

VOLKSWAGEN

10 December 2004



2004 DEC 15 A 9 25
DEPARTMENT OF TRANSPORTATION

Mr. Kenneth N. Weinstein
Associate Administrator
for Enforcement
National Highway Traffic
Safety Administration
400 Seventh St., S.W.
Washington, D.C. 20590

Safety Affairs and

Vehicle Testing

Mail Code 3C02

3800 Hamlin Road

Auburn Hills, MI 48326

Tel. (248) 754-5000

Fax (248) 754-5099

04V-592
(3 pages)

Subject: *Notification of Determination of Noncompliance to Federal Motor Vehicle Safety Standard 208 pursuant to 49 CFR Part 573 (2004 and 2005 MY Touareg)*

Dear Mr. Weinstein:

This noncompliance information report is filed pursuant to Title 49, Part 573 of the Code of Federal Regulations.

573.6(c)(1)

Manufacturer/Importer filing Report

Volkswagen of America, Inc. (Volkswagen)

573.6(c)(2)(i)

Identification of Vehicles or Equipment

Touareg vehicles manufactured in the 2004 and 2005 MY produced until September 20, 2004 (to VIN: WVGMM77L35D030829).

573.6(c)(3)

Number of Vehicles Affected

A total of approximately 39,654 Touareg vehicles in MY 2004 and 10,829 Touareg vehicles in MY 2005 are affected.

573.6(c)(4)

Percentage of Items containing the Noncompliance

100%.

573.6(c)(5)

Description of Noncompliance

The vehicles failed to comply with FMVSS 208 S7.1.1.5 with regard to the activation of the seat belt locking feature in the outboard rear seating positions. All three rear seat positions and the front passenger position are equipped with seat belt retractors that have a locking feature which converts the retractor from an emergency locking retractor (ELR) mode to an automatic locking retractor (ALR) mode for the purposes of child restraint installation. The belts convert to the ALR mode after the webbing has been drawn fully out of the retractor. As the belt is then released into the retractor, the system remains in the ALR mode so that the belt can be tensioned for securing a child restraint. However, for the rear outboard seating positions the ALR mode deactivates to the ELR mode at a point before all of the webbing of a belt, in which the latch plate has been inserted into the buckle, has been fed back into the retractor. As a result, the belt may deactivate the ALR mode with certain child restraints, which have a short belt routing path so that such child restraints are not securely installed within the meaning of the requirement.

The seat belt in the center rear seating position remains in the ALR mode until all of the webbing of a belt (that has been buckled) has been returned to the retractor and therefore this seating position is in full compliance.

573.6(c)(6)

Basis for Noncompliance Determination

Volkswagen of America, Inc. has a child passenger safety directive in place entitled Sit Safe. Dealership personnel are trained using the 32-hour NHTSA CPS curriculum. Volkswagen of America (VW) received an inquiry from a certified Sit Safe specialist who attempted to install a child seat in a Touareg vehicle. VW checked the situation and found that the upper seat belt anchor needs to be adjusted to its uppermost position in order to accommodate certain CRS that may require very little belt length in order to be fastened by the outboard rear seat belts. VWAG and Porsche initiated a design change, which would allow the use of any CRS without the need to adjust the seat belt anchors to the uppermost positions.

A telephone contact from NHTSA and meetings with agency staff prompted further investigation, which eventually led to a determination of non-compliance.

573.6(c)(7) Noncompliance Test Reports

Not applicable.

573.6(c)(8) Proposed Remedial Action

TBD

573.6(c)(9) Submission of Communications relating to the Noncompliance

TBD

Sincerely,

VOLKSWAGEN OF AMERICA, INC.



Dietmar K. Haenchen
Process Leader
Safety Affairs and Vehicle Testing