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

1200 New Jersey Avenue SE.
Washington, DC 20590

November 3, 2023

VIA EMAIL

Ms. Michelle Jongkind
Department Lead, Product Technical & TREAD
Product Regulatory Office
American Honda Motor Co., Inc.
1919 Torrance Boulevard
Torrance, CA 90501-2746

NEF-101lk
PE22-005

Subject: Information Request ID PE22005-02

Dear Ms. Jongkind:

As you are aware, the Office of Defects Investigation (ODI) has opened Preliminary Evaluation (PE22-005), to investigate allegations of Auto-Idle Stop malfunctions in certain 2016-2020 Model Year (MY) Honda Pilot vehicles manufactured by American Honda Motor Co. Inc. (Honda). The allegation is that the engine fails to restart after a complete stop at a traffic light or intersection with the Auto-Idle Stop (AIS) engaged. To assist us at this stage of the investigation ODI is requesting additional information concerning the Auto-Idle Stop function.

This office has received 110 complaints alleging that the engine fails to restart on its own from a complete stop at a traffic light or intersection with the AIS engaged. Some of the complainants allege that a jump was required for the vehicle to restart. A copy of the reports will be provided to you electronically for your review and information.

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

- **Subject vehicles:** All 2016-2020MY Honda Pilot vehicles equipped with a 3.5L engine coupled with a 9-speed transmission manufactured for sale or lease in the United States, including, but not limited to, the District of Columbia, and current U.S. territories and possessions.

- **Peer Vehicles:** All 2015-2020MY Honda Odyssey, Acura TLX, and Acura MDX vehicles equipped with a 3.5L engine coupled with a 9-speed transmission manufactured for sale or lease in the United States, including, but not limited to, the District of Columbia, and current U.S. territories and possessions.

- **Alleged defect:** Engine fails to restart on its own from a complete stop at a traffic light or intersection with the Auto-Idle Stop (AIS) engaged.

- **Honda:** Honda (American Honda Motor Co.), all of its/their past and present officers and employees, whether assigned to its/their principal offices or any of its/their field or other locations, including all of its/their divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Honda (including all business units and persons previously referred to), who are or were involved in any way as of 1995, 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, lawsuits or arbitrations; 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.

- **Document:** "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Honda, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any

note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by Honda or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 C.F.R. § 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as Honda has previously provided a document to ODI, Honda may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After Honda's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model and model year, the number of **subject and peer** vehicles Honda has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Honda, state the following:
   a. Vehicle Identification Number (17-character VIN);
   b. Make;
   c. Model;
   d. Model Year;
   e. Subject component part number and design version installed as original equipment;
   f. Date of manufacture (MM/DD/YYYY);
   g. Date warranty coverage commenced (MM/DD/YYYY); and
   h. The State in the United States where the vehicle was originally sold or leased, or delivered for sale or lease (postal abbreviation).
   i. If the first level countermeasure (software update) was applied to the vehicle, date of application
   j. If the second level countermeasure (Hardware repairs) was applied to the vehicle, date of application

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

2. State the number of each of the following, received by Honda, or of which Honda is otherwise aware, which relate to, or may relate to, the alleged defect in the **subject or peer:**

   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; and
   e. Third-party arbitration proceedings, both pending and closed, where Honda is or was a party to the arbitration; and
   f. Lawsuits, both pending and closed, in which Honda 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 Honda 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. Honda's file number or other identifier used;
   b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
   c. Vehicle owner or fleet name (and fleet contact person), email address and telephone number (please use distinct fields for each data type);
   d. Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);
   e. Vehicle Identification Number (17-character VIN);
   f. Vehicle's make, model, and model year (please use distinct fields for each data type);
   g. Vehicle's mileage at time of incident;
   h. Incident date (MM/DD/YYYY);
   i. Report or claim date (MM/DD/YYYY);
   j. Whether a crash is alleged;
   k. Whether property damage is alleged;
   l. Number of alleged injuries, if any; and
   m. Number of alleged fatalities, if any.
   n. If the first level countermeasure (software update) was applied to the vehicle, date of application

o. If the second level countermeasure (Hardware repairs) was applied to the vehicle, date of application

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 Honda used for organizing the documents. Describe in detail the search methods and search criteria used by Honda to identify the items in response to Request No. 2.

5. 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 design and validation of the countermeasure action utilized in the Honda campaigns listed in question 6. For each such action, provide the following information:

   a. Action title or identifier;
   b. Summary of the subject and objective of the action;
   c. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
   d. A 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.

6. Provide completion rates for the following Honda campaigns
   a. 22-008---2015-20 TLX PGM-FI Idle Stop software update countermeasure
   b. 22-009---2015-20 TLX hardware repairs countermeasure
   c. 23-001---2016-20 Acura MDX-FI Idle Stop software update countermeasure
   d. 23-002---2016-20 Acura MDX hardware repairs countermeasure
   e. 23-008---2019-22 Honda Passport-FI Idle Stop software update countermeasure
   f. 23-008---2016-22 Honda Pilot- FI Idle Stop software update countermeasure
   g. 23-008---2020-23 Honda Ridgeline- FI Idle software update countermeasure
   h. 23-009---2019-21 Honda Passport hardware repairs countermeasure
   i. 23-009---2016-21 Honda Pilot hardware repairs countermeasure
   j. 23-009---2020-21 Honda Ridgeline hardware repairs
   k. 23-110---2021-22 Honda Passport hardware repairs countermeasure
   l. 23-110---2021-22 Honda Pilot hardware repairs countermeasure
   m. 23-110---2021-23 Honda Ridgeline hardware repairs countermeasure

Legal Authority for This Request

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

Civil Penalties

Honda's failure to respond promptly and fully to this letter could subject Honda to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) The Vehicle Safety Act, 49 U.S.C. § 30165(a)(3), provides for civil penalties of up to $26,315 per violation per day, with a maximum of $131,564,183 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. See 49 C.F.R. § 578.6(a)(3). This includes failing to respond completely, accurately, or in a timely manner to ODI information requests.

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

Confidential Business Information

If Honda's response contains any information that you claim is confidential business information, Honda must request two secure electronic file transfer links from Lemeola Kamanya at Lemeola.Kamanya@dot.gov. One secure electronic file transfer link is for your request for confidential treatment and will be directed to NHTSA's Office of the Chief Counsel. Please see enclosure 2 for additional instructions on submitting a request for confidential treatment that is compliant with 49 C.F.R. Part 512 (specifically, a request for confidential treatment must include the four required parts that are discussed in enclosure 2). The second secure electronic file transfer link is for your non-confidential response to this letter. Do not submit any confidential business information along with your non-confidential submission. Please refer to PE22-005 in Honda's response to this letter and in a request for confidential treatment that Honda may submit.

Due Date

Honda's response to this letter must be submitted to this office by **January 5**, **2024.** If Honda finds that it is unable to provide all of the information requested within the time allotted, Honda must request an extension from me at (202) 366-4925 no later than five business days before the response due date. If Honda is unable to provide all of the information requested by the original

deadline, it must submit a partial response by the original deadline with whatever information Honda then has available, even if an extension has been granted.

If you have any technical questions concerning this matter, please call Lemeola Kamanya of my staff at (202) 366-6065.

Sincerely,

[redacted]

Sharon Yukevich
Division Chief
Vehicle Defect Division A
Office of Defects Investigation

The subject reports referenced in the introduction of this letter may be viewed at the NHTSA.gov website using the following ODI reference numbers:
11548021,11547637,11547587,11547228,11546948,11546330,11545391,11544685,11544592,11544496,11544319
11542287,11541354,11541219,11540920,11540856,11540543,11540376,11540240,11539817,11539529,11539520
11539509,11539327,11539286,11538530,11537903,11537645,11537296,11537295,11536661,11536399,11536345
11536312,11535671,11535565,11535563,11535205,11534629,11534518,11534493,11533660,11532592,11532532
11531940,11531740,11530597,11530298,11530279,11526203,11526154,11523968,11523011,11522810,11522012
11521440,11519409,11518577,11518426,11515712,11514017,11513976,11513014,11512931,11512729,11512701
11512086,11512023,11511923,11511154,11511125,11510379,11510301,11510166,11509915,11509311,11509290
11509083,11508606,11508582,11508469,11508268,11508071,11507992,11507898,11507003,11506873,11506775
11506439,11505606,11505464,11504965,11504956,11504945,11503818,11502940,11502822,11502553,11502055
11501949,11501948,11501681,11501464,11501394,11501205,11500936,11500886,11500613,11500612,11500608

ENCLOSURE – INFORMATION FOR REQUESTS FOR CONFIDENTIAL TREATMENT

If you believe that your response contains any material that you claim is confidential business information, submit these materials to NHTSA's Office of the Chief Counsel in accordance with 49 C.F.R. Part 512. **All requests for confidential treatment must be submitted directly to the Office of the Chief Counsel. Upon request, ODI will provide you with a secure file transfer link for your submission to the Office of the Chief Counsel.**

Requests for confidential treatment are governed by Part 512. A current version of this regulation is available on the internet at http://www.ecfr.gov by selecting Title 49 "Transportation," selecting "Parts 500 – 599" and then selecting Part 512 "Confidential Business Information."

How to request confidential treatment:

NHTSA is currently treating electronic submission as an acceptable method for submitting confidential business information to the agency under Part 512. If you claim that any of the information or documents provided in your response constitutes confidential business information within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, you must request a secure file transfer link from the ODI contact listed in your Information Request. ODI will copy a representative from the Office of the Chief Counsel on the secure file transfer link for your request for confidential treatment. You must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with Part 512, to the Office of the Chief Counsel. Do not send a hardcopy of a request for confidential treatment to NHTSA's headquarters.

Your request must include a request letter that contains supporting information, pursuant to Part 512.8. Your request must also include a certificate, pursuant to Part 512.4(b) and Part 512, Appendix A.

You are required to submit one unredacted "confidential version" of the information for which you are seeking confidential treatment. Pursuant to Part 512.6, the words "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONFIDENTIAL BUSINESS INFORMATION CONTAINED WITHIN BRACKETS" (as applicable) must appear at the top of each page containing information claimed to be confidential. In the latter situation, where not all information on the page is claimed to be confidential, identify each item of information for which confidentiality is requested within brackets: "[ ]."

You are also required to submit one redacted "public version" of the information for which you are seeking confidential treatment. Pursuant to Part 512.5(a)(2), the redacted "public version" should include redactions of any information for which you are seeking confidential treatment (i.e., the only information that should be unredacted is information for which you are **not** seeking confidential treatment).

For questions about a request for confidential treatment, please contact Dan Rabinovitz in the Office of the Chief Counsel at Daniel.Rabinovitz@dot.gov or (202)366-8534.