



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

MAY 20 2009

1200 New Jersey Avenue SE
Washington, DC 20590

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William Willen
American Honda Motor Corporation
1919 Torrance Boulevard
Torrance, CA 90501-2722

NVS-213Hkb
PE09-024

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 (PE09-024) to investigate allegations of soft or low brake pedals in model year (MY) 2006 through 2008 Honda Odyssey minivans, and to request information to assist us in our investigation.

This office has received 52 complaints from owners alleging soft or low brake pedals in MY 2006 through 2008 Honda Odyssey minivans, including 4 reports of crashes that resulted in a total of 7 injuries. Several of the non-crash complaints have alleged extended stopping distances, including some incidents of rolling past stop signs into intersections. Some complaints also allege that the low brake pedal condition results in increased risk of inadvertently stepping on the accelerator pedal during brake application.

ODI notes that Honda issued service bulletin 07-045 in January 2009 to address complaints of soft or low brake pedals in the subject vehicles and certain Honda Accord and Element vehicles (copy attached). The bulletin indicates that the condition can be caused by air entering the brake hydraulic system from the ABS/TCS or VSA modulator control unit (modulator assembly).

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

- **Subject vehicles:** All MY 2006 through 2008 Odyssey Minivan vehicles manufactured for sale or lease in the United States.
- **Peer vehicles:** MY 2003 through 2007 Honda Accord and MY 2007 through 2008 Honda Element vehicles manufactured for sale or lease in the United States.
- **Subject service bulletin:** Honda service bulletin 07-045.
- **Subject components:** ABS/TCS or VSA modulator control units identified in the subject bulletin.



- **Honda:** American Honda Motor Corporation, 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 January 1, 1998, 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:** Complaints alleging any of the following symptoms: (1) soft or spongy brake pedal feel; (2) low brake pedal or longer than expected pedal travel; (3) poor brake response (e.g., extended stopping distance or longer than expected time to achieve desired braking deceleration; (4) air in brake system from subject components or other sources; or (5) any other subject components malfunctions.

- **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, engine and model year, the number of subject and 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. Engine;
 - 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." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

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 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);
 - d. Vehicle owner's address;
 - e. Vehicle owner's contact telephone number(s);
 - f. Vehicle's VIN;
 - g. Vehicle's model;
 - h. Vehicle's model year;
 - i. Vehicle's mileage at time of incident;
 - j. Incident date;

- k. Report or claim date;
- l. Whether a crash is alleged;
- m. Whether a fire is alleged;
- n. Whether property damage is alleged;
- o. Number of alleged injuries, if any; and
- p. 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 which 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.
- 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 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.

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

- a. Honda's claim number;
- b. Vehicle owner or fleet name (and fleet contact person);
- c. Vehicle owner's address;
- d. Vehicle owner's contact telephone number(s);
- e. VIN;
- 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;
- m. The cause and correction of the concern; and
- n. 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 which 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. 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 and 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, installation or routing of the subject components 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 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), 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. ABS modulator control unit;
 - b. TCS modulator control unit; and
 - c. VSA modulator control unit.

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 Honda 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. Provide three field return samples of the subject component used in the MY 2007 through 2008 Honda Odyssey vehicles that exhibit the condition described in the subject bulletin. The samples provided should be representative of the "worst case" condition for the rate and/or volume of air leakage into the brake system.
12. Provide the following information regarding the subject vehicle brake system, the subject component and the alleged defect:
 - a. Sectioned diagrams of the subject components with all parts labeled;
 - b. A detailed description of the air leakage mechanism and path;
 - c. A detailed description of all factors influencing the amount and rate of air leakage that could occur in the subject and peer vehicles;
 - d. A description and side view diagram showing the full range of brake pedal travel in the subject vehicles; and
 - e. The following graphs for the subject vehicle braking system in (1) normal operating conditions with no air in the brake system; (2) with a typical amount of air leakage into the brake system due to the subject service bulletin condition (with an explanation of how Honda determined/estimated the typical amount of air leakage); and (3) with a worst case amount air leakage into the brake system due to subject service bulletin condition (with an explanation of how Honda determined/estimated the worst case amount of air leakage):
 - i) Brake pedal travel as a function of brake pedal force;
 - ii) Brake line pressure as a function of brake pedal force;
 - iii) Vehicle deceleration as a function of brake pedal travel; and
 - iv) Vehicle deceleration as a function of brake line pressure.


13. Furnish Honda's assessment of the alleged defect in the subject vehicle, including:

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-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" 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.

Please send email notification, with delivery tracking numbers if applicable, to Kerrin Bressant, kerrin.bressant@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 Kerrin Bressant of my staff at (202) 366-1110.

Sincerely,



Jeffrey L. Quandt, Chief
Vehicle Control Division
Office of Defects Investigation

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