



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

December 4, 2020

Mr. Goncalo Fernandes
Aftersales Business Manager
Bugatti
2003 Edmund Halley Dr.
3rd Floor
Reston, VA 20191

NEF-150DM
20V-732

Subject: Electronic Stability Control Malfunction/FMVSS 126

Dear Mr. Fernandes:

This letter serves to acknowledge Bugatti's notification to the National Highway Traffic Safety Administration (NHTSA) of a safety recall which will be conducted pursuant to Federal law for the product(s) listed below. Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

Makes/Models/Model Years:

BUGATTI/CHIRON/2017-2020
BUGATTI/CHIRON SPORT/2018-2020
BUGATTI/DIVO/2020-2021

Mfr's Report Date: December 1, 2020

NHTSA Campaign Number: 20V-732

Components:

ELECTRONIC STABILITY CONTROL:CONTROL MODULE:SOFTWARE

Potential Number of Units Affected: 73

Problem Description:

Bugatti (Bugatti) is recalling certain 2017-2020 Chiron, 2018-2020 Chiron Sport and 2020-2021 DIVO vehicles. After an ignition cycle, the Electronic Stability Control (ESC) does not automatically default back to the full-function original mode if the Handling Mode is selected on the Drive Mode switch. As such, these vehicles fail to comply with the requirements of Federal Motor Vehicle Safety Standard number 126, "Electronic Stability Control Systems."

Consequence:

If the Handling Mode is activated, the ESC System goes into Sport mode. After an ignition cycle, the ESC does not default to the original default mode (ESC Normal Mode). After restarting the car, the Drive Mode remains in Handling mode affecting the ESC performance, increasing the risk of a crash.

Remedy:

Bugatti will notify owners, and dealers will reprogram the software of the affected control units, free of charge. A recall schedule has not yet been provided. Owners may contact Bugatti customer service at 1-805-557-1050. Bugatti's number for this recall is BUGCR033.

Notes:

Owners may also contact the National Highway Traffic Safety Administration Vehicle Safety Hotline at 1-888-327-4236 (TTY 1-800-424-9153), or go to www.safercar.gov.

Under 49 U.S.C. § 30112(a), it is illegal for anyone, including a manufacturer, distributor, dealer, or retailer to sell an item of equipment or vehicle that fails to comply with all applicable Federal motor vehicle safety standards.

Please ensure the following requirements are met:

Your company must supply the estimated date(s) for which it will notify owners regarding this safety recall. Please be reminded that all owners must be notified of the safety risk associated with this filing by first class mail, within 60 days of the 573 being submitted. If the remedy is not available at that time, mail the interim notice, following it with a second notice once the remedy becomes available. If your company subsequently becomes aware that either the beginning or the completion dates reported to the agency for any of the notifications will be delayed by more than two weeks, your company shall promptly advise the agency of the delay and the reasons therefor, and furnish a revised estimate. If there are no owners involved in this recall, please state so in the 573 (49 CFR 573.6 (c)(8)(ii)).

AMENDED 573 REQUIRED.

We note that your report states that Bugatti believes that this matter is only a noncompliance and is not safety relevant. Noncompliance to safety standards have safety consequences. Thus, in our view, this statement has no force or effect in terms of Bugatti's obligation to undertake and complete the recall and NHTSA does not agree with it.

Please be reminded of the following requirements:

You are required to submit a draft owner notification letter to this office no less than five days prior to mailing it to the customers. Also, copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

As stated in Part 573.7, submission of the first of six consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on, or before, 30 days after the close of the calendar quarter.

Your contact for this recall will be DeMara Magruder who may be reached by phone at (202) 366-8538, or by email at demara.magruder@dot.gov. We look forward to working with you.

Sincerely,



Joshua Neff
Chief, Recall Management Division
Office of Defects Investigations
Enforcement