



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

JAN - 9 2014

1200 New Jersey Avenue SE.  
Washington, DC 20590

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Robert Babcock, Director  
Certification and Compliance Affairs  
Hyundai-Kia America Technical Center, Inc.  
6800 Geddes Road  
Superior Township, MI 48198

NVS-212mjl  
RQ13-004

Dear Mr. Babcock:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Recall Query (RQ13-004) to investigate the potential for the detachment of a metal support bracket (or stiffener) from the headliner assembly during a side curtain air bag deployment in model year (MY) 2009-2012 Hyundai Elantra Touring vehicles. This letter requests certain information from Hyundai-Kia.

This investigation focuses on the MY 2009-2012 Hyundai Elantra Touring vehicles equipped with a headliner stiffener design/layout and built with a headliner manufacturing process similar to that of the previously-recalled MY 2011-2013 Hyundai Elantra vehicles (reference ODI recall 13V-115 and investigation EA12-008). Our understanding is that these vehicles, as well as certain earlier model year Elantra Touring vehicles and certain sunroof-equipped Hyundai Veracruz vehicles, were originally equipped with headliners containing stiffeners without adhesive strips applied over the stiffeners.

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

- **Subject vehicles:** All model year (MY) 2007 through 2012 Hyundai Elantra Touring vehicles and MY 2007 through 2013 Hyundai Veracruz vehicles equipped with optional, original equipment sunroofs, manufactured in Korea for sale or lease in the United States, including but limited to, the District of Columbia, and current U.S. territories and possessions. In addition to these vehicles, the subject vehicles also include all other model year Elantra Touring and Veracruz vehicles equipped with a headliner support bracket design and layout identical or similar to the above-mentioned Elantra Touring and Veracruz vehicles.
- **Subject component:** Headliner assembly including the metal support brackets or stiffeners attached to the headliner and located along the longitudinal direction of the



vehicle and adjacent to the side curtain air bag assembly on the driver side and the passenger side.

- **Hyundai-Kia:** Hyundai-Kia America Technical Center, Hyundai Motor Company, Hyundai Motor America, 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 Hyundai-Kia (including all business units and persons previously referred to), who are or, in or after 2005, 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:** Any detachment, separation, looseness, or displacement of the metal support bracket or stiffener from the headliner assembly associated with a side curtain air bag deployment, or any improper deployment of the side curtain air bag.
  
- **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 Hyundai-Kia, 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 Hyundai-Kia 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 Hyundai-Kia has previously provided a document to ODI, Hyundai-Kia 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 Hyundai-Kia's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model and model year, the number of the subject vehicles that Hyundai-Kia has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Hyundai-Kia, state the following:
  - a. Vehicle identification number (VIN);
  - b. Make;
  - c. Model;
  - d. Model Year;
  - e. Date of manufacture;
  - f. Date warranty coverage commenced; and

- g. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2010, or a compatible format, entitled "PRODUCTION DATA."

2. Separately, by model, state the number of each of the following, received by Hyundai-Kia, or of which Hyundai-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;
  - d. Property damage claims;
  - e. Third-party arbitration proceedings where Hyundai-Kia is or was a party to the arbitration; and
  - f. Lawsuits, both pending and closed, in which Hyundai-Kia is or was a defendant or codefendant.

For subparts "a" through "f," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Hyundai-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.

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. Hyundai-Kia's file number or other identifier used;
  - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
  - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
  - d. Vehicle's VIN;
  - e. Vehicle's make, model and model year;
  - f. Vehicle's mileage at time of incident;
  - g. Incident date;
  - h. Report or claim date;
  - i. Whether there was an allegation or evidence of stiffener detachment/separation;
  - j. Whether property damage is alleged;
  - k. Number of alleged injuries, if any;
  - l. Number of alleged fatalities, if any; and
  - m. Summary of the problem with the deployment of the side curtain air bag, if applicable.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Hyundai-Kia 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 Hyundai-Kia to date that relate to, or may relate to, the alleged defect in the subject vehicles, including all claims for repairs of the subject components that relate to, or may relate to, a detachment, separation or looseness of the stiffener in the headliner assembly without a side curtain air bag deployment (e.g., owner reporting a rattling sound from headliner): 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. Hyundai-Kia's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. Vehicle's VIN;
- d. Vehicle's make, model and model year;
- e. Repair date;
- f. Vehicle mileage at time of repair;
- g. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- h. Labor operation number;
- i. Problem code;
- j. Replacement part number(s) and description(s);
- k. Concern stated by customer; and
- l. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "WARRANTY DATA."

6. Describe in detail the search criteria used by Hyundai-Kia 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 lists of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by model and model year, the terms of the new vehicle warranty coverage offered by Hyundai-Kia 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 Hyundai-Kia 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 Hyundai-Kia 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 Hyundai-Kia 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 vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Hyundai-Kia. This includes, but is not limited to, any and all actions by the subject component manufacturer relating to the alleged defect. 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. If an action is not complete, provide a detailed schedule for the work to be done, tentative findings and/or conclusions, and provide an update within 10 days of completion of the action.

9. For each model of the subject vehicles, describe in detail all modifications or changes made by or on behalf of Hyundai-Kia (e.g., by a supplier) in the design, material composition, manufacture, assembly, quality control, supply, or installation of the subject component in the subject vehicles, from the start of production to the end of production of the subject vehicles, which relate to, or may relate to, the alleged defect in the subject vehicles. Your response must include, but is not limited to, any modifications or changes in the dimensions of the metal stiffener, the process used to attach the stiffener to the headliner, the process used to apply the spray adhesive or the hot-melt glue, whether or not the hot-melt glue was applied to the ends of the metal stiffener, and/or the quantity of the hot-melt glue used. For each such modification or change, separately, by model, 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) (engineering and service) of the original component;
  - e. The part number(s) (engineering and service) 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 Hyundai-Kia is aware of which may be incorporated into vehicle production within the next 120 days.

10. Produce copies of all specifications and requirements, including engineering drawings, for the design and manufacture of the subject components in the subject vehicles. Your response must include, but is not limited to, detailed descriptions of the requirements related to any aspect of attaching the metal stiffeners to the headliner assembly, such as whether or not applying adhesive strips to the ends of the stiffener, was considered, evaluated, required, requested, or suggested by or on behalf of Hyundai-Kia (e.g., by a supplier). Provide your responses separately for each model of the subject vehicles.
11. Produce copies of all documents related to the development, validation, testing, and analysis of the subject components in the subject vehicles that have been conducted by or on behalf of Hyundai-Kia. Provide your responses separately for each model of the subject vehicles.
12. Produce copies of all documents related to all side-impact crash tests of the subject vehicles that have been conducted by or on behalf of Hyundai-Kia. Provide your responses separately for each model of the subject vehicles.
13. For each model, model year and sunroof option (e.g., no sunroof and sunroof equipped) of the subject vehicles, provide drawings of headliner assemblies that depict the configurations and dimensions of the metal stiffeners, and photographs of finished headliner assemblies, including a close-up of the front portion of the stiffener.
14. For each model and model year of the subject vehicles, describe in detail the process used to attach the metal stiffener to the headliner including, but not limited to, the following information:
  - a. Type, description, specification, manufacturer, and photographs of the tool used to apply the adhesive to the stiffener;
  - b. Process for applying the spray adhesive on one side of the stiffener, and whether the process is conducted by a human operator or a robotic device;
  - c. Type, description, specification, manufacturer, and photographs of the assembly fixture used to hold the headliner for the purposes of affixing the stiffener;
  - d. Process for attaching the stiffener to the headliner, including how much time elapses after force application, and how much force is specified for pressing together the two components; and
  - e. Process for handling and storing the spray adhesive materials, including all procedures specified by the adhesive supplier.

In addition, produce copies of all documents related to this request.

15. For each model and model year of the subject vehicles, describe in detail the process used to apply the hot-melt glue to the ends of the stiffener and headliner including, but not limited to, the following information:
- Type, description, specification, manufacturer, and photographs of the tool used to apply the hot glue to the stiffener;
  - Process for applying the hot glue to the stiffener, and whether the process is conducted by a human operator or a robotic device; and
  - Process for handling and storing the hot glue materials, including all procedures specified by the adhesive supplier.

In addition, produce copies of all documents related to this request.

16. For each model and model year of the subject vehicles, describe in detail each type of quality control check, inspection, test, or analysis performed during the manufacture and assembly of the subject components for the subject vehicles, and specifically with respect to the adhesion of the stiffener to the headliner, the application of adhesive to the stiffener, and the application of the hot-melt glue material to the headliner. For each check, test, inspection, etc., describe the types of information or data collected and the frequency they are collected at. Explain the pass-fail criteria for each check, test, inspection, etc.

In addition, produce copies of all documents related to this request.

17. For each model and model year of the subject vehicles, all part numbers of the subject components that have been installed on the subject vehicles as assembled by Hyundai-Kia, and the service part numbers of the subject components Hyundai-Kia designates for installation on the subject vehicles. State, by sales month, sales year and part number, the total number of subject components sold as service parts by Hyundai-Kia. Identify any kits that Hyundai-Kia has released or developed for use in service repairs to the subject components or assembly.

For each subject component part number, provide the supplier's name, address, and point of contact used by Hyundai-Kia (name, title and telephone number). Also, identify by model and model year, any other vehicles of which Hyundai-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.

18. Produce an exemplar sample of each design version of subject components used in the subject vehicles (Elantra Touring and Veracruz).
19. Furnish Hyundai-Kia's assessment of the alleged defect in the subject vehicles, separately, by vehicle model, including:
- The causal or contributory factor(s);
  - The failure mechanism(s);
  - The failure mode(s); and
  - The risk to motor vehicle safety that it poses.



### **Legal Authority for This Request**

This letter is being sent to Hyundai-Kia pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information.

### **Civil Penalties**

Hyundai-Kia's failure to respond promptly and fully to this letter could subject Hyundai-Kia to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) The Vehicle Safety Act, as amended, 49 U.S.C. § 30165(a)(3), provides for civil penalties of up to \$7,000 per violation per day, with a maximum of \$35,000,000 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond completely, accurately, and in a timely manner to ODI information requests. The maximum civil penalty of \$7,000 per violation per day is established by 49 CFR 578.6(a)(3). The maximum civil penalty of \$35,000,000 for a related series of daily violations of 49 U.S.C. § 30166 is authorized by 49 U.S.C. § 30165(a)(3) as amended by § 31203(a)(1)(B) of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act, Public Law 112-141.

If Hyundai-Kia cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Hyundai-Kia does not submit one or more requested documents or items of information in response to this information request, Hyundai-Kia must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

### **Confidential Business Information**

**All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office.** In addition, do not submit any business confidential information in the body of the letter submitted to this office. Please refer to RQ13-004 in Hyundai-Kia's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

If Hyundai-Kia claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Hyundai-Kia must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended, to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Hyundai-Kia 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 phrase "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONTAINS CONFIDENTIAL BUSINESS INFORMATION" (as appropriate) must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 49 CFR 512.6. If you submit a request for confidentiality for all or part of your response to this IR, that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the new requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats. *See* 49 CFR 512.6(c) (as amended by 72 Fed. Reg. 59434 (October 19, 2007)).

If you have any questions regarding submission of a request for confidential treatment, contact Otto Matheke, Senior Attorney, Office of Chief Counsel at [otto.matheke@dot.gov](mailto:otto.matheke@dot.gov) or (202) 366-5253.

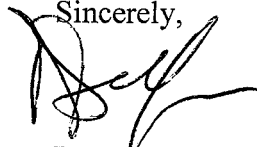
### **Due Date**

Hyundai-Kia's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by February 25, 2014. Hyundai-Kia's response must include all non-confidential attachments and a redacted version of all documents that contain confidential information. If Hyundai-Kia finds that it is unable to provide all of the information requested within the time allotted, Hyundai-Kia must request an extension from me at (202) 366-0139 no later than five business days before the response due date. If Hyundai-Kia is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Hyundai-Kia then has available, even if an extension has been granted.

Please send email notification to Michael Lee at [michael.lee@dot.gov](mailto:michael.lee@dot.gov) and to [ODI\\_IRresponse@dot.gov](mailto:ODI_IRresponse@dot.gov) when Hyundai-Kia sends its response to this office and indicate whether there is confidential information as part of Hyundai-Kia's response.

If you have any technical questions concerning this matter, please call Michael Lee of my staff at (202) 366-5236.

Sincerely,

Handwritten signature of D. Scott Yon in black ink, with the date 1/8/14 written to the right.

D. Scott Yon, Chief  
Vehicle Integrity Division  
Office of Defects Investigation