



National Transportation Safety Board

Washington, DC 20594 | www.NTSB.gov

OFFICE OF THE CHAIRMAN

April 12, 2018

Elon Musk
Chief Executive Officer
Tesla, Inc.
3500 Deer Creek Road
Palo Alto, California 94304

Re: Automobile Crash Investigation
Mountain View, California
March 23, 2018
NTSB # HWY18FH011

Dear Mr. Musk:

This letter is to memorialize a conversation between you, NTSB Managing Director Dennis Jones, and me on Wednesday, April 11, 2018. In that conversation I informed you that NTSB has revoked Tesla's party status from the investigation of the March 23, 2018 automobile crash involving a 2017 Tesla Model X near Mountain View, California.

Pursuant to Title 49 Code of Federal Regulations (CFR) § 831.11, Tesla was designated as a party to this investigation, based on its manufacture of the vehicle involved in the crash, and because Tesla could provide suitable qualified technical personnel who could actively assist in the investigation.

On Friday, April 6, 2018, you and I had a telephone conversation in which I explained the NTSB party system. I noted that Tesla's party representative was informed of the NTSB party system and had signed the NTSB Party Agreement form, which clearly spelled out expectations for parties to the investigation, including refraining from releasing crash-related investigative information. Because of NTSB's concern of a previous breach of NTSB party rules whereby Tesla made a public release of crash data, I informed you that NTSB expects all parties to abide by these rules, and that when these rules are not followed, we typically revoke party status. You responded that Tesla would like to continue as a party to the investigation, which, by implication, meant Tesla would abide by the party rules.

On April 11, 2018, NTSB became aware of a press statement made by Tesla on or about April 10. This press statement – issued without prior notice to, or consultation with, NTSB – contained information that was incomplete, analytical in nature, and speculated as to the cause of the March 23, 2018 crash. Prior to the NTSB's adoption of the final report regarding this crash, only appropriate NTSB personnel are authorized to publicly disclose investigative findings; even

then, the release will be limited to verified factual information identified during the course of the investigation.

As communicated in our phone call yesterday, because Tesla failed to abide by the terms of the NTSB Party Agreement, Tesla's party status has been revoked from the investigation of the March 23, 2018, automobile crash involving a 2017 Tesla Model X near Mountain View, California.

Despite the loss of party status in this investigation, NTSB looks forward to continuing to work with Tesla on the investigations of the January 22, 2018 crash involving a 2014 Tesla Model S near Culver City, California, and the August 25, 2017 battery fire following the crash of a 2016 Tesla Model X automobile into a home near Lake Forest, California.

This letter will be placed in the public docket along with any future correspondence relating to the Mountain View, California, investigation.

Sincerely,

A handwritten signature in black ink that reads "Robert L. Sumwalt, III". The signature is written in a cursive style with a horizontal line at the end.

Robert L. Sumwalt, III
Chairman