



Office of the Mayor

CONSENT CALENDAR  
May 23, 2023

To: Honorable Members of the City Council  
From: Mayor Jesse Arreguín  
Subject: Addressing Hyundai and Kia Car Thefts

RECOMMENDATION

- 1) Adopt a Resolution calling on Hyundai and Kia to take immediate action to fix the flaw in their vehicles that make them easy targets of car thefts.
- 2) Direct the City Attorney to explore taking legal action against Hyundai and Kia.

BACKGROUND

In recent months, the number of thefts of Hyundai and Kia vehicles manufactured between 2011 and 2022 have skyrocketed throughout the country. Before December 2022, thefts of such cars in Berkeley accounted for 1-2% of all vehicle thefts in Berkeley, but recently it has risen to 38%. The cause of this is a flaw in design in these models that make it easy to bypass ignition switches and do not include an engine immobilizer, making them extremely vulnerable to theft. However, these anti-theft devices were included in the same models sold in other countries. This flaw was highlighted last year in viral videos shared on social media platforms that demonstrated how to steal such vehicles using basic tools. The Berkeley Police Department issued a bulletin in March 2023 informing the public of this trend.

On April 20, State Attorney General Rob Bonta held a press conference in Berkeley with Interim Police Chief Jen Louis to announce that he is leading a coalition of 18 states in calling for a federal recall of Hyundai and Kia vehicles after the companies failed to take adequate steps to address the surge in thefts. This comes after the Attorneys General of 23 states wrote a letter to Hyundai and Kia in March urging them to accelerate their response to providing a software update and other actions to resolve the flaw. At the press conference, the Chief warned that such thefts are being used to perpetrate further crimes. According to the National Highway Traffic Safety Administration (NHTSA), the thefts have resulted in at least 14 crashes and eight fatalities across the country as of February 2023. Multiple cities throughout the country have filed lawsuits against the automakers.

Hyundai and Kia have responded to the surge in thefts by offering a software upgrade. However, this upgrade will not be available for many of the vehicles until June, and the upgrade is incompatible with some models. Owners of those models have been offered

a free steering wheel lock, which places additional burdens on the owner while failing to address the underlying flaw.

As of April 26, 2023, there have been 377 stolen vehicles in Berkley, a 51% increase from this point last year. Much of this can be attributed to the surge in thefts of Hyundai and Kia vehicles. In addition to the trauma experienced by victims, car thefts take up valuable time and resources from the Police Department. These thefts could have been avoided if this preventable flaw did not exist. Until these issues are resolved, owners of these vehicles will remain at a higher risk of becoming the victim of a car theft.

FINANCIAL IMPLICATIONS

None.

ENVIRONMENTAL SUSTAINABILITY

There are no environmental impacts associated with the recommendations in this report.

CONTACT PERSON

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Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CALLING ON HYUNDAI AND KIA TO RESOLVE SURGE IN CAR THEFTS

WHEREAS, the number of Hyundai and Kia car thefts have skyrocketed in recent months due to a flaw in design in these models that make it easy to bypass ignition switches and do not include an engine immobilizer, making them extremely vulnerable to theft; and

WHEREAS, in Berkeley car thefts are up 51% compared to this point last year, and the Police Department issued a bulletin to inform the public that Hyundai and Kia car thefts have skyrocketed to account for 38% of all car thefts in the City in recent months, when historically these vehicles typically account for 1-2% of all car thefts; and

WHEREAS, in addition to the trauma experienced by victims, car thefts take up valuable time and resources from the Police Department; and

WHEREAS, viral videos shared on social media platforms show how easy it is to steal such vehicles with simple tools, an issue that has become known to the manufacturers; and

WHEREAS, some of these thefts are being used to perpetrate further crimes, and according to the National Highway Traffic Safety Administration (NHTSA), the thefts have resulted in at least 14 crashes and eight fatalities across the country as of February 2023; and

WHEREAS, in March 2023, State Attorney General cosigned a letter with 23 Attorneys General to Hyundai and Kia in March urging them to accelerate their response to providing a software update and other actions to resolve the flaw; and

WHEREAS, Hyundai and Kia have offered a software upgrade to address the flaw, but this upgrade will not be available for many of the vehicles until June, and the upgrade is incompatible with some models, who will instead be offered a free steering wheel lock, which places additional burdens on the owner while failing to address the underlying flaw; and

WHEREAS, On April 20, the State Attorney General led a coalition of 18 states in calling for the NHTSA to recall Hyundai and Kia vehicles after the companies; and

WHEREAS, until these issues are resolved, owners of these vehicles will remain at a higher risk of becoming the victim of a car theft.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that it hereby calls upon Hyundai and Kia to immediately act to resolve the flaw in vehicles

manufactured between 2011 and 2022 that have ignition switches that are easily bypassed and do not include an engine immobilizer.

BE IT FURTHER RESOLVED that the Council supports the actions being taken by State Attorney General Rob Bonta in calling for a recall of Hyundai and Kia vehicles that are susceptible to this flaw.

BE IT FINALLY RESOLVED that copies of this Resolution be sent to Hyundai Motor America and Kia Motors America.