

FAX COVER SHEET

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OF PAGES INCLUDING COVER: 13

DATE: March 11, 2005

COMMENTS: PE04-081 Comparative Assessment
Response for Volkswagen of America.

VOLKSWAGEN



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OFFICE OF COMPLIANCE
NHTSA

3800 Hamlin Road
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March 11, 2005

Kathleen Demeter
Director, Office of Defects Investigation
U.S. Department of Transportation
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, DC 20590

Subject: PE04-081 Comparative Assessment; "Inadvertent" deployment of the side-impact airbag/curtains

Dear Ms. Demeter,

Attached is our response to your letter dated January 19, 2005 requesting information on all model year 2001-2003 Volkswagen and Audi vehicles, with curb weight between 2,500 to 3,500 pounds, equipped with both side-impact/curtain airbags (including the combination thorax/head airbag).

Volkswagen is responding to this request based upon NHTSA's definition of the subject condition. Therefore, we are including reports that contain allegations of "inadvertent" deployment, but also contain clear indication that there has been some type of impact either as described by the reporter, or as evidenced by the presence of crash data stored in the airbag control module and/or physical evidence of impact on the undercarriage, suspension, or wheel and tire. Volkswagen believes that these reports do not represent true "inadvertent" deployment because the deployments (in aggregate) appear to be consistent with design parameters for the impact sustained, but we are including them as such based upon the definition of the subject condition in your inquiry.

For your convenience, each request is restated verbatim and then followed by our response.

Please contact me if you have any questions regarding this response.

Sincerely,

John Maddox
Compliance Officer
Volkswagen of America

Attachments

Based upon the phone conversation on Friday, February 4 with Mr. Peter Ong of your staff, Volkswagen is providing this response in a timely manner in accordance with the granted extension to March 11, 2005.

Volkswagen's response to this inquiry includes the 2001-2003 Audi TT and certain 2001-2003 Audi A4 and Volkswagen Passat vehicles equipped with both side-impact/curtain airbags (including the combination thorax/head airbag) that do not exceed a curb weight of 3500 pounds. Volkswagen has previously provided information regarding MY 2001-2003 Jetta, Golf and GTI vehicles in response to PE04-081.

Request 1.

State, by model and model year, the number of subject peer vehicles Volkswagen has manufactured for sale or lease in the United States. If there are multiple side air bag system designs or versions for a given subject peer vehicle, please identify under section "e." Separately, for each model subject vehicle manufactured to date by Volkswagen, state the following:

- a. Vehicle identification number (VIN);
- b. Make;
- c. Model;
- d. Model Year;
- e. Airbag system model version (if more than one);
- f. Date of manufacture;
- g. Date warranty coverage commenced; and
- h. 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."

Response 1.

In response to this inquiry, Volkswagen has identified the following subject peer vehicles, with curb weight between 2,500 to 3,500 pounds, equipped with both side-impact airbag/curtains (including the combination thorax/head airbag) and manufactured for sale or lease in the United States:

Audi

	2001	2002	2003
A4*	28,487	13,531	15,383
TT	21,027	11,145	6,139

Volkswagen

	2001	2002	2003
Passat*	69,207	75,931	74,317

*numbers do not include Passat and A4 vehicles exceeding a curb weight of 3,500 pounds.

Volkswagen is unable to provide the airbag model version information for each vehicle at this time because this information is not catalogued in a readily available manner.

Our response to this request including subparagraphs a. through h. is provided in a Microsoft Access file entitled, "PRODUCTION DATA.mdb" attached hereto as Exhibit to Request 1.

Source: Business Objects. Data Gathered: Through January 19, 2005

Exhibit to Request 1

PRODUCTION DATA

Data is provided in Microsoft Access format on the PE04-081 Comparative Assessment Data Collection Disc

Request 2.

State the number of each of the following, received by Volkswagen, or of which Volkswagen is otherwise aware, which relate to, or may relate to, the subject condition in the subject peer 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 (including own vehicle); and
- e. Third-party arbitration proceedings where Volkswagen is or was a party to the arbitration; and
- f. Lawsuits, both pending and closed, in which Volkswagen 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). Identify reports that have a duplicate with either other mfg reports/claims or with ODI.

In addition, for items "b" through "f," provide a summary description of the subject problem and causal and contributing factors and Volkswagen's assessment of the problem, with a summary of the significant underlying facts and evidence along with any photographs and airbag control module diagnostic result/readout/printout (along with explanation/description). For items f and g, 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.

Response 2.

Volkswagen is responding to this request based upon review of the information and allegations contained on the face of the requested reports. Based on NHTSA's definition of the subject condition, we are including reports that contain allegations of "inadvertent" deployment, but also contain clear indication that there has been some type of impact either as described by the reporter, or as evidenced by the presence of crash data stored in the airbag control module and/or physical evidence of impact on the undercarriage, suspension, or wheel and tire. Volkswagen believes that these reports do not represent true "inadvertent" deployment because the deployments (in aggregate) appear to be consistent with design parameters for the impact sustained, but we are including them as such based upon the definition of subject condition in your inquiry.

- a. In response to this inquiry, Volkswagen has identified and is providing in the attached table consumer complaint counts, none of which are from fleet operators, which relate to, or may relate to, inadvertent deployment (deployment without a physical side impact or crash) of the side-impact/curtain airbags in the subject peer vehicles. Volkswagen has also identified additional cases, as noted in the attached table, which based on the information contained in the report, Volkswagen is unable to determine whether they may or may not relate to the subject condition in the peer vehicles. Volkswagen is also noting in the table those consumer complaint counts that are duplicative of vehicles identified in NHTSA's VOQ database.
- b. In response to this inquiry, Volkswagen has identified and is providing in the attached table, Field Report counts, including dealer Field Reports, which relate to, or may relate to, inadvertent deployment (deployment without a physical side impact or crash) of the side-impact/curtains in the subject peer vehicles. Volkswagen has also identified an additional case, as noted in the attached table, which based on the information contained in the

report, Volkswagen is unable to determine whether it may or may not relate to the subject condition in the peer vehicles. Volkswagen is also noting in the table those field report counts that are duplicative of vehicles identified in the consumer complaint counts.

- c. In response to this inquiry, Volkswagen has not identified any reports, containing a crash 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. Volkswagen has identified and is providing in the attached table, counts of cases containing allegations of minor injury. Volkswagen notes that the alleged minor injuries are not unusual or unexpected in the context of airbag deployments.
- d. In response to this inquiry, Volkswagen has not identified any property damage claims, including those from the complainant's vehicle, which relate to, or may relate to, the subject condition in the subject peer vehicles.
- e. In response to this inquiry, Volkswagen has not identified any third-party arbitration proceedings where Volkswagen is or was a party to the arbitration.
- f. In response to this inquiry, Volkswagen has not identified any lawsuits that relate or may relate to the subject condition in the subject peer vehicles.

Volkswagen has provided a count of its response to items "a" through "c" as well as a summary with attached photographs and airbag control module diagnostic printouts, where available, relating to the significant and underlying facts for items "b" through "f" in the REQUEST NUMBER TWO DATA folder, attached hereto as Exhibit to Request 2.

Source VW LISTEN, TACS, FRED, Product Liaison. Gathered through January 19, 2005

Exhibit to Request 2

REQUEST NUMBER TWO DATA

Data is provided on the PE04-081 Comparative Assessment Data Collection Disc

Request 3.

State, by model and model year, the number and total count for all of the following categories of claims, collectively, that have been paid by Volkswagen to date that relate to, or may relate to, the subject condition in the subject peer 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.

Provide this information in Microsoft Excel table, or a compatible format, entitled "WARRANTY DATA COUNT."

Response 3.

In response to this inquiry, Volkswagen has identified and is providing in the attached table, warranty claims, which relate, or may relate, to the subject condition in the peer vehicles. Volkswagen has also identified an additional case, as noted in the attached table, which based on the information contained in the warranty claim, Volkswagen is unable to determine whether it may or may not relate to the subject condition in the peer vehicles. Volkswagen is also noting in the table those warranty claims counts, which are duplicative of vehicles identified in consumer complaints and field reports.

Volkswagen has provided this information in the "WARRANTY DATA COUNT" folder, attached hereto as Exhibit to Request 3.

Exhibit to Request 3

WARRANTY DATA COUNT

Data is provided in Microsoft Excel format on the PE04-081 Comparative Assessment Data Collection Disc

Request 4.

Describe in detail the search criteria used by Volkswagen to identify the claims identified in response to Request No. 3, 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 subject condition in the subject peer vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Volkswagen on the subject peer vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered) and if it covers inadvertent side-airbag deployments (without an actual side crash, but sensors did sense a shock pulse). Describe any extended warranty coverage option(s) that Volkswagen offered for the subject peer vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty and if it covers inadvertent side-airbag deployments.

Response 4.

In response to this inquiry, the following methods were used to identify claims in response to Request 3.

1. All subject peer vehicles made available for sale or lease in the United States with claims starting in calendar week one of 1999 through the calendar week of the inquiry.
2. All warranty claims containing the following Part Identifier:

<u>Number:</u>	<u>Description:</u>
6953	Airbag Triggering Unit
6961	Rear Left Side Airbag Unit
6962	Rear Right Side Airbag Unit
6963	Front Left Side Airbag Unit
6964	Front Right Side Airbag Unit
6965	Lateral Acceleration Sensor
6966	Head Airbag

Resultant claims were screened individually using the following keywords to identify potential conditions, which relate, or may relate, to the subject condition in the subject peer vehicles:

Key Words:

Deploy*
Blew
Blown
Crash Code
Crash Data
Went off
Explode
Set off
Gone off
Inadvertent*

Volkswagen has identified, through screening the resultant claims, a list of all problem codes and problem code descriptions applicable to the subject condition in the subject peer vehicles. The following overviews these findings:

Damage Codes with Description:

40 - Electrical Malfunction

The following is a list, by make and model year, of the terms of the new vehicle warranty coverage offered by Volkswagen on the subject vehicles:

Audi Warranty

Model Year	Warranty Terms and Vehicles	Coverage Type
2001	4 years / 50,000 miles: TT/A4	Bumper to Bumper
2002	4 years / 50,000 miles: TT/A4	Bumper to Bumper
2003	4 years / 50,000 miles: TT/A4	Bumper to Bumper

Volkswagen Warranty

Model Year	Warranty Terms and Vehicles	Coverage Type
2001	2 years / 24,000 miles: Passat	Bumper to Bumper
2002	4 years / 50,000 miles: Passat	Bumper to Bumper
2003	4 years / 50,000 miles: Passat	Bumper to Bumper

The Bumper to Bumper Limited New Vehicle Warranty does not cover deployment of airbags when there is indication of impact to the vehicle.

Volkswagen does not offer any extended warranty coverage options related to the subject condition in the subject peer vehicles.

Source: VWoA. Data Gathered: Through January 18, 2005

Request 5.

Provide a table showing the following information concerning the side-impact airbag systems in the subject peer vehicles by model and model year:

- a. type of side air bag system (thorax, head, curtain or combination thereof);
- b. location of each seating position at which a side air bag system is installed;
- c. the number of side air bags at each of those seating positions; and
- d. bag location (seat mounted, door mounted, etc.)

Response 5.

Our response to this request is provided in a Microsoft Excel file entitled, "REQUEST NUMBER FIVE DATA.xls" attached hereto as Exhibit to Request 5.

Source Volkswagen AG, Audi AG. Gathered through January 18, 2005

Exhibit to Request 5

REQUEST NUMBER FIVE DATA

Data is provided in Microsoft Excel format on the PE04-081 Comparative Assessment Data Collection Disc

Request 6.

For each model, model year of the subject peer vehicles, identify the supplier of the side-impact crash sensing system and electronic restraint module. Please provide a complete street address, contact name, and telephone number for each supplier identified.

Response 6.

In response to your inquiry, all 2001 – 2003 Volkswagen Passat subject peer vehicles have the side impact crash sensing system and electronic control module supplied by Siemens AG and the Audi A4 and TT subject peer vehicles have the side impact crash sensing system and electronic control module supplied by Robert Bosch GmbH. The contact information for these suppliers is provided below:

Siemens AG
Automobiltechnik
Postfach 100955
93009 Regensburg
Germany
Phone: +49 941-790-0

Contact Information:
Siemens AG
Mr. Michael Popp
Werner-von-Siemens-Strasse 50
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Phone: +49 9131 / 7 43 612

Robert Bosch GmbH
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Robert Bosch Straße 2
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