

VOLKSWAGEN

GROUP OF AMERICA

EXECUTIVE SECRETARIAT
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2019 JAN 28 P 4:04

Heidi King, Acting Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Christopher T. Sandvig NAME
Director Title
Group Customer Protection Department
248-754-5000 Phone
248-754-5093 Fax
January 25, 2019 Date

Subject: Petition for Inconsequential Noncompliance with FMVSS 108
2015 MY - 2016 MY Audi A3 Vehicles
Left Rear Turn Signal - Fast Flasher

VOLKSWAGEN GROUP OF AMERICA, INC.
3800 HAMLIN ROAD
AUBURN HILLS, MI 48326
PHONE +1 248 754 5000

Dear Ms. King:

Enclosed is Volkswagen Group of America, Inc.'s (Volkswagen) petition for inconsequential noncompliance under Federal Motor Vehicle Safety Standard (FMVSS) No. 108, Lamps, Reflective Devices, and Associated Equipment, existing on approximately eighty-two thousand (81,831) 2015 MY - 2016 MY Audi A3 vehicles.

Under separate cover, Volkswagen submits to NHTSA the required notice and information under 49 C.F.R. Part 573 that identifies all vehicles affected by this noncompliance. Volkswagen has taken steps to identify and stop the sale of any noncompliant vehicles. Volkswagen notes all affected vehicles have been sold.

Pursuant to 49 U.S.C. 30118(d) and associated regulations at 49 C.F.R. Part 556, Volkswagen now petitions for exemption from the notification and remedy requirements of the Motor Vehicle Safety Act on the grounds that the condition at issue is inconsequential as it relates to motor vehicle safety.

Volkswagen is incorporated under the laws of the State of New Jersey, and maintains offices at 2200 Ferdinand Porsche Drive, Herndon, Virginia 20171.

Noncompliant Condition

The subject 2015 MY - 2016 MY Audi A3 vehicles have been identified as not having a "fast flashing" turn signal indicator, affecting only the left rear turn signal, if the turn signal LED array were to become inoperative.

ES 19-000158

Conclusion

Volkswagen submits that the subject non-compliance for turn signal inoperative warning (fast flashing requirement) does not present a risk to the driver or surrounding motorists and is inconsequential as it relates to motor vehicle safety.

While the turn signal flash rate does not change, indicating an inoperative turn signal bulb, the driver does receive multiple visual / audible warnings indicating a bulb outage, specific to the location of the problem. On the exterior of the vehicle, left turn signal indicator lights are still operational / visible at the left side view mirror and on the left side of the trunk lid (reference Figure 1, Side marker indicator, part 2).

On the basis of this information, Volkswagen requests an exemption from the notification and remedy requirements of the Motor Vehicle Safety Act pursuant to 49 U.S.C. 30118(d) and associated regulations at 49 C.F.R. Part 556.

Please contact me if you require any additional information or have any questions related to this petition.

Sincerely,



Christopher T. Sandvig
Director, Group Customer Protection
Group Quality

The above condition is noncompliant with FMVSS 108, S9.3.6.

S9.3.6 Turn signal lamp failure. Failure of one or more turn signal lamps such that the minimum photometric performance specified in Tables VI or VII is not being met must be indicated by the turn signal pilot indicator by a “steady on”, “steady off”, or by a significant change in the flashing rate, except when a variable-load turn signal flasher is used on a multipurpose passenger vehicle, truck, or bus 2032 mm or more in overall width, on a truck that is capable of accommodating a slide in camper, or on any vehicle equipped to tow trailers.

For any other potential turn signal location faults, the turn signal indicator operates in accordance (increased flash rate) with FMVSS 108, S9.3.6.

Affected Vehicles

As set forth in the Part 573 notice to NHTSA, the noncompliance relates to the following vehicles:

- Certain 2015 MY Audi A3 vehicles, produced between 11/28/2013 and 08/03/2015. A total of 46,707 vehicles are affected.
- Certain 2016 MY Audi A3 vehicles, produced between 05/15/2015 and 07/28/2016. A total of 35,124 vehicles are affected.

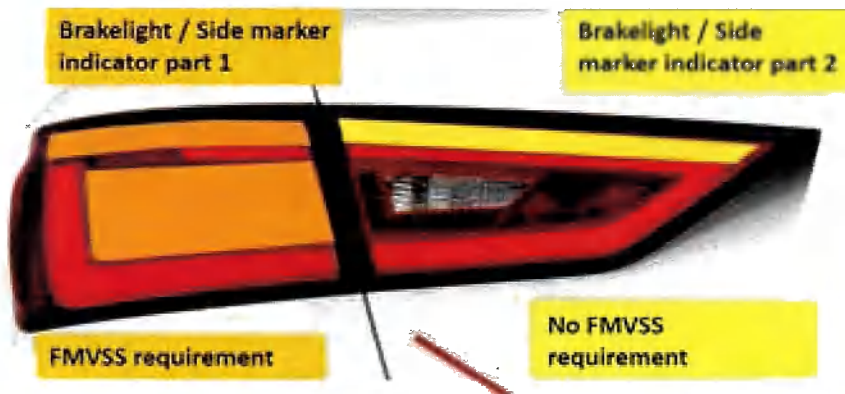
Inconsequentiality of Non-compliance

Volkswagen submits that the condition described above is inconsequential as it relates to motor vehicle safety, as the driver receives two different indicator warnings in the instrument cluster immediately upon error.

The brake light and indicator light/turn signal are combined; the referenced tail lamp assembly subject to FMVSS 108, is the outboard lighting assembly. The particular condition is limited to the outermost left rear lamp assembly only.

In the case of bulb failure, both lights are then inoperative, including the turn signal. Please reference Figure 1 (Brakelight / Side marker light part 1).

Figure 1: Rear Lamp Assembly



Please reference driver warnings indicating left turn signal bulb outage, in Figures 2-3:

Figure 2: Indicator that left rear brake light is inoperative



Figure 3: Indicator that left rear brake light is inoperative



Should the LED left turn signal become inoperative, external indicator lights signalling a left turn are still operational on the trunk and on the left side view mirror of the vehicle, as demonstrated in the attached video file, "[Inoperative taillight with left turn signal.mp4](#)".

Additionally, the reverse lamp in the left rear tail lamp assembly and the left brake light in the trunk lid assembly remain operational, in addition to the center high mount stop lamp, as demonstrated in video files, "[Inoperative taillight with braking.mp4](#)" and "[Inoperative taillight with reverse.mp4](#)".

Part 573 Safety Recall Report

19V-056

Manufacturer Name : Volkswagen Group of America, Inc.**Submission Date :** JAN 28, 2019**NHTSA Recall No. :** 19V-056**Manufacturer Recall No. :** 97CM**Manufacturer Information :****Population :**

Manufacturer Name : Volkswagen Group of America, Inc.

Number of potentially involved : 81,831

Address : 3800 Hamlin Road

Estimated percentage with defect : 100 %

Auburn Hills MI 48326

Company phone : 1-800-893-5298

Vehicle Information :

Vehicle 1 : 2015-2016 Audi A3 Sedan

Vehicle Type :

Body Style :

Power Train : NR

Descriptive Information : The recall population was determined based upon production dates and software versions identified as being subject to the noncompliance with FMVSS 108, S9 3.6. Vehicles not included are identified with production dates outside the affected window.

Audi A3 Sedan vehicle count: 66265

Production Dates : NOV 28, 2013 - JUL 28, 2016

VIN Range 1 : Begin : WAUBFGFF5F1000653 End : WAUB8GFFXG1118631 Not sequential

Vehicle 2 : 2015-2016 Audi A3 Cabriolet

Vehicle Type :

Body Style :

Power Train : NR

Descriptive Information : The recall population was determined based upon production dates and software versions identified as being subject to the noncompliance with FMVSS 108, S9 3.6. Vehicles not included are identified with production dates outside the affected window.

Audi A3 Cabriolet vehicle count: 7496

Production Dates : JUN 05, 2014 - JUL 02, 2016

VIN Range 1 : Begin : WAU3FLFF7F1020223 End : WAU78LFF3G1117495 Not sequential

Vehicle 3 : 2015-2016 Audi S3 Sedan

Vehicle Type :

Body Style :

Power Train : NR

Descriptive Information : The recall population was determined based upon production dates and software versions identified as being subject to the noncompliance with FMVSS 108, S9 3.6. Vehicles not included are identified with production dates outside the affected window.

Audi S3 Sedan vehicle count: 8070

Production Dates : JUN 10, 2014 - JUL 25, 2016

VIN Range 1 : Begin : WAUFFHFF0F1019540 End : WAUB1GFF1G1118599 Not sequential

Description of Noncompliance :

Description of the Noncompliance : The affected vehicles fail to conform to FMVSS 108, S9.3.6 Turn signal lamp failure as they do not have the "fast flashing" turn signal indicator for the left rear turn signal. If the left rear turn signal LED array were to become inoperative, the required "fast flashing" turn signal indicator would not be present to notify the driver that the left rear turn signal was not working. Failure to properly signal direction of the vehicle to surrounding traffic could result in a crash. A notification that the left turn signal has failed will still appear in the instrument panel to alert the driver. For any other potential turn signal location faults, the indicator operates in accordance with the regulatory requirements and provides the required notification.

FMVSS 1 : 108 - Lamps, reflective devices, and assoc. Equipment

FMVSS 2 : NR

Description of the Safety Risk : Failure to properly signal direction of the vehicle to surrounding traffic could result in a crash.

Description of the Cause : This condition results from incorrect coding within the BCM (body control module).

Identification of Any Warning that can Occur : None

Supplier Identification :

Component Manufacturer

Name : Audi AG

Address : NR

Ingolstadt FOREIGN STATES 85045

Country : Germany

Chronology :

January 25, 2019: Volkswagen submits an inconsequential noncompliance petition.

Description of Remedy :

Description of Remedy Program : Volkswagen submits that the condition described is inconsequential as it relates to motor vehicle safety, as the driver receives two different indicator warnings in the instrument cluster immediately upon error. Volkswagen is filing a petition for inconsequential noncompliance in this matter.

How Remedy Component Differs from Recalled Component : Updated software within the BCM (body control module) distinguishes compliant vehicles from those that are noncompliant. No part number is provided, and the BCM is the same between recalled and non-recalled vehicles; it is the software within the module that is unique between recalled vs non-recalled vehicles.

Identify How/When Recall Condition was Corrected in Production : NR

Recall Schedule :

Description of Recall Schedule : Pending NHTSA determination of the inconsequential noncompliance petition.

Planned Dealer Notification Date : MAR 19, 2019 - MAR 19, 2019

Planned Owner Notification Date : MAR 19, 2019 - MAR 19, 2019

* NR - Not Reported