



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

**CERTIFIED MAIL**

**RETURN RECEIPT REQUESTED**

MAR 27 2009

1200 New Jersey Avenue SE  
Washington, DC 20590

Mr. William R. Willen  
Managing Counsel, Product Regulatory Office  
American Honda Motor Company, Inc.  
1919 Torrance Boulevard  
Torrance, CA 90501

NVS-213swmc  
EA09-001

Dear Mr. Willen:

The Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has upgraded its investigation of ignition interlock system failures in model year (MY) 2002 through 2003 Honda Accord vehicles to an Engineering Analysis (EA09-001). This letter requests additional information to assist us in our investigation.

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

- **Subject vehicles:** all MY 2002 through 2003 Honda Accord vehicles equipped with automatic transmissions and manufactured for sale or lease in the United States and not included in the subject recalls.
- **Peer vehicles:** all MY 2004 Honda Accord, MY 2002 through 2004 Honda Civic, MY 2003 through 2004 Honda Element and MY 2003 through 2004 Acura TL vehicles equipped with automatic transmissions and manufactured for sale or lease in the United States.
- **Subject recalls:** Safety Recalls 03V-423 and 05V-025.
- **Subject system:** the ignition interlock system in the subject vehicles.
- **Subject component:** all ignition switches used as original equipment (OE) or service parts for use in the subject vehicles.
- **Honda:** American Honda Motor Company, Inc., and its parent, Honda Motor Company, LTD, all of their past and present officers and employees, whether assigned to their principal offices or any of their field or other locations, including all of their 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 1995, were

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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:** ignition interlock system failure that allow: 1) the ignition key to be removed from the ignition when the gear selector is in a position other than Park; 2) the gear selector to be shifted from the Park position with no key in the ignition; or 3) any or unspecified failures of the ignition interlock system, including all allegations of unattended vehicle rollaway with no key in the ignition.
  - **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 peer 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. Model;
  - c. Model Year;
  - d. Date of manufacture;
  - e. Date warranty coverage commenced; and
  - f. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).
2. State, by model and model year, the number of each of the following, received by Honda, or of which Honda is otherwise aware, which may relate to the alleged defect in the subject and 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. Reports involving a fire, 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;
  - e. Property damage claims; and
  - f. Third-party arbitration proceedings where Honda is or was a party to the arbitration; and
  - g. Lawsuits, both pending and closed, in which Honda is or was a defendant or codefendant.

For subparts "a" through "e," 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 "g," 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 "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.

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 model;
  - f. Vehicle's model year;
  - g. Vehicle's mileage at time of incident;
  - h. Incident date;
  - i. Report or claim date;
  - j. Whether a crash is alleged;
  - k. Whether property damage is alleged;
  - l. Number of alleged injuries, if any; and
  - m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA." See *Enclosure 1, Data Collection Disc*, for a pre-formatted table that provides further details regarding this submission.

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. Describe in detail the search criteria used by Honda to identify the claims identified in response to Request No. 2.

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 may relate to the alleged defect in the subject and peer vehicles (including all claims that may relate to the replacement of service part numbers beginning with "35100\*" or "06350\*" or "06351\*" or "38200\*" in the subject and 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 all claims, unfiltered for alleged defect. Supply any applicable filtered claims not previously submitted.

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. Vehicle model;
- e. Model Year;
- f. Repair date;
- g. Vehicle mileage at time of repair;
- h. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- i. Labor operation number;
- j. Problem code;
- k. Replacement part number(s) and description(s);
- l. Concern stated by customer; and
- m. 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." *See Enclosure 1, Data Collection Disc, for a pre-formatted table that provides further details regarding this submission.*

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.
7. Produce copies of all service, warranty, and other documents that may relate to the alleged defect in the subject or peer 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 may relate to the alleged defect in the subject or peer 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, manufacture, quality control, supply, or installation of the subject system, for the subject or peer vehicles, from the start of production to date, which may relate to the alleged defect in the subject or peer 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 number(s) (service and engineering) of the original component;
  - e. The part number(s) (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. State the number of each of the following that Honda has sold that may be used in the subject or peer vehicles by component name, part number (both service and engineering/production), 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; and
  - b. Any kits that have been released, or developed, by Honda for use in service repairs to the subject component/assembly.

For each component part number, state by model, model year and production volume all vehicles using the part, and provide the supplier's name, address, and point of contact (name, title, and telephone number).

11. Describe, and provide copies of all documents relating to, all communications between Honda and subject component suppliers that relate to the field performance, durability or design countermeasures for the ignition interlock system in the subject vehicles, including the process that led to the development of the redesigned switch used in the MY 2004 Accord vehicles. Provide a chronological summary of the communications and organize the documents accordingly.
12. Describe, and provide copies of all documents relating to, all internal communications within Honda that relate to the field performance, durability or design countermeasures for the ignition interlock system in the subject vehicles, including the process that led to the development of the redesigned switch used in the MY 2004 Accord vehicles. Provide a chronological summary of the communications and organize the documents accordingly.
13. Please provide the following additional information regarding "Document 1, QIS SCWA-030618-04," provided in Attachment #Q8 of Honda's November 24, 2008 letter responding to ODI's information request letter for RQ08-006:
  - a. Explain in detail the basis for the "Driver Sequence" analysis of a potential mechanism for interlock lever deformation that was described in the Cause Analysis section on Page 2 of the Quality Improvement Sheet (QIS);
  - b. Clarify whether the "inner joint" referenced in the Cause Analysis is the inner collar recess that is blocked by the lever during interlock operation;
  - c. Provide copies of the photographs on Page 1 of the QIS that are at least as good as those contained in the original report;
  - d. Provide two samples of parts (lever and "inner joint") exhibiting the condition described in the QIS Cause Analysis;
  - e. Explain how the lever deformation mechanism described in the report affects Honda's durability test results (including a detailed description of the procedures used in the durability testing and whether they can reproduce the deformation mechanism described in this QIS);
  - f. Describe all factors that could contribute to partial lever "disengagement" during normal ignition switch operation (i.e., NOT in interlock mode) as described in the QIS, including greater elaboration of the factors that could contribute to occurrences of "inner joint digs into the lever;"
  - g. Explain in detail the reasons for the design countermeasure described in the QIS, including the differences between the 9Nm lever and the 15Nm lever;
  - h. Describe how the lever strength is measured for the 9Nm and 15Nm levers and how this relates to Honda's use of the terms "blocking torque" and "slip out torque;"
  - i. Describe all differences between the ignition switches and ignition interlock systems in the pre-countermeasure variants of the models listed in the "Countermeasure Contents" section of the QIS (Accord, Civic and Element);" and
  - j. State the maximum reduction in interlock overlap margin that Honda believes could result from the deformation mechanism described in the QIS and provide a detailed explanation of the basis for Honda's assessment.
14. Produce three each of the following ignition switch assembly components:

- a. 2002 OE interlock lever;
  - b. 2002 recall repair interlock lever (as in PN 06351-S84-000);
  - c. 2003 OE lever with the aluminum and resin mold; and
  - d. 2004 OE SEA style lever (strength increased from 9 Nm to 15 Nm).
15. Provide the following information for the subject components used in subject and peer vehicles in the United States market:
- a. The material specifications for the ignition switch body, cylinder, spring pin, inner collar, interlock lever shaft and interlock lever;
  - b. The dimensions and tolerances for the ignition switch body, cylinder, spring pin, inner collar, interlock lever shaft, and interlock lever;
  - c. Compare the strength and durability of the key used in the subject vehicles with ignition interlock system, including the maximum torque that the key can be turned without cracking or separating and the number of cycles the key can be turned at 2.6 Nm;
  - d. The specified minimum lever overlap margins;
  - e. A detailed description of how the lever overlap margins are measured or calculated;
  - f. The distributions of initial lever overlap margin (state the mean and standard deviation values for each distribution);
  - g. Identify all usage/wear conditions that can reduce lever overlap margin in service and state how they effect overlap margin (mechanism and maximum reduction in overlap margin); and
  - h. List any mid-year changes to any specifications or dimensions to these components.
16. 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 \$6,000 per day, with a maximum of \$16,375,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6 (as amended by 71 Fed. Reg. 28279 (May 16, 2006)). 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.

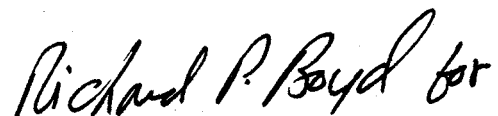
Honda's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by May 29, 2009. **All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office.** In addition, do not submit any business confidential information in the body of the letter submitted to this office. Please refer to RQ08-006 in Honda's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel. 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) 366-5207 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, to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Honda 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.** Please remember that the word "CONFIDENTIAL BUSINESS INFORMATION" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 5 U.S.C. § 512.6. If you submit a request for confidentiality for all or part of your response to this IR, that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the new requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats (49 CFR 512.6(c)). See Federal Register, volume 72, page 59434 (October 19, 2007).

Please send email notification to Stephen McHenry (Stephen.mchenry@dot.gov) and to ODI\_IRresponse@dot.gov when Honda sends its response to this office and indicate whether there is confidential information as part of Honda response.

If you have any technical questions concerning this matter, please call Stephen McHenry of my staff at (202) 366-4883.

Sincerely,



Kathleen C. DeMeter, Director  
Office of Defects Investigation  
Enforcement

Enclosure 1, one CD ROM titled Data Collection Disc containing three files