



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

ODI RESUME

Investigation: DP05-002
 Prompted By: Defect Petition (ES05-006490)
 Date Opened: 08/05/2005 Date Closed: 01/05/2006
 Principal Investigator: Scott Yon
 Subject: Vehicle Speed Control

Manufacturer: Toyota Motor Corporation, Toyota Motor North America, Inc.
 Products: MY 2002 - 2005 Toyota Camry, Solara and Lexus ES Models
 Population: 1,950,577

Problem Description: Interrelated brake and acceleration problems that allegedly result in inappropriate and uncontrollable vehicle accelerations in electronic throttle control (ETC) equipped vehicles.

FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
Complaints:	1	NA**	1***
Crashes/Fires:	1	NA	1
Injury Incidents:	0	NA	0
Fatality Incidents:	0	NA	0
Other*:	1172	0	1172

*Description of Other: * - Reports submitted by petitioner. ** - ODI did not request manufacturer complaint information.
 *** - No other reports were identified to support the Petitioner's allegations, therefore only his report is listed.

Action: This Defect Petition has been denied.

Engineer: D. Scott Yon *1/6/2006*
 Div. Chief: Jeffrey L. Quandt
 Office Dir.: Kathleen C. DeMeter

Date: 01/05/2006
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Summary: In a letter dated July 8, 2005, and after experiencing two incidents (and one crash) where he alleges his model year (MY) 2002 Camry accelerated without driver input, Mr. Jordan Ziprin petitioned the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation (ODI) to commence a proceeding to determine the existence of a defect within the ETC system in MY 2002 to 2005 Toyota and Lexus vehicles, or to reopen a prior investigation Preliminary Evaluation (PE) 04-021. In a letter dated August 18, 2005, Mr. Ziprin amended his petition to include allegations of interrelated brake and acceleration problems that allegedly result in inappropriate and uncontrollable vehicle accelerations.

The 1172 Vehicle Owner Questionnaire reports cited by the petitioner involve 4 Lexus and 15 Toyota models defining a population of 7 million vehicles. The reports typically alleged a defect in the brake system, the throttle control system, or a combination of both systems. In its review of the reports, ODI A) failed to find evidence to support the existence of a brake related defect in the cited models, and B) determined that many cited products were not equipped with ETC. Accordingly, ODI restricted its analysis to the 432 petitioner reports involving MY 2002 to 2005 Camry, Solara, and ES models (all equipped with ETC) that alleged an abnormal throttle control event (see the January 3, 2005 Federal Register notice for further details).

About 40% of the 432 reports involve a driveability concern where the operator intentionally applies the throttle pedal, in expectation that the vehicle will accelerate, and then experiences a delay or hesitation in vehicle response. These reports involve vehicle response to intentional driver commands which ODI considers unrelated to the allegations raised by the petitioner. Therefore, the reports do not provide support for the investigation requested.

About 20% of the reports involve incidents where operators allege vehicle acceleration without driver input and an inability of the brake system to control the vehicle when applied. Neither the reports, nor the interviews conducted by ODI, identified any vehicle-based cause to explain the incidents or disclosed evidence to support that a failure of the brake or throttle control system had occurred. Because these reports do not indicate a distinct safety defect for investigation, the reports do not provide support for the investigation requested by the petitioner.

The remaining reports (~40%, similar to the petitioner's and those of PE04-021) typically describe incidents where a vehicle is being maneuvered at slow speed in a close quarter situation at which point the operator alleges that the vehicle accelerates without driver input and crashes. In the aftermath, operators are unsure of whether the brakes were applied or not, sometimes stating there was insufficient time to use the brake; a crash occurred and the operator believes an uncommanded acceleration caused it. In spite of the effort expended during PE04-021 and during this analysis, ODI has not identified any vehicle-based cause to explain the reports, or uncovered any evidence to indicate that a throttle control system failure occurred. Therefore, the reports have ambiguous significance and do not constitute a basis on which any further investigative action is warranted.

Based on the analysis conducted, it is unlikely that the NHTSA would issue an order for the notification and remedy of a safety related defect at the conclusion of the investigation requested in the petition. Consequently, in view of the need to allocate and prioritize NHTSA's limited resources to best accomplish the agency's safety mission, the petition is denied.