



eBay Inc.
2145 Hamilton Avenue
San Jose, CA 95125

CONFIDENTIAL TREATMENT REQUESTED IN REQUEST 6 RESPONSE

March 19, 2026

VIA EMAIL

Ashley Simpson (Ashley.Simpson@dot.gov)
Dylan Voneiff (Dylan.Voneiff@dot.gov)
Office of the Chief Counsel

Bruce York (Bruce.York@dot.gov)
Office of Defects Investigation

National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

RE: Special Order Directed to eBay Inc.,
EA25-005; DTN Air Bag Inflator Rupture

Dear Ms. Simpson, Mr. Voneiff, and Mr. York:

eBay Inc. ("eBay") respectfully submits this written response to the National Highway Traffic Safety Administration's ("NHTSA's") Special Order, dated January 30, 2026 (the "Special Order").

eBay takes product safety seriously and invests significant time and resources ensuring, to the best of its ability as a platform, the safety of products sellers offer for sale. As explained below, eBay has for years proactively implemented policies designed to prevent the sale of potentially defective or counterfeit airbags on its site. eBay has developed these policies consistent with industry standards, and has further restricted these sales as it and the automotive industry have become more aware of general safety issues. eBay has worked with the Automotive Recyclers Association (ARA) to enhance product safety on eBay's platform, and all airbag sellers on eBay must have an ARA Certification and membership, which eBay verifies based on information the ARA regularly updates and provides. Approved sellers must certify that listed airbags are not subject to any equipment recall. To prevent sellers from listing potential counterfeits or other non-original airbags, airbag listings must identify the VIN of the donor vehicle and must be undeployed. Airbags must be shipped in accordance with applicable regulations. eBay uses various detection and enforcement methods, including both automated and manual processes to review seller provided information in the listings, in order to block and/or remove listings that do not comply with its policies. Non-compliant sellers have been restricted from offering airbags or removed from the platform entirely.

While eBay proactively monitors its site for counterfeits and noncompliant listings, as a third-party platform, its awareness of defective or recalled products depends largely on information provided through industry and regulatory channels. eBay never has custody or physical possession of any airbags sold through its site. Nor does eBay perform any fulfillment services (such as warehousing and delivery)

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for airbags, as items are shipped directly to purchasers by sellers (and title never passes through eBay). eBay does not itself sell or offer to sell items listed on its site but only acts as a publisher of sellers' listings. For these reasons, courts have consistently held that eBay is not liable for allegedly defective or illegal products sold by third-party users. *See, e.g., United States v. eBay Inc.*, 751 F. Supp. 3d 232 (E.D.N.Y. 2024) (ruling that eBay does not sell, offer to sell, or induce or cause others to sell items listed on its site, and is immune from suit under 47 U.S.C. § 230; refusing to impose liability based on eBay's alleged "control" over transactions occurring on its site); *King v. Jinlin Province Detiannuo Safety Technology Co., Ltd., et al.*, No. [REDACTED] (Fla. Cir. Ct. Feb. 17, 2026) (47 U.S.C. § 230 immunizes eBay from suit alleging it negligently allowed sale of an allegedly defective airbag) (attached); *Hinton v. Amazon.com.DEDC, LLC*, 72 F. Supp. 3d 685 (S.D. Miss. 2014) (holding eBay was not liable, based on § 230, for allegedly allowing a seller to list a recalled product for sale on its platform); *Inman v. Technicolor USA, Inc.*, 2011 U.S. Dist. LEXIS 133220 (W.D. Pa. Nov. 17, 2011) (holding eBay was not the seller of allegedly defective products sold through its website by a third-party user, and was immune from liability under § 230).

When lawfully requested, eBay cooperates with manufacturers, law enforcement agencies, and regulators such as NHTSA to provide requested information relating to their investigations. For example, eBay is responding to the above-referenced Special Order and previously provided an initial response on February 20, 2026, which it now supplements below. eBay reserves all rights and states the following introductory statement, objections, and reservations, which apply to the Special Order as a whole and to each individual request:

General Objections

eBay provides the responses below subject to, and without waiving, any rights, privileges, or protections, including attorney-client privilege, attorney work-product doctrine, common-interest, joint-defense, settlement, law-enforcement, and any applicable statutory or regulatory protections (including, without limitation, 5 U.S.C. § 552(b), 18 U.S.C. § 1905, and 49 C.F.R. Part 512). eBay reserves the right to supplement, amend, or correct these responses as discovery, investigation, or additional information develops.

eBay objects to requests that are vague, ambiguous, overly broad, unduly burdensome, not proportional to the needs of NHTSA's investigation, cumulative/duplicative, not reasonably limited in time or subject matter, or seeking information not relevant to the stated subject of EA25-005. eBay also objects to requests that call for information not within eBay's possession, custody, or control; that would require creating new documents or analyses; or that purport to impose obligations beyond those in applicable law or the Special Order's instructions.

eBay also objects to the Special Order insofar as eBay does not "manufacture for sale, sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import" motor vehicle equipment within the meaning of 49 U.S.C. § 30112, *et seq.* Rather, as noted above, airbags such as the ones referenced in the Special Order are sold by the third-party sellers who publish their listings on eBay's online marketplace.

Responses to Requests

1. Identify all known eBay accounts owned by the following people:

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED].

eBay Response:

Information in response to Request 1 was submitted through NHTSA's Confidential Business Information (CBI) Portal under Package ID NCC-1431 on February 20, 2026.

The information in this response is current as of March 19, 2026. The source of this information is eBay's internal data records.

2. Provide the full owner's name and contact information for each of the following eBay seller accounts:

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- d. [REDACTED]
- e. [REDACTED]
- f. [REDACTED]

eBay Response:

Information in response to Request 2 was submitted through NHTSA's Confidential Business Information (CBI) Portal under Package ID NCC-1431 on February 20, 2026.

The information in this response is current as of March 19, 2026. The source of this information is eBay's internal data records.

3. For each seller identified in Requests 1 and 2, provide the following information:
 - a. If the account(s) is(are) active or inactive;
 - b. A list of motor vehicle equipment items sold;
 - c. Date of sale for each unit of a particular item;
 - d. Purchaser full name and contact information; and
 - e. Account names and contact information of followers of the seller account.

eBay Response:

Information in response to Request 3 was submitted through NHTSA's Confidential Business Information (CBI) Portal under Package ID NCC-1431 on February 20, 2026.

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The information in this response is current as of March 19, 2026. The source of this information is eBay's internal data records.

4. Describe and provide a copy of any policies or procedures eBay utilizes to ensure that an air bag product being offered for sale in a listing is not rebuilt or has never been deployed before.

eBay Response:

eBay prohibits the sale of deployed or rebuilt airbags by any seller and takes steps to proactively enforce this requirement through measures detailed in the response to Requests 14-16. Briefly, all airbag sellers on eBay must have an ARA Certification and membership, which is verified based on information ARA regularly updates and provides. Approved sellers must certify that listed airbags are not subject to any equipment recall. Sellers must certify that airbags are undeployed and must identify the donor vehicle's VIN. eBay uses various detection and enforcement methods, including both automated and manual processes to review seller provided information in the listings, in order to block and/or remove listings that do not meet these criteria based on the information provided by sellers. eBay removes listings that do not comply with its policies, and non-compliant sellers have been restricted from offering airbags or removed from the platform entirely.

eBay's Vehicles, Parts and Accessories policy can be found here:

- <https://www.ebay.com/help/policies/prohibited-restricted-items/vehicle-parts-accessories-policy?id=4293>, and states, among other things with respect to airbags:

The following types of listings are not allowed:

- Leased vehicles or offers to lease vehicles
- AutoCheck or Carfax reports
- Deployed or rebuilt airbags and airbag covers
- Recalled airbags
- Vehicle titles cannot be included when offering parts
- Products not following the Emissions control defeat devices policy
- Vehicle Emission Control Information (VECI) labels
- Parts or accessories designed to bypass any portion of an exhaust system, such as an exhaust cutout

Airbags and their parts or accessories may only be sold by approved sellers under the following conditions:

- Airbag listings must include the Vehicle Identification Number (VIN) of the donor vehicle.
- Only used airbags that have never been deployed are allowed.
- Must not be part of an equipment recall. Sellers are responsible for proactively maintaining their inventory to remove any recalled items.
- Must be shipped in accordance with applicable regulations using hazmat shipping and a carrier other than the US Postal Service.

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- Must include the following statement in listing descriptions: ‘I certify this airbag is not subject to recall and will be shipped in accordance with hazmat shipping requirements.’
- Sellers must complete and maintain the Automotive Recyclers Association (ARA) Certification and must have an active ARA membership

eBay’s Products with Eligibility Requirements policy can be found here:

- <https://www.ebay.com/help/policies/prohibited-restricted-items/products-require-preapproval-policy?id=5271>, and states, among other things, that sellers require pre-approval to list airbags. Sellers approved to list airbags cannot sell deployed or rebuilt airbags.

The information in this response is current as of March 19, 2026. The source of this information is included in the response above.

5. Describe and provide a copy of any policies or procedures eBay utilizes to ensure that a listing does not include a recalled or nonoriginal equipment air bag product.

eBay Response:

eBay prohibits the sale of recalled or counterfeit airbags by any seller and takes steps to proactively enforce this requirement through measures detailed in the response to Requests 14-16. Briefly, all airbag sellers on eBay must have an ARA Certification and membership, which is verified based on information ARA regularly updates and provides. Approved sellers must certify that listed airbags are not subject to any equipment recall. To prevent the sale of counterfeit or otherwise non-original airbags, sellers must certify that airbags are undeployed and must identify the donor vehicle’s VIN. eBay uses various detection and enforcement methods, including both automated and manual processes to review seller provided information in the listings, in order to block and/or remove listings that do not meet these criteria based on the information provided by sellers. eBay removes listings that do not comply with its policies, and non-compliant sellers have been restricted from offering airbags or removed from the platform entirely

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The following types of listings are not allowed:

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- Deployed or rebuilt airbags and airbag covers
- Recalled airbags
- Vehicle titles cannot be included when offering parts
- Products not following the Emissions control defeat devices policy
- Vehicle Emission Control Information (VECI) labels

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- Parts or accessories designed to bypass any portion of an exhaust system, such as an exhaust cutout

Airbags and their parts or accessories may only be sold by approved sellers under the following conditions:

- Airbag listings must include the Vehicle Identification Number (VIN) of the donor vehicle.
- Only used airbags that have never been deployed are allowed.
- Must not be part of an equipment recall. Sellers are responsible for proactively maintaining their inventory to remove any recalled items.
- Must be shipped in accordance with applicable regulations using hazmat shipping and a carrier other than the US Postal Service.
- Must include the following statement in listing descriptions: 'I certify this airbag is not subject to recall and will be shipped in accordance with hazmat shipping requirements.'
- Sellers must complete and maintain the Automotive Recyclers Association (ARA) Certification and must have an active ARA membership

eBay's Products with Eligibility Requirements policy can be found here:

- <https://www.ebay.com/help/policies/prohibited-restricted-items/products-require-preapproval-policy?id=5271>, and states, among other things, that sellers require pre-approval to list airbags. Sellers approved to list airbags cannot sell recalled or counterfeit airbags.

The information in this response is current as of March 19, 2026. The source of this information is included in the response above.

6. Describe any system of records eBay keeps of reported incidents of counterfeit, recalled, or substandard air bags or air bag products being sold through eBay. For each system of records, provide the following information:
 - a. The form eBay keeps these records;
 - b. The length of time eBay keeps these records;
 - c. Where the records are stored; and
 - d. Any document retention or destruction policy relating to these records.

eBay Response (This response has CONFIDENTIAL BUSINESS INFORMATION CONTAINED WITHIN BRACKETS):

eBay maintains the following systems of records where reported incidents of counterfeit, recalled, or substandard airbags are most likely to be submitted. More information on these systems and processes is also found in the response to Request 7.

1. VeRO (Verified Rights Owner Program) - Intellectual property rights owners can submit claims of alleged intellectual property infringement through eBay's Verified Rights Owner Portal.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2. Regulatory Portal - Government agencies can report non-compliant listings through eBay's Regulatory Portal.

[REDACTED]

3. Law Enforcement eRequest System (STACI – Support Tool Assisting Criminal Investigation) - Law enforcement and other government agencies can submit requests for records related to investigations through eBay's Law Enforcement eRequest System.

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]

- [REDACTED]

4. Report Content - Members of the public can submit reports regarding any listing through the Report Content process.

[REDACTED]

[REDACTED]

5. Direct Email Reports - Government agencies and other third parties contact designated eBay staff members directly via email.

[REDACTED]

The information in this response is current as of March 19, 2026. The source of this information comes from eBay's Global Records & Data Management Policy, eBay's Global Retention Schedule Standard & Global Record Retention Schedule, and eBay's Email and Messaging Standard.

7. Describe and provide a copy of any policies or procedures relating to investigating or responding to reported incidents of substandard or counterfeit air bags being sold through eBay. For each policy or procedure please identify when the policy or procedure was implemented.

eBay Response:

Please see response to Request 4. Additionally, eBay maintains the following processes where reports of substandard or counterfeit airbags are most likely to be submitted. With the exception of the Regulatory Portal which was introduced in 2021, the remaining processes existed in some version prior to 2012. As noted, prior to the introduction of the Regulatory Portal, regulators regularly contacted eBay by mail or email.

- Members of the public can submit reports regarding any listing through the reporting content process described here:
 - <https://www.ebay.com/help/account/regulatory/reporting-content-eBay?id=5412>.
- Intellectual property rights owners can submit claims of alleged intellectual property infringement through eBay's Verified Rights Owner Portal described here:
 - <https://pages.ebay.com/vero/>
- Law enforcement and other government agencies can submit requests for records related to investigations through eBay's Law Enforcement eRequest System described here:

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- https://pages.ebay.com/securitycenter/law_enforcement.html
 - https://le.corp.ebay.com/leportal_communitieslogin
- Government agencies can report non-compliant listings through eBay's Regulatory Portal described here:
 - https://regulator.corp.ebay.com/regulatory/REGPORTAL_CommunitiesLogin
- Government agencies and other third parties may mail eBay or contact designated eBay staff members directly via email

The information in this response is current as of March 19, 2026. The source of this information is included in the response above.

8. Describe and provide a copy of any policies or procedures relating to listings cross-listed on other online marketplaces such as Facebook Marketplace.

eBay Response:

eBay listings that may also appear on Facebook Marketplace are subject to all eBay policies and enforcement measures.

Information regarding eBay listings shown on Facebook Marketplace can be found here:

- <https://www.ebay.com/sellercenter/news/2025-april/facebook-marketplace>
- <https://www.ebay.com/help/selling/listings/ebay-listings-facebook-marketplace?id=5559>

The information in this response is current as of March 19, 2026. The source of this information is included in the response above.

9. Identify all listings within the last 10 years in which eBay learned that a substandard or counterfeit air bag product was sold on eBay. In a table, identify the following:
 - a. The listing;
 - b. When eBay become aware of the listing;
 - c. How eBay become aware of the listing;
 - d. A description of the listing;
 - e. The vehicle the air bag module was intended for or installed on including:
 - i. Model Year;
 - ii. Make; and
 - iii. Model.
 - f. Any injuries or deaths associated with those products;
 - g. A narrative explanation regarding eBay's response to the incident including any investigation and the results of such an investigation;
 - h. Any notification to consumers potentially affected by the incident; and
 - i. Any notification to government agencies about the incident.

eBay Response:

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In the ordinary course of its business, eBay does not maintain records that would enable it to provide a complete and accurate response to this Request. eBay has searched all relevant listings associated with the seller accounts identified by NHTSA in Requests 1 through 3 above, and submitted them through NHTSA's Confidential Business Information (CBI) Portal under Package ID NCC-1431 on February 20, 2026.

eBay became aware of the airbag at issue in the *King* lawsuit in March 2025 when it was served with the Second Amended Complaint filed in that lawsuit. That pleading alleged that a specific airbag sold by ffnn2002 malfunctioned, but also alleged that other parties had made modifications that compromised the safety of the vehicle and may have impacted the proper operation of the airbag at issue, including at least by deactivating or disabling the driver's seat belt pre-tensioner. eBay's Motion to Dismiss in that lawsuit was granted with prejudice (order dismissing case attached), and eBay never received discovery or evidence supporting Plaintiffs' claims. eBay was not aware of any widespread issue with DTN airbags, alleged or actual, until on or about October 22, 2025 when Mr. York contacted Mr. Carson at eBay.

The information in this response is current as of March 19, 2026. The source of this information is included in the response above and the attached document labeled "241910271 Order Granting Motion To Dismiss".

10. Provide a copy of eBay's vehicles, parts, and accessories seller policy (the "Policy").

eBay Response:

A copy of the Policy can be found here:

- <https://www.ebay.com/help/policies/prohibited-restricted-items/vehicle-parts-accessories-policy?id=4293>.

The information in this response is current as of March 19, 2026. The source of this information is included in the response above.

11. Identify when the Policy was first implemented by eBay.

eBay Response:

Through a search of our policy histories, the earliest version of the Policy eBay could locate was published in 2005.

12. Identify any time period after 2012 where eBay rescinded the Policy or no longer had the Policy in effect. If the Policy was ever rescinded or paused, provide a detailed narrative explaining why the Policy was rescinded or paused, when eBay re-implemented the Policy, and why eBay re-implemented the Policy.

eBay Response:

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eBay is not aware of any time period after 2012 where eBay rescinded the Policy or no longer had the Policy in effect. Several updates and changes have been made to the Policy after 2012 which are detailed in the response to Request 13.

The information in this response is current as of March 19, 2026. The source of this information is eBay's internal records related to policy content changes.

13. Provide any changes or updates to the Policy since 2012, including a detailed narrative explaining when and why these updates were made.

eBay Response:

The following is a narrative of any changes or updates to the Policy since 2012 with respect to restrictions or prohibitions regarding the sale of airbags. Restrictions and prohibitions related to the sale of airbags have been added since 2012 in order to address seller compliance with applicable regulations.

- 2012 (CLS v17)
 - Listings for the following airbag items were restricted for sale:
 - Pre-owned airbags that have never been deployed as long as they are shipped in accordance with applicable regulations
 - New airbags only from sellers who receive their products directly from the original equipment manufacturer (OEM) and who are authorized to sell these products
 - Listings for the following airbag items were prohibited for sale:
 - Deployed or rebuilt airbags
- 2013 (CLS v18) - information was added to the Policy prohibiting shipment of airbags via the US Postal Service
 - Listings for the following airbag items were restricted for sale:
 - Pre-owned airbags that have never been deployed as long as they are shipped in accordance with applicable regulations
 - New airbags only from sellers who receive their products directly from the original equipment manufacturer (OEM) and who are authorized to sell these products
 - Pre-owned and new airbags cannot be shipped via the U.S. Postal Service
 - Listings for the following airbag items were prohibited for sale:
 - Deployed or rebuilt airbags
- 2017 (CLS v22) - information was added to the Policy prohibiting the sale of airbag covers
 - Listings for the following airbag items were restricted for sale:
 - Pre-owned airbags that have never been deployed as long as they are shipped in accordance with applicable regulations
 - New airbags only from sellers who receive their products directly from the original equipment manufacturer (OEM) and who are authorized to sell these products
 - Pre-owned and new airbags cannot be shipped via the US Postal Service.
 - Listings for the following airbag items were prohibited for sale:
 - Deployed or rebuilt airbags

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- Airbag covers
- 2020 (Oracle v22) - information was added to the Policy that airbags can only be sold by approved sellers, that recalled airbags are prohibited, and a requirement that sellers add the following statement to their airbag listings: "I certify this airbag is not subject to recall and will be shipped in accordance with hazmat shipping requirements." Please note that eBay also maintains a Product Safety policy which already prohibited all recalled products, including airbags.
 - Listings for the following airbag items were restricted for sale:
 - Airbags and their parts or accessories may only be sold by approved sellers and:
 - Must not have been previously deployed
 - Must be sourced from the original equipment manufacturer if new
 - Must be shipped in accordance with applicable regulations using hazmat shipping and a carrier other than the US Postal Service
 - Must include the following statement in listing descriptions: "I certify this airbag is not subject to recall and will be shipped in accordance with hazmat shipping requirements."
 - Must not be part of an equipment recall
 - Sellers are responsible for making sure that their inventory does not contain recalled items and proactively maintain their inventory to remove any recalled items
 - Listings for the following airbag items were prohibited for sale:
 - Deployed or rebuilt airbags and airbag covers
 - Recalled airbags
- 2022 (Oracle v28) - information was added to the Policy requiring approved sellers to only list used airbags which have not been deployed and to be certified by the Automotive Recyclers Association (ARA).
 - Listings for the following airbag items were restricted for sale:
 - Airbags and their parts or accessories may only be sold by approved sellers under the following conditions:
 - Only used airbags that have never been deployed are allowed
 - Must not be part of an equipment recall. Sellers are responsible for proactively maintaining their inventory to remove any recalled items
 - Must be shipped in accordance with applicable regulations using hazmat shipping and a carrier other than the US Postal Service
 - Must include the following statement in listing descriptions: "I certify this airbag is not subject to recall and will be shipped in accordance with hazmat shipping requirements"
 - Sellers must maintain Automotive Recyclers Association (ARA) Certification
 - Listings for the following airbag items were prohibited for sale:
 - Deployed or rebuilt airbags and airbag covers
 - Recalled airbags
- 2024 (Oracle v42) - information was added to the Policy requiring approved sellers to include the Vehicle Identification Number (VIN) of the donor vehicle
 - Listings for the following airbag items were restricted for sale:

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- Airbags and their parts or accessories may only be sold by approved sellers under the following conditions:
 - Airbag listings must include the Vehicle Identification Number (VIN) of the donor vehicle
 - Only used airbags that have never been deployed are allowed
 - Must not be part of an equipment recall. Sellers are responsible for proactively maintaining their inventory to remove any recalled items
 - Must be shipped in accordance with applicable regulations using hazmat shipping and a carrier other than the US Postal Service
 - Must include the following statement in listing descriptions: "I certify this airbag is not subject to recall and will be shipped in accordance with hazmat shipping requirements"
 - Sellers must maintain Automotive Recyclers Association (ARA) Certification
- Listings for the following airbag items were prohibited for sale:
 - Deployed or rebuilt airbags and airbag covers
 - Recalled airbags
- 2026 (Oracle v43) - information was added to the Policy clarifying that approved sellers must have an active ARA membership
 - Listings for the following airbag items are restricted for sale:
 - Airbags and their parts or accessories may only be sold by approved sellers under the following conditions:
 - Airbag listings must include the Vehicle Identification Number (VIN) of the donor vehicle
 - Only used airbags that have never been deployed are allowed
 - Must not be part of an equipment recall. Sellers are responsible for proactively maintaining their inventory to remove any recalled items
 - Must be shipped in accordance with applicable regulations using hazmat shipping and a carrier other than the US Postal Service
 - Must include the following statement in listing descriptions: "I certify this airbag is not subject to recall and will be shipped in accordance with hazmat shipping requirements"
 - Sellers must complete and maintain the Automotive Recyclers Association (ARA) Certification and must have an active ARA membership
 - Listings for the following airbag items are prohibited for sale:
 - Deployed or rebuilt airbags and airbag covers
 - Recalled airbags

The information in this response is current as of March 19, 2026. The source of this information is eBay's internal records related to policy content changes.

14. Provide a detailed narrative explaining how eBay enforces the Policy, including a detailed narrative explaining what constitutes a violation of the Policy. In your response, please:

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- a. Describe eBay's policy and procedure when it learns that a listing violates the Policy. Provide a copy of any policies or procedures relating to enforcing the Policy. For each policy or procedure provide the following:
 - i. When the policy and procedure was made; and
 - ii. An explanation of who enforces the policy or procedure.
- b. Describe the consequences for a seller or listing that is found to violate the Policy. Provide a copy of any policies or procedures outlining eBay's actions following the removal of a seller's listing found to violate the Policy;
- c. Describe all other ways and means eBay is notified when a listing violates the Policy;
- d. Describe how eBay removes listings found to violate the Policy;
- e. Describe any consequences that eBay enforces against sellers that list products that violate eBay's policies;
- f. Describe and provide a copy of any policies or procedures whereby eBay would remove or ban a seller found to violate the Policy;
- g. Describe and provide a copy of any policies or procedures eBay utilizes to ensure that a listing found to violate the Policy is not re-posted; and
- h. Describe and provide a copy of any policies or procedures eBay utilizes to ensure sellers removed or banned for violating the Policy are unable to create a new account or otherwise attempt to re-join eBay.

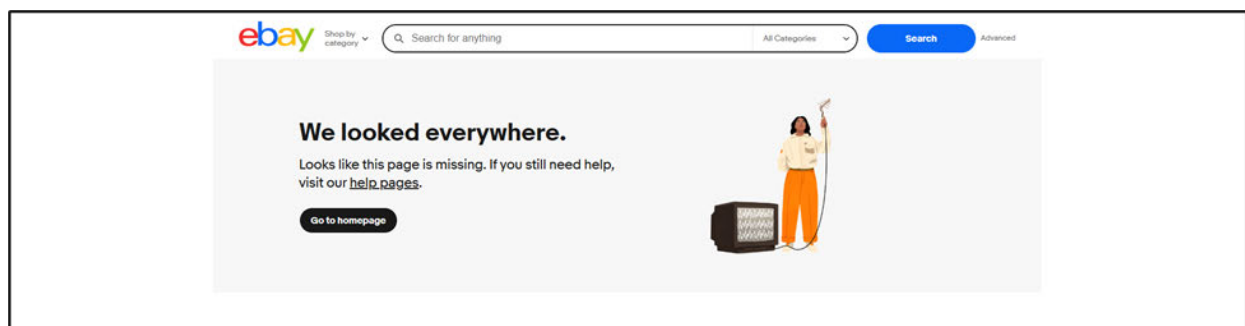
eBay Response:

- a. Describe eBay's policy and procedure when it learns that a listing violates the Policy. Provide a copy of any policies or procedures relating to enforcing the Policy. For each policy or procedure provide the following:
 - i. When the policy and procedure was made; and
 - ii. An explanation of who enforces the policy or procedure.
- When eBay learns that a listing violates the Policy, the listing is removed from eBay's site and the seller is informed why the listing was removed. Information regarding enforcement related to all of eBay's Prohibited and Restricted Items policies can be found here:
 - <https://www.ebay.com/help/policies/prohibited-restricted-items/prohibited-restricted-items?id=4207>
 - <https://www.ebay.com/help/policies/listing-policies/listing-policies?id=4213>
- These policies and procedures have been in effect, in some version, since prior to 2012. These policies and procedures are enforced by a number of different eBay teams, including, but not limited to, eBay's Global Customer Experience team.
- b. Describe the consequences for a seller or listing that is found to violate the Policy. Provide a copy of any policies or procedures outlining eBay's actions following the removal of a seller's listing found to violate the Policy;
- Consequences for a seller or listing that is found to violate the Policy may include: removing the listing or other content; issuing a warning; restricting activity; or account suspension. In certain circumstances, eBay may hide a listing from being visible on eBay's website until the

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problematic content is remedied. Information regarding enforcement related to all of eBay's Prohibited and Restricted Items policies can be found here:

- <https://www.ebay.com/help/policies/prohibited-restricted-items/prohibited-restricted-items?id=4207>
 - <https://www.ebay.com/help/policies/listing-policies/listing-policies?id=4213>
- c. Describe all other ways and means eBay is notified when a listing violates the Policy;
- Please see response to Request 7.
- d. Describe how eBay removes listings found to violate the Policy;
- eBay uses internal tools to disable the URL for the specific listing page found to violate the Policy. Once the URL is disabled, it is no longer visible to the public. We also contact the seller to inform them why the listing was removed and that the item cannot be relisted. A screenshot of a listing page that has been removed is provided below.



- e. Describe any consequences that eBay enforces against sellers that list products that violate eBay's policies;
- Please see response to Request 14 part b.
- f. Describe and provide a copy of any policies or procedures whereby eBay would remove or ban a seller found to violate the Policy;
- Please see response to Request 14 part b. In addition, the reason eBay may remove or ban a seller found to violate the Policy may vary based on the exact circumstances of the violation. Some reasons a seller may be removed or banned include but are not limited to: repeat violations of the Policy; attempts to circumvent enforcement controls; and/or attempts to open a new account after being previously suspended. Information on account suspensions can be found here:
 - <https://www.ebay.com/help/account/account-holds-restrictions-suspensions/account-holds-restrictions-suspensions?id=4190>

CONFIDENTIAL TREATMENT REQUESTED IN REQUEST 6 RESPONSE

- g. Describe and provide a copy of any policies or procedures eBay utilizes to ensure that a listing found to violate the Policy is not re-posted; and
 - eBay takes decisive action to prevent counterfeit and prohibited items from appearing on our marketplace. We invest in a multi-pronged approach that combines sophisticated AI moderation, highly-trained eBay investigators, and robust buyer-protection programs to identify, block, and remove items that infringe on intellectual property or are otherwise prohibited. We also enforce strong measures to deter repeat violations, including permanent suspension for serious or repeated offenses. More information on eBay's enforcement of its prohibited items policies can be found in our Transparency Report here:
 - <https://static.ebayinc.com/static/assets/Uploads/Documents/eBay-2024-Global-Transparency-Report.pdf>
- h. Describe and provide a copy of any policies or procedures eBay utilizes to ensure sellers removed or banned for violating the Policy are unable to create a new account or otherwise attempt to re-join eBay.

Suspended users are prohibited from opening new accounts. We use various internal detection methods to attempt to identify users that are attempting to open a new account after being previously suspended. More information can be found here:

- <https://www.ebay.com/help/account/account-holds-restrictions-suspensions/account-holds-restrictions-suspensions?id=4190>
- <https://www.ebay.com/help/policies/member-behaviour-policies/user-agreement?id=4259>

The information in this response is current as of March 19, 2026. The source of this information is included in the response above.

- 15. Provide a detailed narrative of eBay's process for reviewing listings for compliance with the Policy. In your response, please provide the following:
 - a. A narrative explaining how eBay reviews listings;
 - b. Identify any software used to review listings;
 - c. Identify any artificial intelligence used (AI) to review listings; and
 - d. Provide any policies or procedures related to determining whether a listing complies with or violates the Policy and list when those policies or procedures were implemented.

eBay Response:

- Please see response to Request 14. Specifically with respect to airbags, only pre-approved sellers who are certified by the Automotive Recyclers Association (ARA) may list airbags in the dedicated airbags category. Using the detection and enforcement methods described below, eBay prohibits listings for airbags outside of the dedicated airbags category. Listings within the dedicated airbags category can only be created by ARA-certified and trained sellers that have received pre-approval.

CONFIDENTIAL TREATMENT REQUESTED IN REQUEST 6 RESPONSE

- eBay takes decisive action to prevent counterfeit and prohibited items from appearing on our marketplace. We invest in a multi-pronged approach that combines sophisticated AI moderation, highly-trained eBay investigators, and robust buyer-protection programs to identify, block, and remove items that infringe on intellectual property or are otherwise prohibited. We also enforce strong measures to deter repeat violations, including permanent suspension for serious or repeated offenses. More information on eBay's enforcement of its prohibited items policies can be found in our Transparency Report here:
 - <https://static.ebayinc.com/static/assets/Uploads/Documents/eBay-2024-Global-Transparency-Report.pdf>

The information in this response is current as of March 19, 2026. The source of this information is included in the response above.

16. Provide a detailed narrative explaining what is an “approved seller” under the Policy. In your response, please describe and provide a copy of:
- a. Any policies or procedures utilized to categorize a seller as an “approved seller” under the Policy;
 - b. Any policies or procedures applicable to “approved sellers” maintaining their approved status;
 - c. Any policies or procedures outlining how a seller can lose their “approved seller” status; and
 - d. Any policies or procedures eBay utilizes if eBay learns an “approved seller” posts a listing that violates the Policy.

eBay Response:

Approved airbag sellers must complete and maintain the Automotive Recyclers Association (ARA) certification and maintain an active ARA membership. Approved airbag sellers must also comply with all other requirements of the Policy detailed below. More information on ARA certification can be found here - <https://aracertification.com/>. As of March 6, 2026, there were 218 approved airbag sellers.

- The requirements for an approved seller for airbags under the Policy are detailed in the policy documents linked in part a. below. Those requirements include:

The following types of listings are not allowed:

- Leased vehicles or offers to lease vehicles
- AutoCheck or Carfax reports
- Deployed or rebuilt airbags and airbag covers
- Recalled airbags
- Vehicle titles cannot be included when offering parts
- Products not following the Emissions control defeat devices policy
- Vehicle Emission Control Information (VECI) labels
- Parts or accessories designed to bypass any portion of an exhaust system, such as an exhaust cutout

CONFIDENTIAL TREATMENT REQUESTED IN REQUEST 6 RESPONSE

Airbags and their parts or accessories may only be sold by approved sellers under the following conditions:

- Airbag listings must include the Vehicle Identification Number (VIN) of the donor vehicle
 - Only used airbags that have never been deployed are allowed
 - Must not be part of an equipment recall. Sellers are responsible for proactively maintaining their inventory to remove any recalled items
 - Must be shipped in accordance with applicable regulations using hazmat shipping and a carrier other than the US Postal Service
 - Must include the following statement in listing descriptions: "I certify this airbag is not subject to recall and will be shipped in accordance with hazmat shipping requirements"
 - Sellers must complete and maintain the Automotive Recyclers Association (ARA) Certification and must have an active ARA membership
- a. Any policies or procedures utilized to categorize a seller as an “approved seller” under the Policy;
- <https://www.ebay.com/help/policies/prohibited-restricted-items/vehicle-parts-accessories-policy?id=4293>
 - <https://www.ebay.com/help/policies/prohibited-restricted-items/products-require-preapproval-policy?id=5271>
- b. Any policies or procedures applicable to “approved sellers” maintaining their approved status;
- Please see policy documents linked to in part a. above.
- c. Any policies or procedures outlining how a seller can lose their “approved seller” status; and
- Please see policy documents linked to in part a. above. An approved seller may lose their status for any violation of the Policy.
- d. Any policies or procedures eBay utilizes if eBay learns an “approved seller” posts a listing that violates the Policy.
- Please see answers to Requests 14 and 15.

The information in this response is current as of March 19, 2026. The source of this information is included in the response above.

17. Describe and provide a copy of any policies or procedures eBay utilizes to ensure that air bag products are shipped in accordance with applicable regulations regarding hazmat shipping and a carrier other than the US Postal Service.

eBay Response:

CONFIDENTIAL TREATMENT REQUESTED IN REQUEST 6 RESPONSE

- The policy requiring airbag sellers to ship airbags in accordance with applicable regulations regarding hazmat shipping and a carrier other than the US Postal Service is linked below. eBay takes certain steps to enforce this requirement, including through restrictions on the use of certain shipping destinations and shipping services, including USPS, during the listing creation process. In addition, further information on eBay's enforcement of its prohibited and restricted items policies, including the Policy, can be found in the responses to Requests 14 and 15.
 - <https://www.ebay.com/help/policies/prohibited-restricted-items/vehicle-parts-accessories-policy?id=4293>

Sincerely,



Michael Carson

eBay Inc.

Affidavit

I, Michael Carson, have undertaken and directed an inquiry reasonably calculated to assure that the answers and production of documents are complete and correct and that I, Michael Carson, have caused the documents of eBay Inc. to be searched diligently for information and documents responsive to this Special Order and produced them to NHTSA, and that the answers to the inquiries provided to NHTSA respond completely and correctly to this Special Order.

Executed on this the 19th day of March, 2026.

Michael Carson
eBay Inc.

Index

Title of Document Produced	Request to which it Corresponds
eBay's Vehicles, Parts, and Accessories Policy	Requests 4, 5, 10, 16, 17
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