



Coordinated Remedy Program Proceeding: What is the status? Frank Borris

The history of rupturing Takata inflators is long and complex, dating back to May of 2004. For several years we believed that manufacturing errors caused the ruptures. We no longer believe that to be true. Today the exact cause of the ruptures, or the “root cause,” is unknown, though it seems to be related to environmental conditions that affect inflators as they age.

I am not going to detail the history of this investigation here, but we have prepared a history of events that will be placed in the Docket at www.regulations.gov, in Docket NHTSA-2015-0055, where it will be publicly available.

On May 18th of this year, at NHTSA’s urging, Takata filed 4 Defect Information Reports, acknowledging on a national basis that a defect exists in certain types of Takata’s driver and passenger air bag inflators. As explained in the Defect Information Reports (15E-040, 15E-041, 15E-042 and 15EV-043), Takata’s understanding of the defect was that, quote, “the inflator ruptures appear to have a multi-factor root cause that includes the slow-acting effects of a persistent and long term exposure to climates with high temperatures and high absolute humidity.” Unquote. The Defect Information Reports cover certain driver inflator types from the start of production through the end of production. These driver inflators have propellant like Mr. Ridella explained, that is in the shape of a “batwing”. And all of these inflators with the “batwing” propellant will be replaced as part of the recalls currently underway.

Other Takata Defect Information Reports—for the passenger inflator types—are more limited. The passenger defect reports cover certain passenger inflator types and certain makes and models from the start of production through model year 2008 vehicles. So far, for vehicles that are model year 2008 and later, there have been no ruptures of Takata inflators in vehicles or in routine product testing. However, the agency is monitoring this situation very closely.

Since Takata’s defect filings in May of this year, the 12 affected vehicles manufacturers have started recall campaigns. The remedy programs to replace the bad inflators with new ones are in various stages, as Jennifer Timian, Chief of the Recall Management Division, will explain in more detail shortly.

As of October 20, 2015, the agency is aware of 89 driver and 32 passenger inflator rupture events, with 98 alleged injuries as a result of a rupturing Takata inflator. Some of these injuries have been serious and include cuts or lacerations to the face or neck, broken or fractured facial bones, loss of eyesight, and broken teeth. The agency is also aware of 7 deaths in the United States—and 1 more death in another country—that we have determined were caused by the rupture of the driver inflator. This means that, in round numbers, nearly 1 in 10 driver inflator ruptures has resulted in death. So far, a rupture of the passenger inflator seems less likely to cause the same severity of injury that the driver inflator causes since not 1 of the 32 passenger inflator ruptures has resulted in death.

Because of the severity of the injuries people have suffered, the risk of serious injury or death from a rupture, the size of the affected vehicle population, as well as the number of affected vehicle manufacturers, and the unanswered questions surrounding the root cause of the ruptures, the agency opened a Coordinated Remedy Program Proceeding for the Replacement of Certain Air Bag Inflators on June 5th of this year.

Since June, the agency has conducted the Coordinated Remedy Program Proceeding with the purpose of determining whether the agency needs to take action beyond its routine operating procedures, and if so, what actions would be appropriate. Specifically, the agency is examining whether it is appropriate to accelerate the remedy programs of the vehicle manufacturers to ensure that the American public is adequately protected. To do this, we have been working to identify problems in the process of replacing the recalled Takata air bag inflators, and to identify possible solutions.

The recalls of Takata air bag inflators involve more vehicles needing repair than any other automotive recall in American history. Typically, each vehicle manufacturer's recall is handled separately, which usually makes sense since in most cases the defect is specific to that manufacturer's vehicles. But in this case, the defect occurs in a part used by many vehicle manufacturers. Dealing with each recall separately would not address issues that affect multiple vehicle manufacturers and their customers, such as whether there are enough parts available to fix all the vehicles that need to be fixed within an acceptable timeframe. To speak plainly, the nearly 23 million replacement inflators needed simply won't be available within the next month, or even the next 6 months. Through the Coordinated Remedy Program Proceeding we are looking at how to address this, and you'll hear more about that today.

As explained in the June 5th Federal Register notice, this Proceeding has been, and remains, open to the public, and includes a public docket where people can provide comments to the agency. In addition to taking public comment, through this Proceeding the agency has gathered specific, targeted information from the affected vehicle manufacturers, parts suppliers, and testing laboratories, to better understand the current scientific analysis of the problem and the challenges faced across the industry in conducting these recalls.

How did we do this? First, we asked questions. And all of these questions have been publicly available in our docket. We sent written questions to the vehicle manufacturers affected by the recalls asking for information about their remedy plan, their supply chain, their anticipated timelines for obtaining remedy parts, and any challenges they faced or foresaw. We sent questions to Takata about its remedy part production capabilities and timelines for increased production. And we also sent questions to other major suppliers who produce air bag inflators, to learn about their involvement in producing remedy parts, and their capabilities to do so going forward, including any plans or ability to increase that production. The agency also sent questions to other vehicle manufacturers who have used Takata air bag inflators that are not currently included in the recalls, since these manufacturers could be affected if the Takata recalls expand to other inflator types in the future. Again, all of our questions, and the responses we received from the industry, are available for public inspection in our public docket, available at www.regulations.gov, docket NHTSA-2015-0055.

In addition to written questions and responses, the agency had many meetings and conversations with the involved vehicle manufacturers and suppliers. The agency also met with Takata and multiple testing companies who are conducting a variety of tests to try to determine what it is exactly that causes these inflators to rupture. Throughout this process, the agency has gathered the best data to determine the risk factors for a rupture.

A dedicated team of agency staff has reviewed and analyzed all of this data and information to develop a knowledge of this problem that is both broad and deep.

To summarize, staff across many different offices within the agency have been working diligently over the past 4 and a half months to learn as much as possible about the many problems and challenges presented by the Takata inflator recalls. In the coming weeks, we expect to provide the Administrator with the information he needs to make a decision about how to proceed.