



March 21, 2023

VIA EMAIL

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Re: Third Set of New Cases for DP22-003; Petition for defect investigation of Hyundai/Kia oil drain pan assemblies

Dear Dr. Ridella:

This letter comes on behalf of the undersigned organizations which represent the majority of the nation's automotive repair and preventative maintenance professionals. We are updating our petition for a safety-related vehicle defect investigation pursuant to 49 CFR 554, now designated DP22-003, which also provided notice of manufacturer failure to provide necessary maintenance and repair information to consumers as well as required information to NHTSA pursuant to 49 CFR §579.5. New cases involving Hyundai Motor Company and Kia Motor Company ("H/K") defective oil drain pan assemblies continue to be discovered and are presented below.

The average miles travelled post-service in this new case set is 2,500 miles. The shortest post-service alleged plug-out interval was 1,372 miles; the longest interval was 4,269 miles. The average time between service and plug-out was 3.3 months. It should again be noted that some automotive aftermarket professionals have begun using oil extraction equipment for H/K vehicles rather than touch the oil drain pan assemblies, and yet mid-interval plug-out allegations continue to occur. At least one Hyundai dealer has switched to extraction-only due to plug-outs as well. See consumer complaint #141 on page four below.

Year/Make/Model/Eng/Oil Drain Pan Part	Time or Distance to Plug-Out / Narrative	#
2020 Hyundai Kona 2.0L MPI Nu KM8K62AA2LU**** Part 21510-2E023	Consumer submitted complaint to NHTSA 11487041 on September 29, 2022 regarding incident on September 25, 2022: The contact owns a 2020 Hyundai Kona. The contact stated while starting the vehicle, she heard an abnormal sound coming from the vehicle. The contact then noticed that the checking engine warning light was illuminated. The contact stated while driving 45 MPH, the vehicle lost motive power and the oil warning light flashed twice on the instrument panel. The contact was able to pull into a service station and had the vehicle towed to the dealer to be diagnosed. The contact was informed that whenever the last oil change was performed, the drain cap was not replaced, causing severe damage to the engine. The contact was informed that the engine needed to be replaced. The contact was informed that the failure was not similar to the failure listed in NHTSA Campaign Number: 21V301000 (Engine). The vehicle was not repaired. The manufacturer was not contacted. The failure mileage was 18,000.	138
2018 Hyundai Kona 2.0L MPI Nu KM8K12AA8JU**** Part 21510-2E023	Consumer complaint to NHTSA 11511771 made on March 14, 2023 regarding incident on February 25, 2023: Oil change was on 1/13/2023 at 33,505 miles. On 2/25/2023 at 35,366 miles after driving on the highway for about 30 mins at 65 mph, the oil light came on and car was making a loud noise as I pulled in to park. My car was parked for about 1.5hrs at my destination. I attempted to drive home and get back on the highway when my engine stalled at about 40 mph and my engine and battery light came on. I had to pull over to the shoulder as my car would not drive anymore. My car was then towed to my house and later to the Hyundai dealer where they determined that my engine stalled due to lack of oil because my drain plug was missing. Hyundai refuses to fix this under warranty because the drain plug is missing and they are insisting this is because of the oil change place I went to nearly 2 months ago. When I went to the oil change place, they insist that they didn't do anything wrong, and if they did incorrectly put the drain plug on, my oil would've leaked much sooner than it did. There is currently an investigation with NHTSA with my exact issue where the oil drain plug still falls out, even if the person performing the oil change puts the drain plug on exactly how it should be. Directly from the NHTSA site: "Apparently, the thin metal, along with engine vibrations and expansion/contraction tend to loosen the drain plug without any other intervention. NHTSA is investigating this as a factory defect issue." My safety was deeply put at risk as I was driving on the highway when this happened and I could've easily gotten into an accident and faced injuries. I'm stuck in the middle as the oil change place denies it is their fault and Hyundai refuses to fix	147

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	under warranty strictly because the oil drain plug is missing. When I explained to them that I would've have this issue with my engine if the drain plug was present, they agreed. They are stating that it is \$10,000 to repair my car and that I have to pay upfront and cannot do multiple payments. (1,861 miles after service; Katy, Texas)	
2018 Hyundai Kona 2.0L MPI Nu KM8K2CAA4JU***** Part 21510-2E023	Consumer had oil changed at 29,248 miles. While driving on the highway 1,372 miles later, the oil MIL came on and customer stopped, saw that the oil drain plug was gone. Had vehicle towed to repair shop. (Aurora, CO)	148
2019 Hyundai Santa Fe 2.4L GDI Theta II 5NMS53AD8KH***** Part 21510-2G500	Consumer complaint to NHTSA 11506143 on February 7, 2023, incident Date October 25, 2021: I purchased a pre-owned certified 2019 Hyundai Santa Fe from a Hyundai dealership on 10/13/2020 and the vehicle had 21,770 miles. Then on 10/25/2021 (vehicle mileage was 31,950), I was driving my vehicle on the onramp to I-10 West lanes at Gessner Road. As I was accelerating at 40 mph to enter the freeway, my car engine seized and immediately I lost the ability to accelerate since the engine died. I immediately pulled over and had my car towed to the local Hyundai Dealership, HUB Hyundai Mitsubishi West. The Hyundai Dealership Service Manager, Daniel Castillo (832-739-6353), inspected my vehicle and after an inspection of the engine/underside of the vehicle, Hyundai found no damage or impact on the vehicle or the underside of the vehicle besides a missing drain plug. Their analysis concluded that the full result of the mechanical issue with the engine was a result of the missing drain plug which caused the oil to leak from the engine. Hyundai denied the warranty on the engine citing due to the drain plug issue is a direct result of a third party, Brake Check, that recently changed the oil (See attachment). The Brake Check Store #545 (11564 Westheimer Road, Houston TX 77077) had conducted recent oil changes performed on the vehicle on 12/8/2020 when the vehicle had 24,300 miles and on 5/5/2021 when the vehicle had 27,681 miles. I filed a claim (#3419328-1) with Brake Check for the damages however after 5 months of correspondences I was denied since I could not prove they did anything and the drain plug was missing. I also tried to file a claim with my personal auto insurance carrier, Progressive, however I was denied since the claim did not involve an accident. There was no warning lights that ever appeared on my dash prior to the incident. However, when I did go home that evening, I noticed a fresh large oil stain on my driveway were my car had previously be parked. The oil stain just occurred that day (See attached photo) [4,269 miles post-service]	139

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2015 Hyundai Santa Fe 3.3L DOHC GDI Lambda II KM8SN4HFXFU**** Part 21520-3C153	Consumer complaint to NHTSA 11510572 on March 7, 2023 regarding incident on March 4, 2023: While driving on the interstate at approximately 70 miles per hour, the engine powered down and would not restart. A mechanic advised me the engine seized and would need to be replaced, due to lack of oil in the engine. The oil had been changed at regular intervals, and there was no indication of an oil leak or low pressure. I have reviewed Investigation DP 22-003 and believe I have experienced a similar defect. (Leeds, Alabama)	146
2021 Hyundai Sonata 2.0L GDI NU PE + HEV KMHL24JJ1MA**** Part 21510-2J600	Consumer complaint to NHTSA 11509128 on March 2, 2023 regarding incident on March 1, 2023: Engine oil plug backed out while driving causing loss of all engine oil in the mountains. Drive time was one hour when oil lamp turned on as we reached our destination. Oil check stick had no oil on it and the whole undercarriage and rear of the car was covered in engine oil. Made an attempt to refill oil and plug fell all the way out and poured the new oil onto the ground. The oil plug is not visible or accessible due to a plastic cover on the underside of the car. The vehicle was towed to Elk Grove Hyundai dealership for service since they were the last hands on the car for regular maintenance. It was confirmed by the dealership the oil plug backed out on it's own. My family's safety was compromised as we were driving at night in steep mountains during high traffic time. There would be nowhere to go if the engine ceased and would cause an accident on HWY 50 in California. Also a full six quarts of oil was leaking on the back roads, highway, and residential roads, and eventually in a high school parking lot was where the bulk of the oil was spilled. This is an environmental hazard at public school Eldorado High School. (Galt, CA)	145
2018 Hyundai Sonata 2.4L GDI Theta-II 5NPE24AF0JH**** Part 21510-2G500	Customer complaint to NHTSA 11508753 on February 22, 2023: "Hairline crack in engine oil pan possibly resulting in engine failure."	142
2012 Hyundai Sonata 2.4L HEV MPI DOHC KMHEC4A41CA**** Part 21510-2G500	Consumer complaint to NHTSA 11507474 submitted February 15, 2023 regarding February 7, 2023 incident: 3 months post oil change June 2022, oil plug fell out on highway and motor seized. Dealership advised motor no longer manufactured and recommended used motor supplier. Purchased a used motor with 80K on engine, had it installed in June of 2022. Dealership did oil change in December 2022, in February 2023 noticed oil smell and oil on the ground in driveway. Added 4.25 quarts of oil and started motor, attempted to locate the leak when noticed leak below motor. Turned off motor and found oil dripping from under car near the oil drain plug. Reached under car and touched oil drain plug with finger and plug fell out draining all oil to the ground. Had vehicle towed to the dealership, new oil change completed. Demanded	141

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	the dealership install new oil drain plug, torque to manufacture specifications and apply lock tight to plug. Dealership stated they no longer remove the oil drain plug due to customer complaints and stated they only pump out the oil. When I asked them if that was a manufacture recommendation or their own they stated they started doing it due to multiple complaints from customers. Two engines 8 months apart, oil drain plug coming lose and falling out not a coincidence.	
2018 Hyundai Tucson 1.6L T-GDI Gamma KM8J3CA22JU**** Part 21510-2E023	Customer complaint to NHTSA 11507486 on February 15, 2023 regarding incident February 12, 2023: My wife was driving home. She had taken the highway home when she had suddenly lost power with no warning or indication from the cars dashboard there was no warning lamps or messages explaining why the car lost power and that the car would not turn back on. The vehicle was towed to an independent mechanic where it was determined that the engine was seized up and that the motor needed to be replaced and that the car had no oil in the engine. Which is not possible since the cars Maintenance intervals were maintained. It was also later determined that the oil pan bolt was under tighten due to bad threading on the oil pan and bad oil pan seals. The car will be towed to a dealership for further inspection. This issue presents a possible fire hazard or risk of accident while at high speeds. My wife did suffer a small injury to her forehead after rapid loss of speed from the steering wheel.	143
2018 Hyundai Tucson 2.0L GDI Nu KM8J3CA47JU**** Part 21510-2E023	Consumer complaint to NHTSA 11509840 on March 3, 2023 regarding incident March 2, 2023: The contact owns a 2018 Hyundai Tucson. The contact stated while driving approximately 55 MPH, the vehicle began to lose forward momentum. The contact depressed the accelerator pedal to gain speed and the vehicle continued to lose forward momentum. The contact stated that the engine revved and there was no warning light illuminated. The contact pulled off the roadway and turned the vehicle off. The contact attempted to restart the vehicle and the vehicle failed to restart. The contact had her father inspect her vehicle, he then replaced the battery and was able to restart the vehicle and drove it to her residence at a slow speed. The contact stated that her father told her that the vehicle was making abnormal sounds in the engine. The contact stated that she later saw that oil had puddled under her vehicle. The contact had the vehicle towed to a local dealer, where it was diagnosed and determined that the drain plug had fallen after a previous oil change. The contact stated that the oil change had been performed nearly 4 months prior. The vehicle had not been repaired. The manufacturer had not been informed of the failure. The contact researched online and related the failure to	144

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	NHTSA Action Number: DP22003 (Engine). The failure mileage was approximately 46,000. Glenbrook Hyundai 8779652263 Fort Wayne, IN	
2020 Kia Sportage 2.4L GDI Theta II KNDPM3ACXL7**** Part 21510-2G500	Consumer complaint to NHTSA 11497988 reported December 19, 2022 (Incident date August 25, 2022): My engine seized while driving. I had it immediately towed to the local Kia dealership for inspection. The technician found that the oil drain plug was missing and the engine seized needing a complete engine repair for about \$14,000. There was no indication from my vehicle that oil pressure was low or that maintenance was required. My vehicle only had 23,027 miles on it when it seized and I take my vehicle to be serviced as required. Warranty said that they will not cover the repair for my vehicle for (outside influence) because I did not get my oil change at a Kia Dealership. I have been denied by Kia customer care with every attempt to get my car repaired under warranty and I continue to be denied. I had my oil changed three months prior to the drain plug falling out and I did not need an oil change for another 2000 miles. This is a brand new vehicle with very low mileage and as a Kia customer I am not protected and with the oil drain plug just mysteriously falling out months after oil change. KIA Warranty continues to deny this and I am suffering greatly with no resolution. The oil company assured that a serious check and cross check, in addition to other procedures, are performed on every oil change that they perform. And their certified lube technicians will never use a pneumatic/power tool to tighten oil drain plugs, and it is done manually using a torque wrench to the manufacturer's specified torque. Even with this information Kia Warranty has continued to deny fixing my vehicle for outside influence. I am desperately seeking a resolution.	140

## Conclusion

Taking all three of our case submissions into account, NHTSA now has evidence of at least 24 consumer complaints made directly to NHTSA and 113 complaints from professional aftermarket automotive maintenance experts and consumer forums. We have also been made aware of a significant number of complaints for alleged Hyundai/Kia plug-outs managed by various insurance companies, at least one of which is attempting to obtain clearance to make their complaint evidence available to NHTSA.

We thank you in advance for your ongoing consideration of this consumer safety issue. With the exception of publicly posted complaints, we have once again not provided any identifying information about individual consumers impacted by the H/K oil drain pan assembly defects. We made this decision

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out of respect for them as well as state privacy laws. If you need additional information from us and we can provide it in a way that protects the confidentiality of our customers, we will do so.

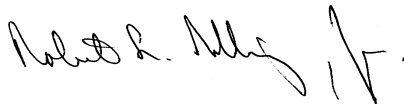
Respectfully,



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cc: Anne L. Collins, NHTSA Associate Administrator for Enforcement