

Rec'd 10/26/09
Joey

orig.



October 21, 2009

VIA FEDERAL EXPRESS

D. Scott Yon, Chief
Vehicle Integrity Division
Office of Defects Investigation
U.S. Department of Transportation
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington D.C. 20590

Re: **Preliminary Evaluation (PE09-034)**
Passenger Air Bag System (MY) 2007-2008 Kia Sorento

Dear Mr. Yon:

On behalf of Kia Motors Corp. and Kia Motors America, Inc. (hereinafter collectively referred to as "Kia"), Hyundai-Kia America Technical Center, Inc. (HATCI) hereby submits Kia's supplemental response to Request Numbers 8-11 and 13-16 of your letter dated August 4, 2009 (Reference NVS-212pco/PE09-034) pursuant to the extension you granted on September 17, 2009. In addition to the Request Numbers above, we have also included the summary chart requested in Request Number 2 relating to Kia's assessment of the lawsuits and arbitrations identified in its first response dated September 25, 2009 and a supplemental response to Request Number 5 per Mr. Peter Ong's request.

KMA identified an OCS issue in early 2007 from customer complaints. This issue involved adults, usually large, who were not being identified as adults by the OCS logic. KMC's OCS vendor for all its models is IEE, a major OCS vendor which utilizes technology from Autoliv and Siemens. Subsequent investigations by IEE and KMC, with the support of other vendors, established that the system was fully compliant with the requirements of FMVSS 208 and that all elements of the OCS were working as designed. IEE identified in April 2007 that the adults in question were fitting one of the CRS probabilities mandated by NHTSA in Appendix A to FMVSS 208 (i.e., the Britax Expressway LATCH CRS), thus causing the passenger airbag to be suppressed and the AIRBAG OFF light to illuminate.¹

¹ Kia had manufactured most of the Sorentos in question during June – August 2006 in order to meet the FMVSS 208's requirement that the passenger airbag be suppressed when a Britax Expressway CRS was in the passenger seat. Two days before the September 1, 2006 nominal start of the 2007 model year, NHTSA extended the Britax Expressway compliance date to September 1, 2007. Final Rule, 71 FR 51129. Kia had no reason to change its compliance with the Britax Expressway logic at that time, and continued to manufacture vehicles with that suppression logic.

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HATCI is an authorized representative of both Hyundai Motor Company and Kia Motors Corporation; which are separate and distinct automotive manufacturers.

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On July 24, 2007, after start of production for the 2008 model year, NHTSA extended the compliance date for LATCH CRS systems from September 1, 2007 to September 1, 2008. Final Rule, Denial of Petition for Rulemaking, 72 FR 40252. On July 26, 2007, a change was made in the 2008 Sorento OCS logic to increase the probability of recognizing adults applying substantial pressure in the "Britax area" of the seat. A Product Update Procedure ("PUP") was also conducted at the U.S. ports that Fall for 2008 Sorento vehicles which had produced before that date, during May, June and July 2007. An analysis of the NHTSA VOQs shows that this logic change was successful, with 26 of the 27 valid VOQs being related to vehicles which were manufactured before July 26, 2007.

On September 25, 2007, NHTSA issued an NPRM which proposed changes to Appendix A to become effective September 1, 2008, including the elimination of the Britax Expressway ISOFIX due to its being "exceptionally uncommon in the U.S. and very difficult to obtain". Notice of Proposed Rulemaking, 72 FR 54402, 54408. NHTSA also gave manufacturers the option of making the amended Appendix A immediately effective if manufacturers chose to comply with the September 1, 2008 version of Appendix A voluntarily. *Id.* As of November 27, 2007 production, further changes were made to the 2008 Sorento OCS logic which caused the OCS to address additional issues related to adult seating positioning and no longer recognize the probability of the Britax Expressway.

IEE subsequently adjusted KMA tools to permit KMA field personnel to reflash customer vehicles on an individual basis beginning in early 2008. A review of customers identified in VOQs indicates that a high percentage of those with substantial issues received the one on one reflash during early 2008. On May 12, 2009, KMA commenced a Service Campaign to reflash all 2007 – 2008 Sorentos manufactured before November 27, 2007. That Service Campaign has a current completion rate of approximately 51%.

REQUEST NO. 2:

State within the body of the response letter, the number of each of the following, received by Kia, or of which Kia is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:

- a. Consumer complaints, including those from fleet operators;
- b. Field reports, including dealer field reports;
- c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
- d. Property damage claims; and
- e. Third-party arbitration proceedings where Kia is or was a party to the arbitration; and
- f. Lawsuits, both pending and closed, in which Kia 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

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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 Kia'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.

SUPPLEMENTAL RESPONSE TO REQUEST NO. 2:

A summary description for "e" and "f" is attached. **See Tab 1.**

REQUEST NO. 5:

State within the body of the response letter a summary, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Kia 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. Kia's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date (in "yyyy/mm/dd" date format);
- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and
- k. Comment, if any, by dealer/technician relating to claim and/or repair.

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

SUPPLEMENTAL RESPONSE TO REQUEST NO. 5:

The warranty claim data previously submitted was run on 9/21/09. As of that date, there was a total of 736 seat cushion & seat assembly replacement claims, 514 documented reflash claims performed by

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KMA field staff and dealers from December 2007 to May 2009 and 27,074 claims related to the service campaign SC076 mailed to customers on May 12, 2009.

REQUEST NO. 8:

Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Kia. 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.

RESPONSE TO REQUEST NO. 8:

Several actions were conducted which may relate to the alleged defect in the subject vehicles. The table below summarizes the actions conducted by or behalf of Kia.

Action Title	Start Date	End Date	Subject/Object of Action	Group Responsible	Finding/Conclusion Summary
KMA Product Quality Technical Report, OCS Lamp Illumination with Adult Seated, 2/2/07	NA	NA	KMA identification of OCS Classification Issue	KMA Product Quality Department	Certain owners who have received instructions on proper seating position still reporting issue; request KMC support. See Tab 2.
BL FL Field Issue Investigation, 3/27/07	03/15/07	03/16/07	Investigate reasons for reports of misclassification of adults	IEE	• Seating positions required by Kia Engineering Standard ("ES") satisfied along with additional KMA suggested positions. Conflict with large male seating position and Britax Expressway identified.

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Action Title	Start Date	End Date	Subject/Object of Action	Group Responsible	Finding/Conclusion Summary
					<ul style="list-style-type: none">• The misclassifications from the field reports could not be duplicated.• Calibration cannot be modified to improve the one position due to need to suppress for Britax Expressway CRS. See Tabs 3 & 4.
BL FL Reproduced Test Investigation, 4/9/07; Investigation Results Report	03/29/07	03/29/07	Evaluate classification of adult male and 5 th percentile female	IEE	<ul style="list-style-type: none">• All male test positions satisfied.• The profile of 5th percentile female in the Leg Spread Extension (A-LSE) position is similar to the Century Smart Fit CRS in Appendix A. See Tab 5.
Same Document As Above	04/02/07	04/06/07	Further evaluation of classification of 5 th percentile females	IEE	<p>The cells under the females tested were well identified for A-LSE evaluation and no misclassification occurred.</p> <p>See Tab 5.</p>
KMC Meeting Minutes, Discussion of Countermeasure Related to BL ('07MY) Due Care Position, 4/19/07	04/19/07	04/19/07	Identification of problem and cause; possible countermeasure; pending NHTSA regulatory change	KMC Quality Assurance Team 1	<ul style="list-style-type: none">• KMA problem position is in Britax Expressway range.• Caused by widening both legs and spreading left leg onto seat bolster.• Proposed adjustment of threshold value would cause violation of Britax

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Action Title	Start Date	End Date	Subject/Object of Action	Group Responsible	Finding/Conclusion Summary
					Expressway CRS regulation [in Appendix A]. • Changes can be made once NHTSA changes current Britax Expressway regulations, currently under review. See Tab 6
KMA Product Quality Technical Report, OCS Lamp Illumination with Adult Seated, 6/26/07	NA	NA	Resubmission of prior report with added focus on IQS issue	KMA Product Quality Department	Reminder to KMC that issue still open. See Tab 7
BL FL OC HKMC Human Tests, Engineering Analysis, July 9, 2007	07/07	07/07	Kia identified possible misclassifications due to low Digitalized Pressure Value (DPV) flag for rearward seating position and Density of Probability (DOP) for slouched position; IEE requested testing of U.S. vehicles.	IEE	• Complaining customers have weights above 80kg (>176 lbs). • No misclassification due to LOW DPV Flag identified. • Issue identified with cross analysis logic (CA4). • Results inconclusive. See Tab 8.
KMC Meeting Minutes, BL FL OCS Telltale Illumination Countermeasure Meeting, 7/20/07	7/20/07	7/24/07	Discussion of issues and countermeasures & review IEE's 7/9/07 testing results	KMC Quality Assurance Team 1	• Possible solutions identified as leg widening from 300 – 500 mm and to allow hips to move forward more than 100mm. • Eliminating low DPV assists in upgrading recognition of adults

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Action Title	Start Date	End Date	Subject/Object of Action	Group Responsible	Finding/Conclusion Summary
					compared to Britax Expressway. • Other countermeasures not effective. See Tab 9.
BL/FL Without LowDPV Algotars Performance Result, 7/24/07	07/24/07	07/24/07	Test Sorento OCS without LowDPV	IEE	The algorithm without LowDPV logic properly classifies all FMVSS 208 positions and CRS. NOTE – Logic changed for production vehicles two days later, on 7/26/07. See Tab 10.
Second Field Investigation, Slouch 100mm, Shift +/- 30mm	07/31/07	08/01/07	Evaluate slouch issue.	IEE	Two of the seven vehicles resulted in misclassification due to slouch and/or side shift. See Tab 11.
BL F/L OCS – 2 nd Field Investigation, 9/4/07 AND 3 rd Field Investigation, Summary of BL FL US investigations, HKMC SPEC. Slouch, shift [Note – KMC and IEE referred to the same investigation by different numbers]	08/24/07	08/30/07	Further evaluation of slouching/shifting issues.	IEE	• Misclassification of out of position adult occupant identified due to slouching and shifting. • Bodies are positioned outside of KMC ES when airbag is suppressed. • Extreme positions are involved. • BL FL calibration is robust for ES. • More out of position occupants can be caught with change to cross analysis

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Action Title	Start Date	End Date	Subject/Object of Action	Group Responsible	Finding/Conclusion Summary
					logic (CA5) in cooperation with Siemens/Continental. See Tab 12.
N. America Sorento OCS Telltale Lamp Illumination-Local Investigation Report, 9/20/07	08/24/07	08/30/07	Further evaluation of results of late August evaluation.	KMC Quality Assurance Team 1	<ul style="list-style-type: none"> • Customer postures for complaints are well outside ES Due Care positions. • Need for explanation of Owner's Manual to customers. • Need for OCS dealer training. See Tab 13.
BL F/L OCS – Calibration Improvement Comparison before/after, 10/26/07	10/24/07	10/24/07	Compare SOP calibration with deletion of LowDPV calibration and combined Low DPV deletion + CA4/5 redesign.	IEE	<ul style="list-style-type: none"> • All 3 calibrations the same in slouch position. • Same when leaning towards the door. • Margin on shift position to console improved 40%. See Tab 14.
KMC Meeting Minutes, Performance Evaluation of N. America Sorento OCS 2 nd Improvement, 11/2/07	11/02/07	11/02/07	Analyze performance of 2 nd improvement to OCS calibration.	KMC Quality Assurance Team 1	<p><u>Some (larger) Males</u></p> <ul style="list-style-type: none"> • 40 mm margin secured for front slouch position. • 30 - 40 mm margin secured for field problem [shift] position. <p><u>Females</u></p> <ul style="list-style-type: none"> • Front slouch position show no change in results. • 25 - 45mm margin

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Action Title	Start Date	End Date	Subject/Object of Action	Group Responsible	Finding/Conclusion Summary
					<p>secured for field problem [shift] position.</p> <ul style="list-style-type: none"> • The revision to CA4 and CA5 further enhanced the earlier low DPV removal. • All regulatory compliance was maintained in spite of the changes. • In order to adjust for the CA4 revision, an additional CS pattern was added to ensure identification of the Evenflo Horizon CRS. <p>See Tab 15.</p>
<p>Front Passenger Seat OCS Telltale Lamp Illumination Plan Report, 3/19/09</p>	<p>NA</p>	<p>NA</p>	<p>Summarize highlights of issue for internal evaluation of status</p>	<p>KMC Quality Assurance Team I</p>	<ul style="list-style-type: none"> • Compliance with the regulatory requirements for the Britax Expressway, a wide, big, heavy CRS similar to a large adult body shape, caused misclassification of some out of position adult males. The pressures on the sensor mat corresponded with the pressures applied by the Britax Expressway. • The slouch margin was improved from 100 to 130/140mm; the shift margin from 30 to 35mm; and the leg spread space from 300 to 500mm. <p>See Tab 16.</p>
<p>HKMC BL FL OC Result of Customer</p>	<p>NA</p>	<p>NA</p>	<p>Illustrate NHTSA and KMC Due Care seating positions in Kia ES and</p>	<p>IEE</p>	<p>FMVSS 208 and all NHTSA and KMC due care positions were satisfied.</p>

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Action Title	Start Date	End Date	Subject/Object of Action	Group Responsible	Finding/Conclusion Summary
Evaluation, 8/14/09			tested by IEE		See Tab 17.

REQUEST NO. 9:

Describe all modifications or changes made by, or on behalf of, Kia in the design, material composition, manufacture, quality control, supply, or installation of the subject component, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:

- a. The date or approximate date on which the modification or change was incorporated into vehicle production;
- b. A detailed description of the modification or change;
- c. The reason(s) for the modification or change;
- d. The part 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 Kia is aware of which may be incorporated into vehicle production within the next 120 days.

RESPONSE TO REQUEST NO. 9:

There have been no changes or modifications.

REQUEST NO. 10:

Provide the block/component diagram of the logic operation of the OCS including the decision tree and any effects of occupant movement and turning the ignition off and back on.

RESPONSE TO REQUEST NO. 10:

The requested information is attached. See Tabs 18 & 19.

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REQUEST NO. 11:

Provide a table summary of the OCS software version used by chronological date of implementation and/or by VIN. Are any of the versions used for updating the OEM version during OCS service repairs?

RESPONSE TO REQUEST NO. 11:

Below is a summary of the OCS software versions:

Algorithm Version	Implementation Date
Version 026	June 15, 2006
Version 026_field_fix (low DPV eliminated)	July 26, 2007
Version027_field_fix (CA4 and CA5 revised; new CS added)	November 27, 2007

REQUEST NO. 13:

Describe the similarities and differences, if any, between the MY2004-2006 Kia Sorento OCS to the subject vehicle including the identification of Tier suppliers (down to the seat mat and OCS electronic module level suppliers) and part numbers.

RESPONSE TO REQUEST NO. 13:

The requested information is attached. **See Tabs 20 & 21.**

REQUEST NO. 14:

Produce two of each of the following:

- a. Exemplar samples of each design version of the subject component including the seat sensor mat, OCS electronic module and the interfacing harness;
- b. Field return samples of the subject component exhibiting the subject failure mode; and
- c. Any kits that have been released, or developed, by Kia for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.

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RESPONSE TO REQUEST NO. 14:

The exemplar samples of the OC sensor mat assembly is being submitted contemporaneously with this response. In response to 14(b) and (c): none.

REQUEST NO. 15:

State the number of each of the following that Kia 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 (air bag seat sensor, OCS electronic module & wiring harnesses only); and;
- b. Any kits that have been released, or developed, by Kia for use in service repairs to the subject component/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 Kia is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

RESPONSE TO REQUEST NO. 15:

In response to 15(a) and (b): none.

The supplier of the seat cushion (Part No. 88200-3E700) is Dae Won San Up Co. Ltd, located at No 98-2 Koreum-Ri, Chungbuk-Myun, Pyungtaek City Kyunggi-Do, Korea. The point of contact is Sung Gi Kim (Quality Control Department) . Mr. Kim can be reached at 82-31-683-2301.

The supplier of the Occupant Classification System (Part No. 88907-3E500) is IEE S.A., located at ZAE Weiergewan 11, rue Edmond, Reuter L-5326 Contern, Luxembourg. The point of contact is Jean-Pierre Aguire (Engineering Team). Mr. Aguire can be reached at 352-2454-2206.

REQUEST NO. 16:

Furnish Kia'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

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- f. The reports included with this inquiry.

RESPONSE TO REQUEST NO. 16:

a. Causal or contributory factors for OCS light illumination:

The OCS light illuminated when a person of sufficient size moved out of position and applied pressure to the front outside of the seat cushion which is above that portion of the OCS mat which correlates to the Britax Expressway CRS, a LATCH type CRS included in FMVSS 208, Appendix A, thus suppressing the OCS and requiring that the Airbag Off light be illuminated.

b. The failure mechanism for such OCS light illumination:

None.

c. The failure mode for such OCS light illumination:

None.

d. Possible risk to motor vehicle safety:

The 2007 – 2008 Sorento OCS complies with the requirements of FMVSS 208 and Appendix A. There is no defect in the Sorento OCS, but it instead performs as required. NHTSA's promulgation of FMVSS 208 and KMC's compliance with that Standard and Appendix A defines that the Sorento OCS did not create an unreasonable risk to motor vehicle safety.

More specifically, in order to comply with FMVSS 208, the OCS must correctly make probability determinations as to when the front passenger airbag should be suppressed when occupied by various sized dummies and by various models of CRS. The system's compliance with FMVSS 208 was tested by IEE and KMC during development of that Sorento and was then confirmed in independent testing by MGA. **See, Tabs 22 & 23.** This compliance was then reconfirmed by IEE and KMC during their investigation in 2007. As NHTSA advised the public and the industry in 2005, "[t]he design of these [OCS] systems may vary depending on a number of different parameters, as long as the system adequately suppresses the air bag when tested in accordance with the requirements of FMVSS No. 208." Denial of Petition for Rulemaking to Restrict CRS Weights, 70 FR 61908, 61910 (October 27, 2005). Having suppressed the airbag when tested in accordance with the requirements of FMVSS 208, the Sorento OCS is safe for use on the public highways.

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As part of its preparation of this response, KMC has confirmed with IEE that its work for KMC on this project meets or exceeds its work levels for any other manufacturer. That is, IEE's development process for development of an OCS is common to all of its customers, including KMC. This includes the robustness of its checking process for compliance with FMVSS 208 and the manufacturer's additional "due care" testing requirements. There can be differences in the extra testing required by a manufacturer, and IEE has found that KMC has a comprehensive set of "due care" requirements which match or exceed those of other manufacturers. IEE is thus fully supportive of the robustness of the compliance of the Sorento OCS with all FMVSS 208 and KMC ES requirements, including "due care" testing. However, IEE has advised KMC that the disclosure of the specific details of its development work for any other customer is prohibited by its confidentiality agreements with those manufacturers.

For clarification, the "due care" testing required by KMC is intended to correctly determine the occupant probability determinations in a range of out of position seating positions, some provided by NHTSA and others by KMC.

The reason that the 2007 Sorento OCS suppressed the front passenger airbag when a large adult, usually a male, was present, is because the system logic was required to recognize certain pressures as being consistent with the probability of the presence of the Britax Expressway, an early developmental version of a LATCH type CRS which was included by NHTSA in Appendix A in 2004. This CRS has a combination of unusual factors which includes its heavy weight as well as being broad and flat across the bottom, similar to a substantial human buttocks.² As a result of its presence in Appendix A during the development of the 2007 Sorento, KMC commenced production of the Sorento with the Britax Expressway suppression logic in June 2006. After over 2 months of production, on August 29, 2006, NHTSA extended the compliance date for the Britax Expressway from September 1, 2006 (two days after the notice) to September 1, 2007.

The investigations conducted by IEE with the assistance of KMC and KMA and other vendors during the March through November 2007 time period resulted in a determination that, due to the overlap between the Britax Expressway logic area and the pressures applied by certain, typically large, adults, the OCS would at times identify the probability that those pressures indicated the presence of a Britax Expressway CRS instead of an adult. These were associated with usually large adults who were sitting with their legs spread widely, as well as adults in a slouch position, where their buttocks were more than 100mm forward of a seating position against the seatback. After NHTSA extended the compliance date with the latch CRS models in Appendix A from September 1, 2007 to September 1, 2008, IEE and KMC acted to ameliorate this situation by eliminating a low Digitalized Pressure Value (DPV) in the front area of the seat as of July

² Although it appears from various Federal Register notices that this CRS was never commercially distributed in the U.S., NHTSA kept this on the LATCH portion of Appendix A for a number of years.

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26, 2007 production. It is Kia's position that this change fundamentally resolved this issue, as reflected in NHTSA's VOQs. In order to ensure that all 2008 Sorentos, including those which had already been produced during May, June and July, has the updated logic, those were reflashed with the updated logic while they were at ports in the U.S.

On September 25, 2007, NHTSA eliminated the Britax Expressway entirely from Appendix A as of September 1, 2008, and it gave manufacturers the option of complying with the September 1, 2008 revisions early. As a result of further investigation and testing, IEE and KMC made further revisions to the Sorento OCS logic, including revising certain cross logic which was involved in identifying the Britax Expressway. Since this logic change could also cause a failure of identification of the Evenflo Horizon CRS, additional logic in the form of a new CS plan was added to the logic. The absence any meaningful complaints since that November 27, 2007 change in logic has confirmed the effectiveness of that change.

The November 27, 2007 logic was also used for individual field fixes on a customer by customer basis beginning in early 2008, after sufficient reflash tool upgrades had been made by IEE. After a further evaluation in early 2009, KMC decided to conduct a Service Campaign beginning on May 12, 2009 to apply the November 27, 2007 reflash to all prior 2007 vehicles and all 2008 vehicles manufactured before November 27, 2007.

e. The warnings received by the operator and the other persons inside the vehicle as to the suppression of the front passenger airbag:

In accordance with FMVSS 208, the "Airbag Off" light illuminates on the dashboard when the OCS logic categorizes an adult as a Britax Expressway CRS. This functioning as well as the instructions for proper seating which will typically prevent this from happening is described in detail in the excerpt of the Owner's Manual and airbag brochure provided with our response dated September 25, 2009.

f. The VOQ reports included with this inquiry:

Of the 35 VOQs submitted with your letter, 29 are included in Kia's analysis. 3 were not Sorentos, 2 relate to vehicles which were manufactured after the November 27, 2007 logic change had been implemented in production, and one is not identifiable. Of those 29 vehicles, 28 were manufactured prior to July 26, 2007 and only 1 was manufactured between July 26 and November 27, 2007. Thus, the VOQ data identifies that the Britax Expressway misclassification issue had been resolved as of July 26, 2007 production.

For those 29 VOQs, there is a consistent pattern of complaints of intermittent AIRBAG OFF light indications, which is consistent with occupants being out of position in the Britax Expressway area of the sensor mat. Kia has identified no additional pattern in the remaining VOQs. However, a review of the records underlying the VOQ vehicles also

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shows that Kia's one by one method of identifying customers with ongoing complaints and then having KMA field personnel update the OCS programming was successful and resulted in complete upgrades of the logic of 8 vehicles before the Service Campaign was commenced. Since Kia sent Service Campaign notices to all customers whose vehicles were manufactured before November 27, 2007, regardless of whether they had had such a reflash, many of those vehicles are included in the 20 of 30 vehicles that have already had the Service Campaign completed. Of the remaining 9, six customers were successfully contacted by phone and encouraged to take their vehicles in to their dealers and still have not done so. Kia believes this is a strong indication that they had previously resolved this issue, either through an undocumented reflash or by having learned to use an in-position seating position.

An item by item review of the VOQs is attached. **See Tab 24.**

Sincerely,



Robert Babcock
Senior Manager,
Regulation and Certification Department

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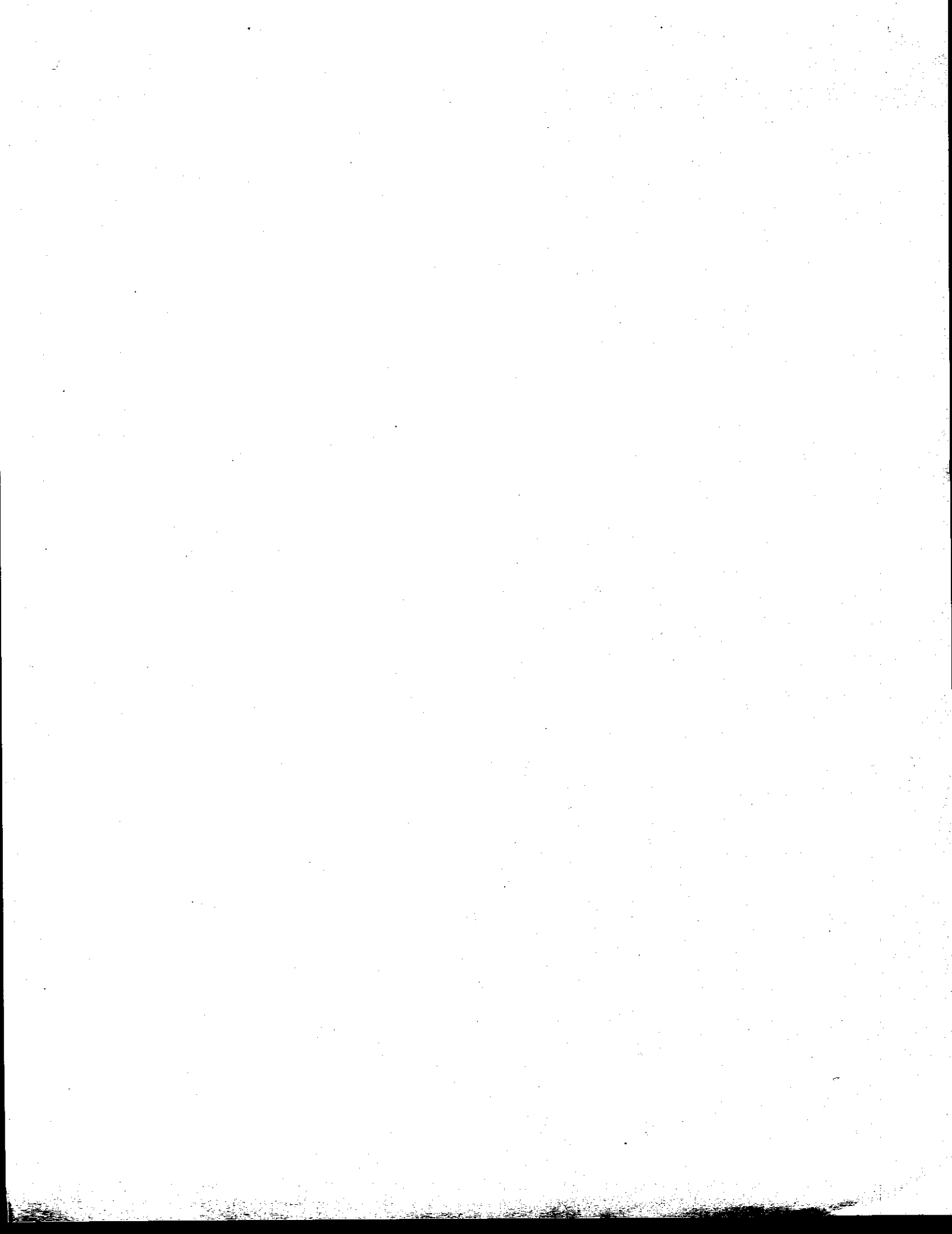
REQUEST NUMBER TWO DATA - LAWYERS

REQUEST ID	REQUESTOR	REQUESTOR ADDRESS	PHONE	EMAIL	STATUS	DATE	TYPE	DESCRIPTION	COMMENTS	STATUS	DATE	TYPE	DESCRIPTION	COMMENTS
1	COMPLAINT	[REDACTED]	[REDACTED]	[REDACTED]	NO	2007	NO	COMPLAINT	Case of [REDACTED] from [REDACTED] County	NO	2007	NO	[REDACTED]	Case of [REDACTED] from [REDACTED] County
2	COMPLAINT	[REDACTED]	[REDACTED]	[REDACTED]	NO	2007	NO	COMPLAINT	Case of [REDACTED] from [REDACTED] County	NO	2007	NO	[REDACTED]	Case of [REDACTED] from [REDACTED] County
3	COMPLAINT	[REDACTED]	[REDACTED]	[REDACTED]	NO	2007	NO	COMPLAINT	Case of [REDACTED] from [REDACTED] County	NO	2007	NO	[REDACTED]	Case of [REDACTED] from [REDACTED] County

REQUEST NUMBER TWO DATA - LAMCULTS

Request Number	Request Title	Requester Name	Requester Address	Requester City	Requester State	Requester Zip	Requester Phone	Requester Email	Requester Agency	Requester Title	Requester Organization	Requester Address	Requester City	Requester State	Requester Zip	Requester Phone	Requester Email	Requester Agency	Requester Title	Requester Organization
1	Request 1	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
2	Request 2	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
3	Request 3	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
4	Request 4	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
5	Request 5	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
6	Request 6	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

Requester Name: [Redacted]
 Requester Address: [Redacted]
 Requester City: [Redacted]
 Requester State: [Redacted]
 Requester Zip: [Redacted]
 Requester Phone: [Redacted]
 Requester Email: [Redacted]



File #	Category	Owner Name	Owner Address	Owner Phone	Vin	Make	Model	Year	FIRM Repair Message	Contact Person	Crash	Damage	Injury	Death	Comments/Case
1.1418034452	Suburban BMW 3 Series Linc	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	BMW	Series 3	2008	1000	3/17/2008	NO	NO	NO	NO	<p>Block Customer had with BMW on 3/17/08. Numerous attempts were made to reach customer on 3/17/08. Vehicle was located on 3/17/08. Issue went from the street scene and was resolved. Vehicle was exchanged for a 2009 Series on 5/22/08.</p> <p>Available: Vehicle was correctly repaired in January 2009. Vehicle matches prior problems with VIN.</p>
2.1418034452	Suburban BMW 3 Series Linc	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	BMW	Series 3	2008	1000	4/28/2008	NO	NO	NO	NO	<p>Block Customer had with BMW on April 4, 2008. Customer was in the shop for 4 days. Vehicle was returned on 4/22/08. Customer was charged \$1,500.00. No further complaints.</p> <p>Available: July 2009 refresh resolved issue.</p>
3.1418034452	Suburban BMW 3 Series Linc	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	BMW	Series 3	2007	300	3/17/2008	NO	NO	NO	NO	<p>Block Customer had with BMW on March 11, 2008. at time of release on February 22, 2008. The bug off was not working. Customer was charged for the passenger seat. Customer declined to follow up with dealer and then closed the BMW claim.</p> <p>Available: Customer recommended correct seating position safety after refresh.</p>
4.1418034452	Suburban BMW 3 Series Linc	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	BMW	Series 3	2008	317	8/1/2008	NO	NO	NO	NO	<p>Block Customer had with BMW on August 3, 2008. Customer was in the shop for 4 days. Vehicle was returned on 8/7/08. Customer was charged for the passenger seat. Customer recommended passenger seat replacement. Customer mentioned passenger seat light. Final repair attempt was not made until 10/20/08. Customer was charged for October 20, 2008 and customer was satisfied.</p> <p>Available: The vehicle was working correctly but the claim about airbag was made to support for BMW claim.</p>

Case No.	Customer Name	Address	City	State	Zip	Phone	Date	Amount	Balance	Status	Comments	
0111111111	Customer Name	123 Main St	Chicago	IL	60602	(312) 555-1234	7/18/2008	345	NO	NO	This case was opened and returned as negative. See no initiation chart. Customer filed with BBB on July 3, 2009. Customer contacted us on July 15, 2009. We recently contacted about UCS vehicle was returned on May 22, 2009, before BBB. No further complaints.	
0111111112	Customer Name	456 Elm St	New York	NY	10001	(212) 555-5678	7/15/2009	200	NO	NO	Available Customer filed with BBB on January 15, 2009. Package sale along returned requested when his vehicle was returned on December 15, 2008 and was working as designed. Customer accepted the offer of general payment of \$4,500.00. Available UCS returned as designed.	
0111111113	Customer Name	789 Oak St	Spring	MA	01101	(508) 555-9012	7/14/2007	150	NO	NO	Customer filed with BBB on October 13, 2007. Customer contacted us on October 15, 2007. Inspection 150 being returned. Denial of return is unable to dispense concerns with several different vehicles. The vehicle was returned on October 4, 2007. The inspection revealed the vehicle was working as designed. No amount of repair could be made. Vehicle returned to customer of repair arrangement. Available December 2007 return received issue.	
0111111114	Customer Name	101 Pine St	Phoenix	AZ	85001	(602) 555-3456	10/12/2007	400	NO	NO	Customer filed with BBB on June 18, 2007. Customer stated package sale along would happen when customer's wife 64 in lease. RM in the dealer's name. The vehicle was brought in the dealership on July 12, 2007 for final repair. The vehicle was returned to the dealer for repair. The vehicle was returned to the customer for repair. The vehicle was returned to the customer for repair. Available Customer's size female weight application towards the customer need to inspect vehicle.	
0111111115	Customer Name	202 Birch St	Phoenix	AZ	85002	(602) 555-7890	6/18/2007	140	NO	NO	NO	Available Customer's size female weight application towards the customer need to inspect vehicle.

1372012011351	ARRIVED		3/19/2008	2176	2007		2007														NO			NO
<p>DETAILS: Filed with RIB on March 10, 2008. Customer stated passenger side airbag would depress with customer's seat in seat. Dealer advised that airbag would not deploy. After observation, OES activated passenger air bag. Dealer advised that airbag would not deploy because customer had prior issues with Service OES. No agreed to reimburse the vehicle.</p>																								
1372012011352	ARRIVED		3/19/2008	2176	2007		2007														NO			NO
<p>DETAILS: Filed with RIB on July 19, 2008. Customer had previous issues with "waking up" light. Dealer performed repair on 7/19/08. No further complaints from agent.</p>																								
1372012011353	ARRIVED		7/10/2008	1846	2007		2007														NO			NO
<p>DETAILS: Customer filed with RIB on January 27, 2009. Customer stated problem with engine. Dealer advised that engine would not start. Customer in a higher month while her vehicle was at dealer. Problem was resolved on May 26, 2009. Follow up with customer revealed OES was in dealer. Inspections performed on July 20, 2009 revealed the system was working as designed. No agreed to reimburse the vehicle.</p>																								
1372012011354	ARRIVED		7/27/2009	2302	2008		2008														NO			NO
<p>DETAILS: Reported issue indicated this was an out of position related matter. Vehicle currently exhibited no further complaints. Complaint continued to support for RIB claim.</p>																								
1372012011355	ARRIVED		12/23/2007	1031	2007		2007														NO			NO
<p>DETAILS: Customer filed with RIB on December 26, 2007. Customer stated problem with airbag. Passenger side airbag remained in. Customer had airbag deployed in the seat. No indicated the airbag would not deploy. After several final repair attempts, no and the arbitrator could not resolve the issue. No agreed to reimburse based on dealer's inspection.</p>																								

Insufficient information for analysis.

Case No.	Customer Name	Address	City	State	Zip	Phone	Date	Year	Category	Problem Description
14	[REDACTED]	[REDACTED]	[REDACTED]	MD	21073	410-271-3172	5/1/2007	2007	ES	Customer filed with BBB on June 1, 2007. Customer reported that the vehicle was making a rattling noise from the front end. The inspection conducted on 5/1/07 revealed a loose ball joint. The vehicle was repaired on 5/1/07. Customer stated that the vehicle was repaired and the noise was resolved. The complaint was closed on 5/1/07.
15	[REDACTED]	[REDACTED]	[REDACTED]	MD	21073	410-271-3172	7/6/2008	2007	ES	Customer filed with BBB on February 8, 2008. Customer reported that the vehicle was making a rattling noise from the front end. The inspection conducted on 7/1/08 revealed a loose ball joint. The vehicle was repaired on 7/1/08. Customer stated that the vehicle was repaired and the noise was resolved. The complaint was closed on 7/1/08.
16	[REDACTED]	[REDACTED]	[REDACTED]	MD	21073	410-271-3172	7/11/2009	2007	ES	Customer filed with BBB on July 7, 2009. Customer reported that the vehicle was making a rattling noise from the front end. The inspection conducted on 7/11/09 revealed a loose ball joint. The vehicle was repaired on 7/11/09. Customer stated that the vehicle was repaired and the noise was resolved. The complaint was closed on 7/11/09.
17	[REDACTED]	[REDACTED]	[REDACTED]	MD	21073	410-271-3172	2/6/2009	2008	ES	Customer filed with BBB on February 2, 2008. Customer reported that the vehicle was making a rattling noise from the front end. The inspection conducted on 2/6/09 revealed a loose ball joint. The vehicle was repaired on 2/6/09. Customer stated that the vehicle was repaired and the noise was resolved. The complaint was closed on 2/6/09.

Case No.	Customer Name	DOB	SSN	Address	City	State	Zip	Phone	Case Date	Case Status	Case Type	Case Description
18-04093-2006	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	8/2/2006	NO	NO	<p>Issue: Customer filed with BBB on August 3, 2006. Customer filed a complaint with a supervisor. Customer wants 200 lbs. and customer's daughter wants 100 lbs. Customer's daughter's weight. However, we were unable to duplicate concern. Customer's 100 lbs claim was dismissed due to lack of verification of concern.</p> <p>Analysis: Customer's claim is a matter of opinion. We cannot verify the claim. Customer's daughter's weight is a matter of opinion. We cannot verify the claim. We were unable to duplicate concern. Customer's 100 lbs claim was dismissed due to lack of verification of concern.</p>
18-04093-2006	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	8/2/2006	NO	NO	<p>Issue: Customer filed with BBB on February 9, 2006. Customer stated passenger seat was not working. Customer stated passenger seat was not working. Which seat was not working, system worked. We were unable to duplicate concern. Customer's 100 lbs claim was dismissed due to lack of verification of concern.</p> <p>Analysis: Customer's claim is a matter of opinion. We cannot verify the claim. Customer's daughter's weight is a matter of opinion. We cannot verify the claim. We were unable to duplicate concern. Customer's 100 lbs claim was dismissed due to lack of verification of concern.</p>
18-04093-2006	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	8/2/2006	NO	NO	<p>Issue: Customer filed with BBB on August 3, 2006. Customer filed a complaint with a supervisor. Customer wants 200 lbs. and customer's daughter wants 100 lbs. Customer's daughter's weight. However, we were unable to duplicate concern. Customer's 100 lbs claim was dismissed due to lack of verification of concern.</p> <p>Analysis: Customer's claim is a matter of opinion. We cannot verify the claim. Customer's daughter's weight is a matter of opinion. We cannot verify the claim. We were unable to duplicate concern. Customer's 100 lbs claim was dismissed due to lack of verification of concern.</p>
18-04093-2006	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	8/2/2006	NO	NO	<p>Issue: Customer filed with BBB on August 3, 2006. Customer filed a complaint with a supervisor. Customer wants 200 lbs. and customer's daughter wants 100 lbs. Customer's daughter's weight. However, we were unable to duplicate concern. Customer's 100 lbs claim was dismissed due to lack of verification of concern.</p> <p>Analysis: Customer's claim is a matter of opinion. We cannot verify the claim. Customer's daughter's weight is a matter of opinion. We cannot verify the claim. We were unable to duplicate concern. Customer's 100 lbs claim was dismissed due to lack of verification of concern.</p>

Case No.	Case Name	Year	Make	Model	Color	MPG	MSRP	Invoice Price	Actual Price	Actual Mileage	Actual Date	Actual Status	Actual Description
14-0001-209-2718	2007 Chevy Malibu	2007	Chevy	Malibu	Black	24	18,999	18,999	18,999	0	07/21/2008	NO	<p>FACTS: Customer filed with BBB on July 21, 2008. Customer stated that OCS assigned a dealer when they would fit in best. Dealer performed a test drive on the vehicle. Customer was offered a price of \$13,500.00 for customer's reimbursement. Resolution: \$17,200.00 was refunded to customer.</p>
20-0240742113	2007 Chevy Malibu	2007	Chevy	Malibu	Black	24	18,999	18,999	18,999	0	12/21/2007	NO	<p>FACTS: Customer filed with BBB on December 21, 2007. Customer stated that OCS assigned a dealer when they would fit in best. Dealer performed a test drive on the vehicle. Customer was offered a price of \$13,500.00 for customer's reimbursement. Resolution: \$17,200.00 was refunded to customer.</p>
20-0240742113	2007 Chevy Malibu	2007	Chevy	Malibu	Black	24	18,999	18,999	18,999	0	12/21/2007	NO	<p>FACTS: Customer filed with BBB on November 12, 2007. Customer stated that OCS assigned a dealer when they would fit in best. Dealer performed a test drive on the vehicle. Customer was offered a price of \$13,500.00 for customer's reimbursement. Resolution: \$17,200.00 was refunded to customer.</p>
20-0240742113	2007 Chevy Malibu	2007	Chevy	Malibu	Black	24	18,999	18,999	18,999	0	12/21/2007	NO	<p>FACTS: Customer filed with BBB on November 12, 2007. Customer stated that OCS assigned a dealer when they would fit in best. Dealer performed a test drive on the vehicle. Customer was offered a price of \$13,500.00 for customer's reimbursement. Resolution: \$17,200.00 was refunded to customer.</p>

31	1548649796	Ardenwood BMW Auto Loan	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	2008	423	3/31/2008	NO	NO	NO	NO	NO	NO	NO	NO	NO
								Screen	423	3/31/2008	NO	NO	NO	NO	NO	NO	NO	NO	NO
								Screen	423	3/31/2008	NO	NO	NO	NO	NO	NO	NO	NO	NO
								Screen	423	3/31/2008	NO	NO	NO	NO	NO	NO	NO	NO	NO

NOTE: Customer filed with BBB on 1/15/2008. Dealer had not been able to verify working property. Dealer had not been able to verify VIN number. Dealer had not been able to verify vehicle on file with OS. Dealer requested T/E inspection, which resulted on loan with OS. Customer wished to purchase the vehicle for a private and full payment. Dealer agreed to return the vehicle to the customer with OS. Customer was not satisfied with dealer's response. Dealer's actions were in violation of the Fair Lending Law and the Equal Credit Opportunity Act. Dealer's actions were in violation of the Fair Lending Law and the Equal Credit Opportunity Act.

FACTS: Dealer had not been able to verify VIN number. Dealer had not been able to verify vehicle on file with OS. Dealer requested T/E inspection, which resulted on loan with OS. Customer wished to purchase the vehicle for a private and full payment. Dealer agreed to return the vehicle to the customer with OS. Customer was not satisfied with dealer's response. Dealer's actions were in violation of the Fair Lending Law and the Equal Credit Opportunity Act. Dealer's actions were in violation of the Fair Lending Law and the Equal Credit Opportunity Act.

ANALYSIS: Dealer's actions were in violation of the Fair Lending Law and the Equal Credit Opportunity Act. Dealer's actions were in violation of the Fair Lending Law and the Equal Credit Opportunity Act.

Case No.	Year	Make	Model	Plate	Insured	Class	Category	Amount	Status	Date	Comments
K20734124	2007	Audi	A4	[REDACTED]	[REDACTED]	SR	SR	1015	NO	10/19/2007	Customer filed with SR on March 10, 2009. Vehicle was totaled on 10/19/2007. Customer was unable to replace the covers. The covers were replaced with 2007 covers. The covers were not replaced as the original covers were damaged. Customer was instructed to provide the original covers to the dealer. Customer was unable to provide the original covers. The original covers were not replaced. No further comments.
[REDACTED]	2007	Audi	A4	[REDACTED]	[REDACTED]	SR	SR	1015	NO	10/19/2007	Customer filed with SR on October 19, 2007. Vehicle was totaled on 10/19/2007. Customer was unable to replace the covers. The covers were replaced with 2007 covers. The covers were not replaced as the original covers were damaged. Customer was instructed to provide the original covers to the dealer. Customer was unable to provide the original covers. The original covers were not replaced. No further comments.

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ATTACHMENT FOR RESPONSE TO REQUEST NO. 16(f)

VEHICLES THAT HAVE HAD SERVICE CAMPAIGN COMPLETED

1. VOQ No. 10201075, 8/28/07, (VIN: KNDJC736X75 [REDACTED]), 07 Sorento

"... the passenger side airbag deactivation sensor deactivates the airbag more than 50% of the time when an adult occupies the seat. I have reported this issue to my dealer 3 times and the service manager tells me that there is nothing they can do because there is not 'fix' from the factory. He also told me that he is not aware of anyone else having this problem. . . ."

Customer contacted CA on June 27, 2007. The service manager told the writer that when the FTR sat in the seat, the light went off and then suddenly turned back on. Customer made no further contact to the CA department regarding this issue. The service campaign was completed on 8/6/09.

Analysis: This complaint was received during the period of time that information was being accumulated about the issue and the need for the use of a proper seating position. The absence of further complaints or repairs indicates that proper seating resolved the issue.

2. VOQ No. 10234685, 7/17/08, (VIN: KNDJD736175 [REDACTED]) 07 Sorento

"The passenger side airbag sensor malfunctions intermittently on my 2007 Kia Sorento. There are times when a normal sized person is seated properly, but the airbag sensor indicates the airbag is not activated. Previously, if I restarted the car with the passenger seated the issue was corrected, but I have since encountered times when restarting the car does not fix the problem. . . ."

Customer first contacted CA on 6/5/08 indicating that she had to restart vehicle to get OCS light to work properly. On 7/10/08, the vehicle was reflashed. Customer and DPSM sat in the passenger seat and the system operated as designed. There was no further contact from customer to CA regarding OCS issues. SC076 Campaign also completed 6/10/09.

Analysis: Intermittent issue indicates this is an out of position occupant issue. One on one reflash by DPSM in July 2008 resolved issue.

3. VOQ No. 10212064, 12/17/07, (VIN: KNDJC736775 [REDACTED]), 07 Sorento.

"On November 17, 2007 I purchased a Kia Sorento SUV. Since that date, the passenger seat airbag is disabled all of the time when my wife is sitting in the passenger seat. Other adults who weigh more will allow the light to go out, but never for my wife . . . My wife is an average adult who weighs enough that the airbag disabling feature should turn off when she sits in the seat."

CA report indicates that in early February 2008, DPSM could not duplicate customer's concern. DPSM sat in seat all different ways. In late February, customer stated "it seems to be going off the majority of the time since I got it back after the Regional re looked at it. . . it is working

better." No further contact by customer to CA department. SC076 Campaign also completed on 6/15/09.

Analysis: Problem was unique to wife which indicates this was due to the wife's seating position. DPSM appears to have reflashed and resolved in February 2008.

4. VOQ No. 10201724, 9/3/07, (VIN: KNDJD736075 [REDACTED]), 07 Sorento

"Our 2007 Kia Sorento has a problem with the passenger airbag system. This is my wife's car and I ride as a passenger. When I ride 75% of the time the airbag light will not go off We have noticed many things that will correct this and also make it happen. One thing is it normally happens after the car has been left off for awhile. The airbag light may go off are [sic] you start the car but when you shift it into gear it pops on. You can also get it to come on sometimes when you remove your seatbelt. You can sometimes correct the problems but shutting off and resarting the car. Now this a very annoying problem and a erratic issue. . . The Kia dealer here is really no help as when we took it in the service manager said 'show me the problem' but of course we could not reproduce it at that time. . . We have not taken it in as we have lost confidence in the Kia technical staff as to there capabilities of repair. I should say we first bought a 06 Sorento and had it in the dealership for 5 weeks out of the 7 weeks, we owned it and traded it in for the 07 trying to give Kia a change to redeem for all the problems before."

There is no record that customer contacted the CA department regarding this issue. The vehicle was reflashed on 4/18/08. The SC076 Campaign also completed on 5/28/09.

Analysis: The intermittent nature of the complaint indicates that this is an out of position issue. Reflash in April 2008 appears to have resolved the issue.

5. VOQ No. 10198364, 8/3/07, (VIN: KNDJD736875 [REDACTED]), 07 Sorento

"Purchased a new 2007 Kia Sorento on 3/30/07. Left the dealership with the passenger side airback [sic] disconnect light on with an adult sitting in the seat. Have taken the car into two different dealer service departments and they have refused to address this safety issue. Reported problem to a Kia USA consumer affairs and no action has been taken other than refer us to another dealer for service. A service manager I spoke with said this was a 'known problem' with the 06 and 07 Sorento but that the company could not 'reproduce a hard error'. The service manager went on to tell me that there are sensors in the seat cushion and seatback and that a passenger has to sit in the seat in a particular way in order for contact to be made properly. The manager went on to say that he had seen a lot of 06 and 07 Sorentos with this problem and was waiting on Kia to take action. Other than pursue the lemon law process, what other recourse does a consumer have with a clear engineering defect of a key safety issue?"

On 7/5/07, customer contacted CA department and stated he had taken the vehicle to the dealership on 3 different occasions and the problem could not be duplicated. Customer stated the airbag light issue occurs 20% of the time. No further contact was made by the customer. SC076 Campaign completed 5/18/09.

Analysis: Infrequency of occurrence indicates that this was an out of position seating issue, and absence of further complaints after August 2007 indicates that it was resolved by the customer, presumably by adjusting seating position.

6. VOQ No. 10234196, 7/14/08, (VIN: KNDJC736275 [REDACTED]) 07 Sorento

"2007 Kia Sorento passenger side airbag indicates off with adult in front seat."

SC076 Campaign completed on 6/24/09.

Kia contacted the customer and determined that the Service Campaign had been conducted. She identified the problem as being intermittent. Customer also stated that people rarely sit in the passenger seat, but was concerned as to what would happen if she were sitting in the passenger seat and her husband was driving, since she only weighs 120lbs. No record of customer contacting the CA department regarding the airbag light issue.

Analysis: The intermittent reference indicates that an out of position seating issue was involved. Additional comments indicate that this may have been a one time issue which remained in the customer's thoughts as a potential problem due to her lighter weight.

7. VOQ No. 10213071, 12/28/07 (VIN: KNDJD736275 [REDACTED]) 07 Sorento

"... When the passenger is in the passenger side front seat, the airbag light remains illuminated and the system indicates that the airbag is off. The dealer reprogrammed the airbag sensor, however the failure was not corrected. The vehicle is currently at the dealer and they will replace the bottom of the passenger seat. The contact was given a 2008 Sorento as a loner vehicle and it has the same failure. The manufacturer stated that the law required them to install a new airbag system for children. They are having problems with the program and have received numerous complaints. The current mileage was 5,000 and failure mileage was 1,000. Updated 1/29/08. The consumer stated there were two other vehicle with the same defect.

According to the CA report, on 3/11/08, customer stated that he has not had a problem with the airbag since the reflash was done. SC076 Campaign also completed 7/3/09.

Analysis: The presence of the same problem in a second loaner vehicle indicates that this was an out of position issue related to a particular person, who was not identified. The March 2008 reflash resolved the issue.

8. VOQ No. 10210416, 11/30/07 (VIN: KNDJD736775 [REDACTED]) 07 Sorento

"When driving vehicle, passengers airbag remains in the off position when my wife is seated as a passenger, but I ride as passenger the airbag is on. (Sometimes it works and others it does not)."

Customer did not complain to the CA department about an issue with the airbag light. Campaign also completed 5/28/09.

Analysis: The intermittent nature of the problem and its relationship to his wife indicates that it was an out of position issue with his wife, which was resolved without a repair.

9. VOQ No. 10220294, 3/6/08, (VIN: KNDJC736375 [REDACTED]) 07 Sorento

" . . . While driving 30 mph, the airbag light would not dim. The contact switched places with the person in the passenger seat, but the light still would not dim. The dealer stated that he had to wait for a technician who specialized in airbags. He called Kia and they issued case number 1421419. The Kia representative called back and stated that they could not repair the vehicle because they did not have the proper tools. The case was escalated to the supervisor. The purchase date was unknown. The current mileage was 7,500 and failure mileage was approximately 7,400. Updated 3/19/08."

A reflash was performed on the vehicle on 3/7/08. No further contact was made by the customer. SC076 Campaign also completed on 7/9/09.

Analysis: The sudden onset of the problem at 7400 miles and its connection to two different people at the same time is unusual. Insufficient information. The March 2008 one on one reflash resolved the issue.

10. VOQ No. 10263991, 4/2/09, (VIN: KNDJC736875 [REDACTED]) 07 Sorento

"The passenger airbag sensor in the vehicle is poorly designed and will frequently disable the front passenger airbag while an adult passenger is riding in the proper manner, as displayed by the vehicles owner manual. Moreover, the airbag sensor does not continuously monitor the passenger after it has determined that the airbag should be off—The only way to reset the airbag is to have the passenger lift themselves off of the seat (while remaining buckled) for over 2 seconds. Even turning the vehicle off, removing the key, and turning the vehicle back on does not work very reliably—resetting the sensor ~35% of the time. The airbag sensor on the vehicle is a known issue (TSB#KT2008022001), and repeated calls to service centers re-enforce that the manufacturer has no intentions of issuing a recall or even a simple software update to remedy the problem. Instead, they instruct that the service members find a 'sufficiently large' mechanic, instruct them to sit in the seat to ensure that the device works correctly. Obviously, if you significantly exceed the minimum weight, the sensor works correctly. However, I've had the problem with adult passengers with weights ranging from 120-170lbs and consider it to be a safety issue."

We have no record of customer contacting Kia's CA department. It is also unclear why the complaint appeared so late in his ownership. SC076 Campaign completed on 5/21/09. On 8/31/09, we contacted the customer and he stated that the system is working a lot better. 75% of the time the system works perfect. 25% of the time one needs to tinker with it (i.e., occupant has to lift their body off of the seat for a couple seconds and get it to reset).

Analysis: The customer's focus on "resetting" the computer makes this difficult to follow. However, the Service Campaign has satisfied his concerns.

11. VOQ No. 10207076, 10/27/07, (VIN: KNDJC736975 [REDACTED]) 07 Sorento

"The airbag actuation system is design defective, at least from my point of view, in that it does not always become active when a passenger is sitting in it. I have had passengers from 105lbs to 315lbs, and sometimes the system is active and sometimes not. I have been advised by Kia service that the 8" bladder in the seat, which activates the system for deployment in the event of an accident, is sensitive to where and how the passenger sits in the seat. If they don't sit in jus [sic] a certain manner, the system does not activate. This is a major safety item and has an immediate urgency to have Kia remedy this. In the event of an accident and the bag does not deploy for the passenger due to this problem, I most definitely will be in court with Kia.

Customer contacted the CA department on 10/15/07 and indicated his airbag light worked intermittently. Customer made no further contact with CA department. SC076 Campaign completed on 7/20/09.

Analysis: The intermittent nature of the problem indicates that it was related to an out of position issue which was resolved without a repair.

12. VOQ No. 10250419, 12/1/08, (VIN: KNDJC736775 [REDACTED]) 07 Sorento

". . . [T]he airbag indicator illuminates while the passenger seat is occupied. The vehicle has been taken to the dealer approximately four times; however, the contact believes that the failure has not been repaired. The dealer stated that they needed to order a part for the third time. . . ."

Customer first contacted the CA department about this issue in early December 2008. That same month the vehicle was reflashed. No further contacts from customer after reflash. The SC076 Campaign also completed 8/21/09.

Analysis: Insufficient information. December 2008 reflash resolved the issue.

13. VOQ No. 10240311, 8/30/08, (VIN: KNDJC736875 [REDACTED]) 07 Sorento

"I lease a 2007 Kia Sorento with 8700 miles on it. The problem that I can't get resolved through the dealer or with Kia's customer service is the passenger airbag doesn't always work. They say we like to complain, but I don't want to take a chance of being an accident and hope the airbag will deploy. This is a very big safety issue! The 1st time my husband (who has worked as a mechanic for 15 years) took it to the dealer he was told we weren't the only complaining but as soon as the seat softened up it would start work. 10 months later it still isn't working. The second time we took it back they said there wasn't anything wrong with it. The service report says the switch is 'fickle' but they don't call that a malfunction. How do I know the airbag will deploy if the light says its turned off? They said we need to move around in the seat by bouncing on it, sitting in the seat more, move the seat forward or backwards to find the right spot for the airbags to work. I shouldn't have to and it doesn't make a difference anyhow! The 3rd time was to a different dealer because the car became inoperable due to a major electronic problem and had to be towed. They had my car for almost 2 weeks and said they found some codes and replaced the switch. It still isn't working. I was going down interstate with my 160lb

son and an hour into the trip we noticed the airbag switch said airbag turned off. I had to pull over turn the off, have him get out, turn the car back on, have him get back in, before the airbag would turn on. I was in the city for an appt. this week and before I left the hospital parking lot, the airbag switch turned to off. We had to shut the car off, and restart it. The switch would say, airbag turned on, drive 15 feet, and now says off. Turn car off, get out, restart car, get in, airbag on, drive 20 feet, airbag off. We do this 3 or 4 times before switch says airbag on and stays on. Can you put pressure on them to help us out?"

Customer was scheduled for the reflash on 9/9/08. There was no further contact by the customer to the CA department regarding any OCS issues. SC076 Campaign also completed 7/30/09.

Analysis: The intermittent nature of the problem indicates that it was related to an out of position issue. The absence of further complaints indicates that the September 2008 reflash resolved the issue.

14. VOQ No. 10259657, 2/23/09, (VIN: KNDJD736475 [REDACTED]) 07 Sorento

"The sensor for the passenger airbag is nor [sic] working reliably. Most of the time it either does not detect my wife at all or, while I am driving, it suddenly signals that the passenger airbag is off, even though she is still seated. When it does not detect her, the sign "passenger airbag off" is lit. There is no problem when I (210 pounds) sit on the passenger side, only for my 148 pound wife. I am afraid that our 2007 Sorento will not be capable of performing a possibly lifesaving act in the case of an accident. As a passenger, she is unprotected. A friend of ours has a 2008 Sportage that also has a sensor for the airbag in the passenger seat cushion and there it works every time my wife gets in the car. We have visited our local dealership several times; having the program reflashed three times and even the seat cushion was replaced with a new one with a new sensor. Unfortunately, the problem was never resolved. Our dealership informed us after our last visit that they have done all they can do."

Vehicle purchased as a used vehicle. No complaints from prior owner. On 1/26/09, service manager noted that the OCS always works for the dealer but verified the light on when wife is sitting in the seat. On 6/16/09, FTR inspected vehicle and OCS was functioning properly. Three days later, customer stated light came on again. On 7/7/09, Kia sent customer offer to repurchase vehicle. No further contact from customer.

Reflash done on 10/10/08 and passenger seat cushion replaced on 1/23/09. SC076 also completed on 6/16/09.

Analysis: The problem is related to the owner's wife and is not a general problem. Reflash did not resolve issue in October 2008. Situation is unusual because of the persistence of the complaint combined with the customer's lack of interest in taking Kia's repurchase offer. Unclear what is happening.

15. VOQ No. 10257211, 2/2/09, (VIN: KNDJD735885 [REDACTED]); 08 Sorento

". . . The contact started the ignition and suddenly the airbag warning indicator illuminated on the instrument panel. . . The failure occurred whenever an occupant was seated in the front

passenger seat. The vehicle was taken to an authorized dealer for diagnostic testing and they stated that the failure was related to the airbag sensor. The airbag sensor and pad were replaced and the vehicle was taken to the authorized dealer on three separate occasions for identical failures; however, there were no resolutions. The manufacturer is aware of the failure and an engineer conducted an inspection on the vehicle. The airbag sensor was reprogrammed; however, the failure continued. The vehicle has not been repaired. . . ."

On 1/7/09, customer brought vehicle to dealer. When customer's wife sat in the vehicle, the light stayed on, however, when service manager (also a woman) sat in the vehicle, the light turned off. The vehicle was previously reflashed.

SC076 Campaign also completed on 5/29/09. On 6/5/09 Kia offered to repurchase the vehicle. Beyond OCS light staying on, other complaints included power loss and stalling.

Analysis: The appearance of this complaint after long use is not consistent with the typical claim. Similarly, the vehicle was reflashed and it had no impact on the situation. Kia's belief is that either the woman was an extreme body shape or she had learned how to make sure the light went on, since a litigation and repurchase motive is indicated. The prior history of OCS complaints is easily identifiable on the internet.

16. VOQ No. 10228643, 5/22/08, (VIN: KNDJD735X85 [REDACTED]) 08 Sorento

". . . The contact noticed that the airbag warning light was illuminated on the instrument control panel, which indicated that the passenger side airbag was inoperative. A representative from the dealer stated that they could not remedy the failure because the parts were unavailable for the software. They would also have to wait for a subject matter expert to repair the vehicle. The contact called the manufacturer and they stated that they were waiting for a response. The failure and current mileages were 15,557. Updated 6/25/08, the consumer stated that passenger side airbag sensor was repaired." [emphasis added]

On 5/22/08, customer contacted the CA department and was satisfied with the reflash and stated airbag light had not come back on. SC076 Campaign was also completed on 5/15/09.

Analysis: Appearance of issue at 15,000 miles does not fit a logic issue pattern. Still, reflash in May 2008 resolved the issue.

17. VOQ No. 10269468, 5/20/09 (VIN: KNDJD735285 [REDACTED]) 08 Sorento

". . . Whenever an occupant is seated in the passenger seat, the airbag light illuminates, which indicates that it is not engaged nor working properly. The failure was noticed while driving at any speed. The vehicle has been taken to the dealer on two occasions. The first time, the mechanic stated that other consumers were experiencing the same failure. The contact was informed that movement in the seat will usually engage the airbags. The dealer did not offer a remedy at this time. A week later, the vehicle was taken back to the dealer and they stated that it was unsafe to sit in the vehicle. The airbag light will dim once the vehicle has been restarted a few times. The service manager called and stated that a recall was issued for this failure. The NHTSA Campaign ID Number was unable to be located."

Customer did not contact the CA department with any OCS complaint. The SC076 Campaign was completed on 06/02/09. Customer attorney sent litigation letter 7 days later.

Analysis: According to the customer, this is a 100% failure situation, in which case it would not be related to the OCS logic.

18. VOQ No. 10236722, 8/2/08, (VIN: KNDJD735885 [REDACTED]) 08 Sorento

"Just purchased a brand new 2008 Kia Sorento. The passenger side airbag only activates 50% of the time when a passenger is in the seat. Took vehicle to dealer and dealer could not replicate the problem. Returned vehicle to dealer a 2nd time with a passenger seated in the seat and the airbag was not activated. The service manager actually witnessed a 150lb passenger properly seated in the seat and the airbag was not activated. They kept the vehicle 5 additional days. They ran diagnostics and contacted Kia. Kia would not authorize a repair since all the diagnostics passed even though the service manager personally witnessed it not working. The dealer states that Kia refuses to acknowledge a known problem with the passenger seat airbag sensor."

On 8/05/08, DPSM indicated that dealer had been unable to duplicate concern even with testing different individuals. DPSM testing every size individual he could find and not one did the light go off. There were no codes stored or pending. No further customer contact to the CA department since 8/2/08. SC076 Campaign completed on 6/2/09.

Analysis: The intermittent nature of the complaint indicates that this is an out of position issue. The absence of further complaints or repairs indicates that proper seating resolved the issue.

19. VOQ No. 10218297, 2/8/08, (VIN: KNDJC735X85 [REDACTED]) 08 Sorento

"2008 Kia Sorento faulty passenger airbag. Consumer states that the airbag works intermittently. Consumer states that it does not work when his father is in the vehicle. The wiring connection was loose and the sensor was reset on the first visit. The second time, the dealer stated they would have to order a cushion to replaced the passenger side seat because the sensor was in the cushion."

On February 15, 2008, customer's vehicle was reflashed. Subsequent complaints pertaining to the illumination of the airbag warning light could not be duplicated by dealer. Customer later asserted many additional complaints and filed warranty lawsuit which was settled for \$5,000.

Analysis: Intermittent issue indicates this is an out of position related matter. Kia believes that this vehicle was correctly reflashed in February 2008 but the complaints continued as support for his lawsuit.

VEHICLES THAT HAVE NOT HAD SERVICE CAMPAIGN COMPLETED

20. VOQ No. 10208491, 11/9/07, (VIN: KNDJD736X75 [REDACTED]) 07 Sorento

"... The passenger side airbag light illuminated intermittently when an occupant was in the seat. The dealer stated that the OCS "Occupant Classification System" malfunctioned. The

dealer replaced the seats and sensors; however, the failure still occurred. The failure mileage was 20 and current mileage was 5,600."

Customer's vehicle was reflashed in May 2008. On May 22, 2008, customer stated that "everything is working great". We contacted this customer and she informed us that she had traded in her Sorento. The new owner received the service campaign notice, but as of September 21, 2009 had not taken the vehicle in to have the campaign completed.

Analysis: Limited information for analysis. May 2008 reflash resolved the issue.

21. VOQ No. 10191370, 5/21/07, (VIN: KNDJC736175 [REDACTED], 07 Sorento

"... The failure mileage was 18 and the current mileage was 1000. The passenger airbag light will stay off when there is an adult in passenger seat. The dealer is unable to diagnose the problem."

CA states customer's airbag light concerns were intermittent in nature and could not be duplicated. On 8/29/07 the vehicle was reflashed and on 9/7/07 customer confirmed OCS light was functioning properly. Customer much later complained of the airbag light coming back on intermittently. Kia agreed to trade customer's vehicle for another 2007 Sorento. According to Kia's records, the campaign notice was sent to the new owner of the vehicle and the SC076 service campaign has not been completed.

Analysis: Intermittent problem indicates that this is an out of position issue. The return of the intermittent problem after the reflash is highly unlikely. Some element of desire for a new vehicle must be considered. Based on subsequent lack of complaints from the new owner, it appears likely that the August 2007 reflash resolved the issue.

22. VOQ No. 10189448, 5/1/07, (VIN: KNOJD736475 [REDACTED], 07 Sorento.

"I bought a 2007 Kia Sorento a month ago. It has a passenger sensor in the seat that activates the airbag on the front passenger side. If a child or passenger who doesn't meet the weight requirement sits in the seat it will deactivate the airbag. Problem is that the sensor isn't working for passengers who meet the weight requirement. The airbag is deactivated and therefore the safety feature that is the airbag is no longer there to protect the front passenger and there is no way to override that feature. I asked the service guy at the Kia dealership and he said there's nothing they could do. The front passenger airbag hasn't been working since I bought it."

Customer contacted the CA department and stated that airbag light issue is intermittent. Customer stated "the way that I sit may not be right but I feel that the airbag should be active". Customer was told to take vehicle to a dealer to have the vehicle inspected. There is no record that the inspection was completed. On 8/25/09, we contacted the customer and she confirmed that she had received the notice for SC076 but had not had time to get her vehicle in. She also stated that she was due for an oil change and would take the vehicle in soon. As September 21, 2009, Ms. Price had not taken her vehicle to have the service campaign completed.

Analysis: NHTSA complaint was of a 100% problem but complaint to Kia CA was for an intermittent issue. Lack of interest in followup between May 2007 and now, and her lack of interest in Service Campaign indicates that the issue has been resolved either through an undocumented reflash or by having adjusted to the proper seating position.

23. VOQ No. 10210475, 12/1/07 (VIN: KNDJD736375 [REDACTED], 07 Sorento.

"I bought a new 2007 Kia Sorento on 11/1/07 from Banner Kia in Mandeville, LA. With my wife in the passenger seat (125lbs) the airbag remains illuminated indicating that the airbag in [sic] inoperable. The vehicle was returned to the dealer and the technicians supposedly fixed the problem. Enroute home, the light came on again. The dealer then supposedly recalibrated a sensor and the light stayed out. Now my daughter who weighs 117 lbs will not put the light out to put the airbag in service. Have you had similar complaints on Kia vehicles? I am beginning to think that the dealership technicians are not capable of making my vehicle safe. Any suggestions?"

Customer contacted Kia's CA department on the same date as call to NHTSA. Customer was supposed to take the vehicle to a dealership to have it looked at. There is no further record of action by the customer. In August 2009, we contacted the customer's wife and she stated that they had received the service campaign notice. Customer indicated she will try to get the car to the dealer. As September 21, 2009, customer had not done so.

Analysis: In spite of complaints, customer showed no interest in following through on the stated concerns. The local inference is that the issue was resolved by an adjustment in seating position.

24. VOQ No. 10196225, 7/12/07, (VIN: KNDJC736675 [REDACTED], 07 Sorento

"... The contact stated that the airbag sensor for the front passenger seat works intermittently. The dealer was unable to diagnose the cause of failure. The current mileage is 900 and failure mileage was 50."

Customer had taken car to dealer two times for airbag light issue. Service manager stated that the issue could not be duplicated. Customer asserted numerous problems with car, including allegations of tear in front seat, broken sun roof, warped rotors. We contacted Ms. Johnson on 8/20/09. She had received the notice but had not taken vehicle to get repaired. As of September 21, 2009, Ms. Johnson had still not had the service campaign completed.

Analysis: The intermittent nature of the complaint indicates that this is an out of position issue. The absence of further complaints or repairs, including lack of completion of service campaign indicates that proper seating resolved the issue.

25. VOQ No. 10235319, 7/22/08 (VIN: KNDJD736775 [REDACTED], 07 Sorento

"... Three days after purchasing the vehicle, the airbag light illuminated, which indicated that the passenger side airbag was deactivated. While driving between 40-45mpg, the vehicle hesitated and jerked. When the vehicle is stopped at a stop sign or a red light, the exterior lights shut off. The contact has had to strike the dashboard in order to get the air conditioning to

work. In addition, none of the windows will roll down. The blinkers, turn signal, and cruise control do not work. After owning the vehicle for ten months, the alternator had to be replaced and it currently needs to be replaced again. The rails to step up into the vehicle had to be replaced twice. During a crash with a deer, both the driver's and passenger side airbags failed to deploy [sic] and the seatbelts did not work. As a result, the passenger sustained a broken arm. On two occasions, when the vehicle was taken to the dealer, the contact was informed that the tires needed to be rotated and aligned. On the third occasion, she was informed that the vehicle was out of warranty. Since owning the vehicle, she has been to the dealer several times with many complaints, but they have never made any repairs. A Hyundai inspector stated that the entire vehicle was out of specifications. The failure mileage was 600. Updated 9/23/08.

The vehicle was reflashed in December 2007 and customer indicated that the vehicle was functioning properly. Customer made no further airbag light complaints. Customer has not completed the SC076 Campaign.

Analysis: This is a broad blast shotgun series of complaints indicates some additional issues were involved. In any case, December 2007 reflash resolved her OCS issue.

26. VOQ No. 10207765, 11/2/07, (VIN: KNDJD736675 [REDACTED] 07 Sorento

"... The contact stated that the airbag light was illuminated on the front passenger side, which indicated the airbag was off. He took the vehicle to the dealer and they replaced the sensory module and the entire passenger seat. Ten days later, the airbag light illuminated again. The vehicle was taken back to the dealer and they were unable to determine the cause of the failure. They stated that ten percent of their vehicles were having the same failures. The manufacturer was unable to provide any assistance. The current and failure mileages were 117."

The vehicle was reflashed on 1/9/08. The reflash was successful and customer had no additional problems. As of September 21, 2009, this vehicle had not had the service campaign completed.

Analysis: Details of issue are unclear. January 2008 reflash resolved the issue.

27. VOQ No. 10261142, 3/9/09, (VIN: KNDJD735885 [REDACTED] 08 Sorento

"Passenger airbag light will not turn off when passenger sits in seat. Meaning the airbags will not deploy if an accident occurs. This has been happening intermittently since December 2008. The first documented time was January 2009 and has been documented five times. The only attempt to repair was to update the computer chip, which did not work. We have been told by the dealer that they will not repair this problem, which to me is a major safety issue."

Customer's first contact with the CA department was 3 days following contact with NHTSA. The vehicle was subsequently inspected on multiple occasions and customer's concern could not be duplicated. Vehicle was reflashed on April 13, 2009 and the system functioned as designed. There is no record of customer having completed the SC076 service campaign.

Analysis: Late appearance of issue is not consistent with an actual logic issue problem. Also noted that no duplication of the problem was successful. This is possibly an internet induced concern. In any case, April 2009 reflash resolved the issue.

28. VOQ No. 10234813, 7/18/08, (VIN: KNDJD735485 [REDACTED]) 08 Sorento.

"... While driving at any speed, the passenger side airbag light would remain illuminated regardless if a passenger was seating [sic] in the seat. The vehicle has been diagnosed by the dealer on three different occasions, but the failure still occurs..."

Vehicle was reflashed on 7/30/08. Customer confirmed that the vehicle appeared to be fixed. No further contact made by customer to CA regarding the OCS issue. Customer has not had the service campaign completed.

Analysis: Insufficient information for analysis. July 2008 reflash resolved the issue.

29. VOQ No. 10218892, 2/22/08, (VIN: KNDJD735485 [REDACTED]) 08 Sorento

"... While driving 35mph, the contact experienced automatic transmission failure and took the vehicle to the dealer. The dealer offered no assistance, so the contact took the vehicle to another dealer on January 21, 2008. Two mechanics test drove the vehicle and acknowledged the failure; however, they needed to order the codes to make the repair. As of February 22, 2008, the dealer has yet to call the contact to schedule the repair work. The dealer informed her that the vehicle had to get used to the way she drove and that there was no failure. The contact also stated that there was an issue with the passenger side airbag. The dealer informed her that she had to sit in the vehicle a certain way. The contact stated that no matter how she sits, the light remains illuminated. The power train was unknown. The current mileage was 4,020 and failure mileage was 100."

Reflash was subsequently performed on vehicle on about March 6, 2008. Customer later traded her vehicle for a 2009 Kia Sportage in May 2009 due to transmission and vehicle shudder issues. Service campaign has not been completed on this vehicle.

Analysis: This is the only customer whose vehicle was manufactured between July 26 and November 27, 2007 who complained to NHTSA. Inclusion of transmission and shudder issues makes this difficult to analyze. The reflash in March 2008 resolved her issues.

OUTSIDE PRODUCTION RANGE

30. VOQ No. 10248575, 11/12/08, (VIN: KNDJD735885 [REDACTED]) 08 Sorento

"... On the evening I bought the car, I was sitting in the passenger side and the airbag light came on stating that the airbag was off. I have taken it to the dealership and they said there is a nationwide backorder for the part and not to allow anyone to sit in the front seat. This was a month ago. They still cannot get the part. I will be taking it to the dealership this Friday to see if they can reset the computer. They said they have had a lot of complaints on this problem."

This vehicle was manufactured after 11/27/07. Kia has no record of customer contacting the CA department due to airbag light concerns.

Analysis: This is a vehicle which did not have a logic reflash issue and there were no parts on order or back order. Combined with the lack of contact, Kia believes that this may be an internet generated concern call.

31. VOQ No. 10269671, 5/22/09 (VIN: KNDJC735585 [REDACTED]); 08 Sorento

"Passenger airbag light will not go off. I have taken it to dealership 2 times and they said they have fixed the sensor. It is still not fixed. I have seen on a few forums (i.e., Edmonds.com) that it has been an issue and it is not getting resolved. I am concerned for my passengers safety."

This vehicle was manufactured after 11/27/07 and thus did not have a logic issue. Vehicle was reflashed on 5/19/09 as a goodwill gesture. Customer brought vehicle back on 5/26/09. Seat cushion assembly replaced. On 6/1/09, customer stated the vehicle has been working properly.

Analysis: Kia believes this is an internet generated complaint for a vehicle without a problem. The fact that the customer was lonely satisfied after having an object – the seat cushion replaced – tends to support that view.

NO DATA

32. VOQ No. 10208998, 11/15/07, (VIN: Unknown), [REDACTED] 07 Sorento

"Passenger side airbag off light illuminates even when a grown adult is sitting in the seat. The owner's manual states and the service dept at the dealership agree that if a 150lb adult is in the passenger seat and the off light is illuminated, the airbags will not deploy. The adult can be sitting straight up in the seat with feet in [sic] the floor in front of them and the off light is on. The service manager said they cannot fix this, it is a problem. The corp. office should issue a recall because obviously the sensors are not properly located. What good is an airbag if it won't deploy when needed."

No contact. Vehicle and customer not identified.

Analysis: None possible.

VOQS OUTSIDE SCOPE OF THIS INVESTIGATION

33. RIO: VOQ No. 10225345, 4/22/08, (VIN: KNADE123976 [REDACTED])

"Airbag sensor light on passenger side of 07 Kia Rio was on after repairs from an accident. Took to Kia of Conyers for diagnosis. Almost a month later, my car is still at the dealership. It was determined that it was a warranty issue which I am reporting in case more people have this same problem. Safety is my main concern."

This VOQ is a complaint for the Rio, not Sorento, and thus is not applicable to this investigation.

34. SPECTRA: VOQ No. 10213408, 1/2/08 (VIN: Not provided by Customer); Denny Weidner, 07 Spectra

"Passenger side airbag light does not go off every time a passenger is sitting in seat, which will not let airbag deploy."

On 8/31/09, we contacted customer and he indicated that he does not own a 2007 Sorento and that his complaint to NHTSA was for his Kia Spectra.

35. OPTIMA: VOQ No. 10207638, 11/1/07, (VIN: KNAGE123375 [REDACTED]) 2007 Optima

"2007 Kia Optima passenger airbag will not in gage win in set. Does not happen all the time. Airbag light tells you when it is not on. Kia has replaced set did not fix the problem. Been told by Kia that not sitting in the seat right. It happens with all types of passengers, but dose not happen all the time. Kia has said that we need to have seeting lessons. We have video tapes and pictures of this, plus witness of this happing. I feel I am driving an unsafe car. Please help me."

This VOQ is a complaint for the Optima, not Sorento, and thus is not applicable to this investigation.