



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



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September 25, 2025

Eddie Gates  
Director, Field Quality  
Tesla, Inc.  
45500 Fremont Blvd.  
Fremont, CA 94538

Subject: Information Request ID AQ25002-01

Dear Mr. Gates,

This letter is to inform you that the Office of Defects Investigation (“ODI”) of the National Highway Traffic Safety Administration (“NHTSA”) has opened an Audit Query (AQ25002) to investigate compliance with Standing General Order 2021-01 (the “SGO”) reporting requirements. ODI’s Advanced and Emerging Technologies Division (“AETD”) has identified numerous incident reports submitted by Tesla, Inc. (“Tesla”) in response to the SGO, in which reported crashes occurred several months or more before the dates of the reports.

Crash reports, such as the ones that are the subject of this investigation, are critical to the agency’s monitoring for potential defects, a manufacturer’s own identification of issues, and the public’s ability to obtain safety-critical information about the operation of partially automated systems on public roads in the United States. Through this Audit Query (“AQ”), AETD will assess potential reporting issues, including the cause of Tesla’s potential delays in reporting, the scope of any such delays, whether any reports of prior incidents remain outstanding, and whether the reports that were submitted include all the required and available data. AETD will further assess any mitigations that Tesla has put in place to address any potential delays in reporting.

This letter requests certain information from Tesla, as well as lists the reference numbers corresponding to potentially delayed SGO reports.

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

- **Tesla:** Tesla, Inc., 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 Tesla (including all

business units and persons previously referred to), who are or were involved in any way with meeting reporting requirements of Tesla vehicles.

- **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 Tesla, 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 Tesla 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.

To conduct this investigation into Tesla’s compliance with the SGO reporting requirements, certain information is required. Pursuant to 49 U.S.C § 30166, please provide numbered

responses to the following information requests. 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 Tesla's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. There are two enclosures being sent with this letter. The second enclosure ("Enclosure 2") lists SGO reports that AETD has identified as involving potential concerns concerning delays. For each incident report identified in Enclosure 2:
  - a. Provide the date on which Tesla first received notice of the subject incident;
  - b. For each report with an underlying incident that was required to be reported within 1 day of Tesla's notice of the crash, explain the reasons for the length of time delay between the date of the crash and the date of the report, including an explanation for the timing;
  - c. For each report with an underlying incident that was required to be reported within 5 days of Tesla's notice of the crash, explain the reasons for the length of time delay between the date of the crash and the date of the report, including an explanation for the timing;
  - d. The incident reports in Enclosure 2 include a field that lists the "source" of Tesla's notice of the incident. The source reported by Tesla for some reports is "Other: Internal Data Process Review". For each report, explain the information upon which Tesla's response to the "source" field was based. Include in your response what actions every relevant Tesla employee undertook to discover the underlying incident and the date on which the first Tesla employee to be notified about the underlying incident;
  - e. For each report, identify and explain any steps that Tesla has taken to mitigate, avoid, or otherwise reduce delays that may impact compliance with SGO reporting requirements in the future; and
  - f. Produce copies of all documents in your possession, custody, or control that evidence, substantiate, or otherwise relate to your response to (a)-(f). Organize the documents separately by NHTSA SGO incident report numbers.

Please provide your responses in a table in Microsoft Excel organized by report number.

2. Fully describe Tesla's business process for identifying potential incidents that may be reportable under the SGO. Describe this process as it existed on August 21, 2021, up through today. This explanation should include:
  - a. A description of the process applicable to each source of notice;
  - b. Each update in an applicable process, including the date of the applicable update; and

- c. An explanation of Tesla's review process for ensuring the information it reports is complete and accurate, including who conducts that review and how often.
3. To the extent not provided in response to Request No. 2, provide a detailed explanation of Tesla's processes for maintaining IT services for its incident reporting tools, including:
  - a. How Tesla learns of service disruptions and what IT systems and infrastructure it has in place, if any, for alerting Tesla to potential system failures that may affect the timeliness or completeness of SGO reports;
  - b. A description of the offices within Tesla that have responsibility for detecting and resolving IT system failures, including any timetables by which these offices must react; and
  - c. Any documents that reflect or evidence your response.
4. Provide a chronology of system outages or service interruptions since August 12, 2021, affecting any of the following systems related to SGO reporting: database query engines, or telematics information flow. Provide this chronology by date and duration and, for each item on the chronology, identify:
  - a. Any SGO report affected by the issue;
  - b. Tesla's process for submitting any affected reports, such as by reporting affected incidents in batches or on a rolling basis;
  - c. All corresponding modifications, changes, and updates made by, or on behalf of, Tesla pertaining to the receipt of notice of an incident, firmware, software, manufacture, quality control, supply, and function;
  - d. For each entry, indicate whether system outage is related to administrative errors or technical issues; and
  - e. How the item was resolved.

Provide your responses in a table in Microsoft Excel organized by system outage or service interruption.

5. NHTSA has received information alleging crashes reported through consumer claims while either Autopilot or FSD was engaged that may not be reported under the SGO. Please list any incident that is SGO reportable occurring since August 12, 2021, that came from consumer claims (Tesla toolbox, consumer complaint or warranty platforms) that has not been reported under the SGO. For each incident, identify:
  - a. Tesla's file number or other identifier used;
  - b. The category of the item (i.e., consumer complaint, warranty claim, field report, etc.);
  - c. Vehicle owner or fleet name (and fleet contact person), street address, email address and telephone number;
  - d. Vehicle's VIN;
  - e. Vehicle's model and model year;
  - f. Vehicle's mileage at time of incident;

- g. Alleged system mode of operation;
- h. Vehicle firmware at the time of incident;
- i. Incident date, local time, and local time zone;
- j. Report or claim date;
- k. Whether the claim involves an injury or fatality;
- l. Whether the claim involves property damage claims;
- m. Arbitration or mediation proceedings, both pending and closed, where Tesla is or was a party to the arbitration or mediation; and
- n. Lawsuits, both pending and closed, in which Tesla is or was a defendant or codefendant;
- o. Whether Tesla has reported the incident claim in the Standing General Order portal; and
- p. The General Order report number and associated report updates if applicable.

Provide your responses in a table in Microsoft Excel organized by Tesla's file number or other identifier used.

6. Preliminary information has indicated that Tesla's receipt of information about at least some of the subject SGO reports may have been affected by communication issues with one or more modules equipped on the vehicles.<sup>1</sup> With respect to this potential issue, identify:
  - a. Each SGO report potentially affected by a vehicle communication issue;
  - b. Each module or other component that potentially affected the communication issue;
  - c. Any assessments performed by or on behalf of Tesla that led Tesla to identify the component as potentially responsible for communication issues, including the dates of the assessment, entity that performed the assessment, and a summary of the findings of the assessment;
  - d. Any modifications to the component as a result of the issue, such as changes in design or supplier; and
  - e. Any modifications to Tesla's crash data repository as a result of the issue.

Provide copies of all documents related to the action. Organize the documents in chronological order of the assessment.

7. To the extent Tesla automates data mining for reportable incidents and has systems in place to automatically identify Tesla personnel of a potential incident in need of a report, describe all modifications, changes, and updates relating to these systems. This response should cover all changes made by, or on behalf of, Tesla in the design, firmware, software, material composition, manufacture, quality control, supply, function, or

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<sup>1</sup> This question is intended to seek information about vehicle components, such as modules, that were not performing as designed. Incidents in which vehicle communications or telematics may have been affected by physical damage sustained by a vehicle component in a crash are outside of the scope of this question.

installation of the notification systems. For each such modification, change, or update, provide the following information:

- a. An action title or identifier for the change;
- b. The date on which the modification, change, or update was made;
- c. A detailed description of the modification, change, or update;
- d. Whether the modification was permanent or temporary;
- e. The reason(s) for the modification, change, or update; and
- f. A detailed description of how the modification, change, or update informs Tesla's SGO reporting process.

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

This letter is being sent to Tesla 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**

Tesla's failure to respond promptly and fully to this letter could subject Tesla 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). These violations include failing to respond completely, accurately, or in a timely manner to ODI information requests.

If Tesla cannot respond to any specific request or subpart(s) thereof, please state with sufficient detail in the corresponding narrative the reason why it is unable to do so. Redactions within a document containing responsive information are not permitted in the normal course. If on the basis of attorney-client, attorney work product, or other privilege, Tesla does not submit one or more requested documents or items of information in response to this information request, Tesla 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 (CBI)**

If Tesla's response contains any information that you claim is confidential business information, Tesla must submit its request for confidential treatment and any files containing CBI to NHTSA's Office of the Chief Counsel via the CBI Portal or a secure electronic file transfer link. Please see Enclosure 1 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 1).

If you choose not to submit your request and files containing CBI to NHTSA's Office of the Chief Counsel via the CBI Portal, please notify the investigator referenced in this IR to ensure that the secure file transfer link for your request for confidential treatment and any files containing CBI are directed to the Office of the Chief Counsel accordingly.

In addition to submitting a request for confidential treatment and files containing CBI directly to NHTSA's Office of the Chief Counsel, Tesla must also submit its request for confidential treatment, the files containing CBI, and their corresponding redacted versions directly to ODI via the Safety Defect Investigations (SDI) Portal. The requests for confidential treatment and certification documents are not confidential so these documents should be uploaded as non-confidential files.

Please refer to AQ25002-01 in Tesla's response to this letter and in the request for confidential treatment that Tesla may submit.

### **Due Date**

Tesla's response to this letter must be submitted to this office by **November 6, 2025**. If Tesla finds that it is unable to provide all of the information requested within the time allotted, Tesla must request an extension from me at (202) 366-5864 no later than five business days before the response due date. If Tesla 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 Tesla then has available, even if an extension has been granted.

If you have any technical questions concerning this matter, please call Kareem Habib of my staff at (202) 366-8703.

Sincerely,

Scott Simmons, Chief  
Advanced and Emerging Technologies Division  
Office of Defects Investigation

Enclosure 1: Information for Requests for Confidential Treatment.

Enclosure 2: The subject reports referenced in the introduction of this letter may be viewed at the NHTSA.gov website using the following SGO Report Numbers:

13781-11020-1 13781-10844-1 13781-10843-1 13781-10530-1 13781-10160-1  
13781-10159-1 13781-10157-1 13781-10146-1 13781-10122-1 13781-10098-1

13781-10097-1 13781-10096-1 13781-10095-1 13781-10094-1 13781-10093-1  
13781-10023-1 13781-10022-1 13781-10021-1 13781-10020-1 13781-10017-1  
13781-10016-1 13781-10015-1 13781-10014-1 13781-10013-1 13781-6047-1 13781-5800-1  
13781-10012-1 13781-9930-1 13781-9917-1 13781-9928-1 13781-9925-1 13781-9924-1  
13781-9923-1 13781-9922-1 13781-9835-1 13781-9834-1 13781-9833-1 13781-9832-1  
13781-9831-1 13781-9830-1 13781-9829-1 13781-9827-1 13781-9818-1 13781-9780-1  
13781-9779-1 13781-9778-1 13781-9777-1 13781-9775-1 13781-9774-1 13781-9773-1  
13781-9772-1 13781-9771-1 13781-9770-1 13781-9728-1 13781-9688-1 13781-9715-1  
13781-9714-1 13781-9713-1 13781-9712-1 13781-9711-1 13781-9710-1 13781-9709-1  
13781-9696-1 13781-9695-1 13781-9694-1 13781-9693-1 13781-9692-1 13781-9691-1  
13781-9690-1 13781-9687-1 13781-9686-1 13781-9342-1 13781-9319-1 13781-9019-1  
13781-8910-1 13781-8732-1 13781-8712-1 13781-8310-1 13781-7897-1 13781-7895-1  
13781-7835-1 13781-7798-1 13781-7797-1 13781-7758-1 13781-7757-1 13781-7756-1  
13781-7755-1 13781-7667-1 13781-7399-1 13781-7398-1 13781-7397-1 13781-7396-1  
13781-7395-1 13781-7394-1 13781-7393-1 13781-7389-1 13781-7388-1 13781-7387-1  
13781-7386-1 13781-7385-1 13781-7383-1 13781-7187-1 13781-7186-1 13781-7185-1  
13781-7184-1 13781-7181-1 13781-7023-1 13781-6399-1 13781-6389-1 13781-6388-1  
13781-6387-1 13781-6386-1 13781-6379-1 13781-6378-1 13781-6377-1 13781-6375-1  
13781-6214-1 13781-6172-1 13781-6155-1 13781-6154-1 13781-6122-1 13781-6120-1  
13781-6118-1

## 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 must be submitted directly to the Office of the Chief Counsel via the Confidential Business Information (CBI) Portal or a secure file transfer link for your submission addressed to the Office of the Chief Counsel. If you are not currently registered for the CBI Portal, you may send a registration request to [cbi-helpdesk@dot.gov](mailto:cbi-helpdesk@dot.gov). In addition to directly submitting the files to the Office of the Chief Counsel, you will also need to submit your request, the files containing CBI, and their corresponding redacted versions directly to ODI through the 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,” 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 submit the information or documents directly to the Office of Chief Counsel via the CBI Portal or request a secure file transfer link from the ODI contact listed in your Information Request. 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](mailto:Daniel.Rabinovitz@dot.gov) or (202) 366-8534.