 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 VW (including all business units and persons previously referred to), who are or, in or after January 1, 1995, were involved in any way with any of the following lated to the alleged defect in the subject vehicles:



- Design, engineering, analysis, modification or production (e.g. quality control);
- 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: any failure, malfunction or otherwise unsatisfactory performance of the turn signal and hazard flasher system.
- **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 VW, 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 VW 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 VW has previously provided a document to ODI, VW 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 VW's response to each request, identify the source of the information and indicate the last date the information was gathered.

- State, by model and model year, the number of subject vehicles VW has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by VW state the following:
 - 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."

- State the number of each of the following, received by VW, or of which VW is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
 - 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 VW is or was a party to the arbitration; and
- f. Lawsuits, both pending and closed, in which VW is or was a defendant or codefendant.

For subparts "a" through "f" 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 VW'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. VW 's file number or other identifier used;
 - The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - 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;
 - Whether a crash is alleged;
 - Whether property damage is alleged;
 - k. Number of alleged injuries, if any; and
 - Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REOUEST 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 VW 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 VW 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. VW's claim number;
- Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN:
- Repair date;
- e. Vehicle mileage at time of repair;
- 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(s), if any, by the dealer/technician relating to the 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 VW 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 VW 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 VW 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 VW 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 VW 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 have been conducted, are being conducted, are planned, or are being planned by, or for, VW on the subject vehicles that relate to, or may relate, to the alleged defect. For each such action, provide the following information:
 - 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;
 - 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, VW in the design, material composition, manufacture, quality control, supply, or installation of the subject component(s), 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:
 - The date or approximate date on which the modification or change was incorporated into vehicle production;
 - A detailed description of the modification or change;
 - 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
 - Whether the modified component can be interchanged with earlier production components.

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

- 10. State the number of each of the following that VW has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable):
 - a. Subject component(s); and
 - Any kits that have been released, or developed, by VW for use in service repairs to the subject component(s)/assembly.

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number) Also identify by make, model and model year, any other vehicles of which VW is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

- 11. Furnish VW'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);
 - The risk to motor vehicle safety that it poses;

- 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
- The reports included with this inquiry.

This letter is being sent to VW 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. VW's failure to respond promptly and fully to this letter could subject VW 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 VW 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, VW does not submit one or more requested documents or items of information in response to this information request, VW 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.

VW's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by December 17, 2004. Please refer to PE04-073 in VW's response to this letter. If VW finds that it is unable to provide all of the information requested within the time allotted, VW must request an extension from me at (202) 366-5218 no later than five business days before the response due date. If VW 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 VW then has available, even if an extension has been granted.

If VW 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, VW 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 (69 Fed. Reg. 21409 et seq; April 21, 2004), to the Office of Chief Counsel (NCC-113), National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590. VW is required to submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.

If you have any technical questions concerning this matter, please call John Abbott of my staff at (202) 366-5221.

Sincerely,

Thomas Z. Cooper, Chief

Vehicle Integrity Division

Office of Defects Investigation

Enclosures: VOQ's 10082388, 10073272, 10053015, 10037429, 10092966, 10044445, 10079773, 10025315, 10068922

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Include. If available: Police/Fire Department Report. Photos, and Repair Invoice.

ATTACH ADDITIONAL SHIPTS IF NECESSARY
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ATTACH ADDITIONAL SHIFTS IF MECHSSARY
The Privacy Act of 1974-Public Line 93-579 This information to requested personnel to antirolity vasted in the Retinant Highway Traffic Indiaty Act and subsequent amandments. You are under an abiligation to respond this quanticerains. Your response may be used to assist the MITTA in determining whether a Managestyre should take appropriate action to correct a seriety defect. If the MITTA precapts with administrative enforcement or Rigation against a managestyre, your response, or a statistical engineer, thereof, may be used in support of the opening a statistical engineer.

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Include. If available: Police/Fire Department Report, Photos, and Report Invoke.

ATTACH ADDITIONAL SHFFTS IF NECESSARY
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of Transportation Mational Highs Traffic Safety Administratio	wey			1-86B-D/	A9H-2-DO 327-4236	T)			OH-	SBP-2003		arence No.)37429		
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PLEASE HAVE VW LOOK INTO THIS AS GENERAL MOTORS JUST HAD A RECALL FOR A FAULTY TURN SIGNAL RELATED ISSUES.

ATTACH ADDITIONAL SHEETS IF NECESSARY

Include, if available: Police/Fire Department Report. Photos, and Repoir Invoice.

ATTACH ADDITIONAL SHEETS IF NECESS
The Privacy Act of 1974-Public Law 93-579 This information is requested personnt to auditority vasted in the National Highway Traffic Salety Act and enters were amounted. You are under an obligation to respond this questionable. Your response may be used to seeke the MITTAL is determining whether a Manufacturer should take appropriate action to correct a salety defect. If the MITTAL proceeds with administrative enforcement or Regulation against a manufacturer, your response or a statistical seamony thereof, stay he send in support of the against a settin.

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National High					327-4236			ŀ	21-	-SEP-2004	Reference No.			
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Include. If available: Police/Fire Department Report. Photos, and Repair Involce.

ATTACH ADDITIONAL SHEETS IF NECESSARY

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MY PLINKERS ON MY JETTA BLINKED SLOWLY FOR A SECOND OR TWO THEN STOPPED WORKING, CONSEQUENCES COULD HAVE BEEN SEVERE

AS I COULDN'T SIGNAL MY TURNS. I TOOK IT TO A VIVI DEALERSHIP WHO REPLACED THE EMERGENCY HAZARD SWITCH.

								_		Plant Ass	eved	OM S. No. 2127		
2			DOT 4	Auto Sa	fety Ho	tiine		- 1	_F0	R AGENCY USE ONL	Y 1	.00063		
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VEHICLE SUFFERED A LOST OF POWER WHEN CHECK ENGINE LIGHT ILLUMINATES, *MR ON MARCH 7 2002 UNIVERSITY VW DISCOVERED A DEFECTIVE AIRFLOW METER. THE WINDSHIELD WAS REPLACED FOR A CRACKED RAIN DRAIN. THE BRAKE SERVO WAS CHANGED FOR A PIN HOLE AIR LEAK, CONSUMER WAS TOLD THAT THE GLOW PIUG HARNESS MIGHT BE THE CAUSE AS TO WHY THE BRAKE LIGHTS COME ON. THE HAZARD SWITCH SWITCHED ON AND OFF DISTRESSING OTHER DRIVERS BEHIND. REPLACED THE HAZARD RELAY SWITCH (ON THE DASH) BY MYSELF, BACK BRAKE PAD WORE DOWN TO THE RIVETS. VEHICLE OVERHEATED ON 3 OCCASIONS HAD PRESSURE TEST AND THERMOSTAT CHANGED AND PROBLEM STILL EXIST, "TS "JB

Include. Flavalistic: Police/Fire Department Report. Photos, and Repair Involce.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law E3-670 Trip information is requested pursuant to authority wested in the Relieval Highway Traffic finisty Act and subsequent and inserting and the Relieval Highway Traffic finisty Act and subsequent and inserting and the purpose of the Relieval Highway Traffic finisty Act and subsequent and inserting and the purpose of the Relieval Highway Traffic and Management of Relieval Relieval Relieval and the subsection of the Appendix of the Append

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ncident Date(s) 7-FEB-2004		e Minagu 16000	Fällure Spe	ied								
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AT NO TIME DO THE HAZARD LIGHTS OR THE SIGNAL LIGHTS WORK. AT FIRST, THE PROBLEM WAS INTERNITTENT, BUT SOON BECAME PERMANENT. DEALER WANTED TO CHARGE THE CONSUMER TO CHECK TO SEE WHAT THE CAUSE OF THE PROBLEM WAS. *AK *NM

Include, if available: Police/Fire Department Report, Photos, and Recoir Invoke.

ATTACH ADDITIONAL SHEETS IF NECESSARY
The Privacy Act of 1874-Public Law 83-879 This information is requested pursuant to enthority vested in the Hillians Highway Traffic Safety Act and esteograms affectively on a selection of responsible qualiformire. Your response mily be used to active to HITMA in determining whether a Manufacturer should take appropriate active to current a safety defect. If the NITTA precessib with administrative enforcement or Higgs the against a measurecturer, your response, or a statistical summary thereof, may be usual in apport of the agency's action.

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Include. If available: Police/Fire Department Report. Photos, and Repair Invoke.

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					_			A TURN	510	NALS FAIL	TO W	ORK RAN	DOMLY, TWICE HAI	DREA	R BRAKE PADS	

REPLACED; ROTORS TURNED SECOND TIME - TOTAL COST \$550. REPEATED SENSOR FAILURES - KNOCK SENSOR, MASS AIR SLOW SENSOR, COOLANT TEMPERATURE SENSOR; INDUCTION COIL FAILLIRE & VEHICLE IMBOLIZED. DRIVER MIRROR REPAIRED TWICE; PASSENGER P/WINDOW STUCK DOWN; DRIVER WINDOW LOCK TWICE; SEAT BELT CRACKED

ATTACH ADDITIONAL SHEETS IF NECESSARY

Include. If available: Police/Fre Department Report. Photos, and Reps|/ Invoice.

ATTACH ADDITIONAL SHEETS TE INCRESSARY
The Privacy Act of 1974-Public Law \$3-879 This information is requested presumet to patherity vested in the National Highway Traffic Safety Act and asbeequest amandments. You are under no elithration to respond this quantitornairs. Your response may be used to south the SHTSA is determining observer a Manufacturar should take appropriate action to current a relately defect. If the NATION presents with administrative undercurrent or litigation against a manufacturar, your response, or a statistical currently thereof, may be used in support of the agency's action.