



Kia America, Inc.
Corporate Headquarters
111 Peters Canyon Road, Irvine, CA 92606-1790 USA

VIA ELECTRONIC SUBMISSION

October 19, 2023

Ann Carlson, Chief Counsel
Office of the Chief Counsel (NCC-100)
National Highway Traffic Safety Administration
West Building, W41-326
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Re: Request for Confidential Treatment of Information Submitted

Dear Ms. Carlson:

On behalf of Kia America, Inc. (“KUS”), KUS hereby requests that the document titled “2015-2019 Soul EV Rollaway Investigation Update 10.19.2023” submitted in response to ODI engineer Michael Lee’s request be treated as confidential. KUS is submitting its request and associated document via electronic submission. KUS is seeking confidential treatment of the document in its entirety. In accordance with 49 C.F.R. 512.3(c), confidential business information includes trade secrets or commercial or financial information that is privileged or confidential as described in the Freedom of Information Act. See 5 U.S.C. 522(b)(4). Commercial information is considered confidential if it has not been publicly disclosed and if its release is likely to cause substantial harm to KUS’s competitive position. 49 C.F.R. 512.3.

The above document contains evaluation information pertaining to the inspection of certain Soul EV models involving allegations of rollaway. This type of information is not customarily disclosed to the public as it is part of the company’s investigation. The document being voluntarily submitted is entitled to confidential treatment as such information is not customarily disclosed to the public because such material reveals information about its evaluation practice and specific vehicle related information.

If you have any questions or if you need anything further, please do not hesitate to contact me.

Sincerely,

/s/ Jurassic Park

J.S. (Jurassic) Park
Vice President, Chief Safety Officer

CERTIFICATE IN SUPPORT OF REQUEST FOR CONFIDENTIALITY

I, J.S. (Jurassic) Park, pursuant to the provisions of 49 CFR Part 512, state as follows:

(1) I am the Vice President, Chief Safety Officer for Kia North America (“Kia NA”) and I am authorized by Kia America, Inc. (“KUS”) to execute this certificate on its behalf;

(2) I certify that the document being submitted by KUS is confidential and proprietary data and is being submitted with the claim that they are entitled to confidential treatment under 5 U.S.C. 552(b)(4) (as incorporated by reference in and modified by statute under which the information is being submitted);

(3) I hereby request that the document titled “2015-2019 Soul EV Rollaway Investigation Update 10.19.2023” which is being submitted by KUS in response to ODI engineer Michael Lee’s request be protected on a permanent basis;

(4) This certification is based on the information provided by the responsible KUS personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside KUS;

(5) Based upon that information, to the best of my knowledge, information and belief, the information for which KUS has claimed confidential treatment has never been released or become available outside KUS; except for disclosures to manufacturers, customers and suppliers of the companies, who were provided the information with the understanding that such information must be maintained in confidence;

(6) I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available outside KUS because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and

(7) I certify under penalty of perjury that the foregoing is true and correct. Executed on this 19th day of October 2023.

Kia North America

By: /s/ Jurassic Park
J.S. (Jurassic) Park, Vice President,
Chief Safety Officer