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

NHTSA

March 4, 2026

Chris Sandvig
Volkswagen Group of America, Inc.
3800 Hamlin Road
Auburn Hills, MI 48326

Subject: Information Request ID EA24004-01

Dear Mr. Sandvig,

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened an Engineering Analysis (EA24004) to investigate allegations of Inadvertent Automatic Emergency Braking in certain model year (MY) 2019 Volkswagen Atlas vehicles manufactured by Volkswagen Group of America, Inc. (VW), and to request certain information.

This office has received 51 reports of Inadvertent Automatic Emergency Braking in certain 2019 Volkswagen Atlas vehicles. 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 MY 2019 Volkswagen Atlas equipped with the subject system 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 MY 2018 and MY 2020-2023 Volkswagen Atlas vehicles equipped with the subject system 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.
- Subject system: Front Assist including all associated sensors, control modules, hardware, software, data, actuators and wiring that contributes to the conferral of automated vehicle braking system capabilities manufactured for use as original equipment or service replacement parts.
- Alleged defect: Front Assist engages automatic emergency braking with no imminent collision hazard present, or any inadvertent or unwanted Front Assist engagement.
- VW: Volkswagen Group of America, Inc., all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other

locations, including all of its 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 VW (including all business units and persons previously referred to), who are or were involved in any way as of January 1, 2013, 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 VW, 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 VW 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 VW has previously provided a document to ODI, VW 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 VW'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 VW has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by VW, state the following:

   a. Vehicle identification number (17-character VIN);
   b. Make;
   c. Model;
   d. Model Year;
   e. Subject system trade name and design version installed as original equipment
      1. Software version(s);
      2. Firmware version(s);
      3. Hardware version(s);

   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).

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

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

e. Third-party arbitration proceedings, both pending and closed, where VW is or was a party to the arbitration; and
f. Lawsuits, both pending and closed, in which VW 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 VW'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. VW'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's 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 (numeric data type);
h. Incident date (MM/DD/YYYY);
i. Incident details including;
    1. Roadway type;
    2. Roadway features (e.g. overpass, construction plate, etc.)
    3. Speed of travel prior to incident onset;
    4. Traffic conditions;
    5. ADAS feature which commanded braking (e.g. AEB, ACC, etc.);

j. Whether Volkswagen has inspected the vehicle;
    1. If inspected, state whether Volkswagen confirmed or duplicated the occurrence;

k. The location where the incident occurred;
    1. If available, state the location and GPS coordinates;

l. Report or claim date (MM/DD/YYYY);
m. Whether a crash is alleged;
n. Whether property damage is alleged;
o. Number of alleged injuries, if any; and
p. Number of alleged fatalities if any.

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

4. Produce copies of all documents, consumer questionnaires, and data logs 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 Volkswagen used for organizing the documents. Describe in detail the search methods and search criteria used by Volkswagen to identify the items in response to Request No. 2.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by VW to date that relate to, or may relate to, the alleged defect in the subject and peer 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. VW's claim number;
   b. Vehicle owner or fleet name (and fleet contact person), email address and telephone number (please use distinct fields for each data type);
   c. Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);
   d. 17-character VIN;
   e. Repair date (MM/DD/YYYY);
   f. Vehicle mileage at time of repair (numeric data type);
   g. Repairing dealer's or facility's name, telephone number, city and state or ZIP code (please use distinct fields for each data type);
   h. Labor operation number(s);
   i. Problem code(s);
   j. Diagnostic trouble code(s);
   k. Replacement part number(s) and description(s);
   l. Concern stated by customer;
   m. Cause as stated on the repair order;
   n. Correction as stated on the repair order; and
   o. Additional comments, if any, by dealer/technician relating to claim and/or repair.

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

6. Describe in detail the search methods and search criteria used by VW to identify the claims in response to Request No. 5, including the labor operations, problem codes, diagnostic trouble codes, part numbers and any other pertinent parameters used.

7. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions, diagnostic trouble codes and diagnostic trouble code descriptions applicable to the alleged defect in the subject and peer vehicles. State whether the diagnostic trouble codes are automatically reported to the warranty database electronically or manually entered into the warranty database by a claims administrator.

8. State, by make and model year, the terms of the new vehicle warranty coverage offered by VW on the subject and peer 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 VW offered for the subject and peer vehicles

and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

9. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject and peer vehicles, that VW 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 VW is planning to issue within the next 120 days.

10. 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 and peer vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, VW, including, but not limited to, pre- and post-production testing, and any NCAP evaluations. 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.

11. Describe all modifications or changes made by, or on behalf of, VW 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 and peer 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 hardware, firmware, and software names and numbers of the original component;
    e. The hardware, firmware, and software names and numbers 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 VW is aware of which may be incorporated into vehicle production within the next 120 days.

12. Provide a list of all components within the subject system in the subject and peer vehicles including, but not limited to, Control module(s) and/or Sensor(s) associated with the subject system. For each component named, provide the following the following information:

    a. Control module and/or Sensor type and model;
    b. Supplier of each system component;
    c. Sensor position(s) and orientation(s); and
    d. Sensor position and alignment tolerances.

13. For all components named in Response No. 12, identify any other Make, Model, and Model Year vehicles, other than the subject and peer vehicles, manufactured by Volkswagen on which the named component is present.

14. Furnish VW's assessment of the alleged defect in the subject vehicles, 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; and
    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
    f. The reports included with this inquiry.

Legal Authority for This Request

This letter is being sent to VW 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

VW's failure to respond promptly and fully to this letter could subject VW 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 $27,874 per violation per day, with a maximum of $139,356,994 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 VW 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, VW does not submit one or more requested documents or items of information in response to this information request, VW 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 VW's response contains any information that you claim is confidential business information (CBI), you will need to upload a "confidential version" file and a redacted "public version" file of each file for which VW is requesting confidential treatment to NHTSA's Safety Defect Investigations (SDI) Portal. For each file submitted through the SDI Portal for which VW is requesting confidential treatment, VW must check the "Contains CBI" box. Once all VW's files have been uploaded in the SDI Portal, VW will need to click on the "Finalize CBI Submission" button in the SDI Portal and then submit its request letter for confidential treatment and Part 512 certification directly to the Office of the Chief Counsel in NHTSA's Confidential Business Information (CBI) Portal.

After VW submits its request for confidential treatment and certificate in NHTSA's CBI Portal, the CBI Portal will assign a package identification number for your future reference and all "confidential version" and "public version" files submitted as part of the CBI request will be accessible by both NHTSA's Office of the Chief Counsel and NHTSA's Office of Defects Investigation.

Please refer to EA24004-01 in VW's response to this letter and in any request for confidential treatment that VW may submit in response to this letter.

Please see enclosure 1 for additional instructions on submitting a request for confidential treatment that is compliant with 49 CFR Part 512 (specifically, a request for confidential treatment must include the required parts that are discussed in enclosure 1).

Due Date

VW's response to this letter must be submitted to this office by April 22, 2026. If VW finds that it is unable to provide all of the information requested within the time allotted, VW must request an extension from me through the Safety Defects Investigation Portal no later than five business days before the response due date. If VW 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 VW then has available, even if an extension has been granted.

If you have any technical questions concerning this matter, please email Caroline Rogers of my staff at caroline.rogers@dot.gov.

Sincerely,

Tanya Topka

Tanya Topka, Director
Office of Defects Investigation

ENCLOSURE 1 - 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 should be submitted directly to the Office of the Chief Counsel via NHTSA's Confidential Business Information (CBI) Portal. If you do not currently have a user account in the CBI Portal, you may send a registration request to the CBI Portal's Help Desk at** cbi-helpdesk@dot.gov.

Prior to directly submitting your request for confidential treatment to the Office of the Chief Counsel in the CBI Portal, you will need to upload all "confidential version" and "public version" files in NHTSA's Safety Defect Investigations (SDI) Portal.

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," next selecting "Parts 500 - 599," and finally selecting Part 512 "Confidential Business Information."

How to request confidential treatment:

NHTSA is 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 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. Requests for confidential treatment should be submitted to the Office of the Chief Counsel in NHTSA's CBI Portal. 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.

Enclosure 2, The subject reports referenced in the introduction of this letter may be viewed at the NHTSA.gov website using the following ODI reference numbers: 11203827, 11244779, 11254778, 11271113, 11317062, 11328322, 11328975, 11330388, 11331640, 11350423, 11353009, 11353353, 11355313, 11365545, 11373804, 11377290, 11378151, 11426737, 11427499, 11441156, 11441872, 11452502, 11453055, 11456906, 11457588, 11458279, 11482796, 11485979, 11488830, 11494539, 11497270, 11503622, 11511681, 11512304, 11520325, 11534071, 11538084, 11539486, 11548568, 11552048, 11584394, 11592417, 11608720, 11616934, 11630803, 11637104, 11653333, 11671164, 11672602, 11685623, 11689124.