



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

MAY 23 2019



1200 New Jersey Avenue SE.
Washington, DC 20590

Wayne Gates, Director
Engineering and Design Analysis
Hyundai Motors America
10550 Talbert Avenue
Fountain Valley, CA 92708

NEF-103no
PE19-003

Dear Mr. Gates:

This letter is to confirm that, pursuant to the discussions held between Hyundai Motors America (Hyundai) and the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA), ODI will agree to modify the April 12, 2019 Information Request (IR) sent to Hyundai in connection with PE19-003.

This letter is being sent to Hyundai 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. Pursuant to that provision, provide the information requested in the April 12, 2019 IR by the updated deadlines below:

Friday, June 28, 2019:

- Hyundai will produce the production data, counts and related information responsive to IR Question Nos. 1, 2, 3 and 5 for all Theta II-equipped vehicles for only MY2011-2014 Hyundai Sonata and Santa Fe in all Alleged Defect Categories - A, B, C, and D.

Wednesday, July 31, 2019:

- Hyundai will produce the production data, counts and related information responsive to IR Question Nos. 1, 2, 3 and 5 for all other Theta II-equipped vehicles in all Alleged Defect Categories.

Friday, September 6, 2019:

- Hyundai will produce the production data, counts and related information responsive to IR Question Nos. 1, 2, 3 and 5 for all Lambda-II engine equipped vehicles in all Alleged Defect Categories.

Friday, September 20, 2019:

- Hyundai will produce the production data, counts and related information responsive to IR Question Nos. 1, 2, 3 and 5 for all Gamma-engine equipped vehicles in all Alleged Defect Categories.

Friday, October 4, 2019:

- Hyundai will produce the production data, counts and related information responsive to IR Question Nos. 1, 2, 3 and 5 for all Nu-engine equipped vehicles in all Alleged Defect Categories.

Friday, October 11, 2019:

- Hyundai will provide the requested written responses to IR Question Nos. 6, 8, 10, 11 and 12.

By Friday, November 15, 2019:

- Hyundai will produce responses to IR Question Nos. 4, 7 and 9, which call for the production of documents on a rolling basis as they are identified, reviewed for relevance, confidential business information, and privilege, and processed for production throughout this time period.

We have also agreed to hold the information requested in footnote 1 on page 4 of the April 12, 2019 IR in abeyance. Therefore, you do not need to produce this information at this time.

Hyundai's failure to respond promptly and fully to this letter could subject Hyundai 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, provides for civil penalties of up to \$21,780 per violation per day, with a maximum of \$108,895,910 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. 49 U.S.C. § 30165(a)(3), 83 Fed. Reg. 60732, 60735 (Nov. 27, 2018). This includes failing to respond completely, accurately, and in a timely manner to ODI information requests.

If Hyundai finds that it is unable to provide all of the information requested within the time allotted, Hyundai must request an extension from me at (202) 366-2315 no later than five business days before the response due date. If Hyundai 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 then has available, even if an extension has been granted.

Please send email notification to Nathan Ong at Nathan.Ong@dot.gov and to ODI_IRresponse@dot.gov when Hyundai sends its response to this office and indicate whether there is confidential information as part of Hyundai's response.

If you have any technical questions concerning this matter, please call Nathan Ong of my staff at (202) 366-1661.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Simmons". The signature is fluid and cursive, with a large initial "P" and "S".

Paul Simmons, Chief
Vehicle Defect Division C
Office of Defects Investigation