



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

DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT 2004 APR 20
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100078

Date Received

Repository

AM 10:52
15-MAR-2004

Reference No.
-10083174

OWNER INFORMATION (Type or Print)

Name: [REDACTED]
Address: [REDACTED]
City: PALM COAST State: FL Zip Code: [REDACTED]

Daytime Telephone Number

E-mail Address

Evening Telephone Number

SAME

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle? YES NO
In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.

Signature of Owner: [REDACTED] Date: 4/14/04

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side: 4T1BF12B3V [REDACTED] Make: TOYOTA Model: AVALON Model Year: 1997

Date Purchased: 7-10-97 Dealer's Name and Telephone Number: DAYTONA TOYOTA Engine: No. Cylinders: 6 Fuel Type: Gas
Original Owner: Dealer's City: DAYTONA BEACH State: FL Zip Code: 32114

Transmission Type: AUTOMATIC Antilock Brakes Powertrain: FRONT WHEEL DRIVE Vehicle Component Code: 180000 VEHICLE SPEED CONTROL
 Cruise Control Multiple Failure: 1

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s): 15-MAR-2004 Failure Mileage: 86500 Failure Speed: OVER-ACCELERATION

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make: [REDACTED] Tire Model (Name or Number): [REDACTED] Tire Size (Example P215/65R15): [REDACTED]
DOT No. (Example: DOTMALBABC036): [REDACTED] Original Equipment Prior Repair Failure Location: [REDACTED]
Tire Component Code: [REDACTED] Tire Failure Type: [REDACTED]

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make: [REDACTED] Date Manufactured: [REDACTED] Model No./Name: [REDACTED]
Seat Type: [REDACTED] Installation System: [REDACTED]
Child Seat Component Code: [REDACTED] Failed Part: [REDACTED]

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash: Yes No Fire: Yes No Number of Persons Injured: 0 Number of Deaths: 0 Reported to Police: Y NO CITATION

Narrative Description of Incident(s), Crash(es), and Injury(ies).
Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

CONSUMER STATED WHILE PARKING VEHICLE EXPERIENCED SUDDEN ACCELERATION WHEN SHIFTING FROM PARK TO DRIVE. THEN, VEHICLE COLLIDED WITH TWO OTHER VEHICLES. *AK

WAS STEPPING ON BRAKE WHEN VEHICLE SURGED FORWARD OVER CEMENT TIRE STOPPER, HITTING TWO DIAGONALLY PARKED CARS. SEE ATTACHED

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your responses may be used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement, or litigation against a manufacturer, your responses, or a statistical summary thereof, may be used in support of the agency's action.

[REDACTED]
PALM COAST, FL [REDACTED]

April 4, 2004

**Kristin Guerrero
Economy Premier Assurance Company
Claim Adjuster
P.O. Box 30018
Tampa, FL 33630**

**Re: Claim Number: [REDACTED]
Date of Accident: 2-23-04**

Dear Ms. [REDACTED]

This is to report to you some final information regarding my '97 Toyota Avalon which over-accelerated in a parking area and hit two cars, each of three cars, therefore, having over \$1000 damage. My first letter to you on February 29 described the accident. On March 9, 2004 we had a TV news announcement that the government is looking into the problem of over-acceleration in certain Toyota vehicles. I enclose a copy of a similar news report from the internet. My car had a history of a repair of an EGR Valve Assembly in March 2002.

The Adjuster, Bill Vivian, of Network Claims Solution, Lake Mary, Florida, would only concern himself with the body damage of the Toyota with no consideration of a possible unsafe internal problem with the vehicle. What followed was that I made more than one request to St. Augustine Lighthouse Toyota to give me a statement regarding the cause of the over-acceleration. See attached report by Serviceman, Roger Thompson. I did not receive this report until March 15, 2004. I was urged both by Toyota of St. Augustine and Met Life Insurance to go get my car. I chose to continue with a rental

car because I felt sure my Toyota Avalon was still unsafe to remove from the Toyota lot. I thereafter sought legal advice in St. Augustine and was led to the Used Car Manager, Tom McDaniel, at the Coggin St. Augustine Honda Dealership directly across the highway from Toyota where my car was being kept. Mr. McDaniel courteously offered to drive the Avalon from the Toyota lot to the Honda lot. I would not even ride in it and continued with the rental car.

The following morning of March 24, 2004 Mr. [REDACTED] reported to me that the Toyota Avalon now on their lot had over-accelerated again. See his attached statement. In other words, my fright about not wanting to drive it or ride in it was well-founded. The car was unsafe. This had to do with a "throttle body injector," and I proceeded to dispose of the automobile through Mr. McDaniel. Actually, he first told me by phone that the car had accelerated to 4000 rpm which is equal to about 90 mph., certainly a life-threatening condition.

I definitely remember trying to brake the car when it jolted forward on February 23 and I continued to try to protect an otherwise perfect driving record.

Copies of this report are being sent to the National Highway Traffic Safety Administration, Washington, D.C., Network Claims Solution, New Smyrna Beach, FL, and Toyota Customer Relations Legal Department, Torrance, CA – (Case #200403020999).

Very truly yours,

[REDACTED]

- 1. LAW ENFORCEMENT SHORT FORM REPORT
- 2. DRIVER REPORT OF TRAFFIC CRASH
- 3. DRIVER EXCHANGE OF INFORMATION

DO NOT WRITE IN THIS SPACE

DATE OF CRASH: 01/22/04		TIME OF CRASH: 11:24 PM		TIME OFFICER NOTIFIED: 8:30 PM		TIME OFFICER ARRIVED: 8:30 PM		INVEST. AGENCY REPORT NUMBER: 7029-04		HEAVY CRASH REPORT NUMBER: [REDACTED]	
COUNTY CITY CODE: 61/05		CITY OR TOWN: PALM COAST						COUNTY: FLAGLER			
AT NODE NO.:		FROM NODE NO.:		NEXT NODE NO. ON ROAD:		NO. OF LANES:		1 <input type="checkbox"/> DIVIDED		ON STREET, ROAD OR HIGHWAY: 47 OLD KINGS ROAD	
OR FEET / MILES:		ROAD:		OF INTERSECTION OF:		ROAD:		ROAD:		ROAD:	
AT INTERSECTION OF:		PARKING LOT									
YEAR: 97		MAKE: DODGE		TYPE: CAR		VEHICLE IDENTIFICATION NUMBER: FL 6H4TBE12B3V		INSURANCE COMPANY (LIABILITY OR PIP): ECONOMIC PREMIER ASSUR. CO.		POLICY NO.:	
OWNERS FULL NAME (Check if Same as Driver):		ADDRESS (Number and Street):		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177	
DRIVERS LICENSE NUMBER:		STATE: FL		LIC. TYPE: E		DATE OF BIRTH: 11/21/02		RACE: W		SEX: M	
DRIVER HOME PHONE:		BUSINESS PHONE:		VEHICLE REMOVED BY: ROGERS TOWNG		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177		AGE: 2	
PASSENGERS NAME:		ADDRESS (Number and Street):		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177	
YEAR: 02		MAKE: MERC		TYPE: CAR		VEHICLE IDENTIFICATION NUMBER: FL 04 2MEEM75WB2		INSURANCE COMPANY (LIABILITY OR PIP): ALLSTATE INS. CO.		POLICY NO.:	
DRIVER HOME PHONE:		BUSINESS PHONE:		VEHICLE REMOVED BY: OWNER		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177		AGE: 4	
PASSENGERS NAME:		ADDRESS (Number and Street):		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177	
YEAR: 95		MAKE: FORD		TYPE: VAN		VEHICLE IDENTIFICATION NUMBER: FL 101 2PIGH453X9		INSURANCE COMPANY (LIABILITY OR PIP): HARTFORD INS. CO. OF MIDWEST		POLICY NO.:	
DRIVER HOME PHONE:		BUSINESS PHONE:		VEHICLE REMOVED BY: OWNER		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177		AGE: 4	
PASSENGERS NAME:		ADDRESS (Number and Street):		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177		CITY AND STATE: PALM COAST, FL		ZIP CODE: 32177	
VICIATOR:		EST. STATUTE NUMBER:		NAME:		EST. CHARGE:		CITATION #:		CITY / STATE / ZIP:	
PROPERTY-DAMAGED (Other than vehicle):		EST. AMOUNT OF DAMAGE:		OWNER - Name:		ADDRESS - Number and Street:		CITY / STATE / ZIP:		CITY / STATE / ZIP:	
WITNESSES (City and Passengers):		NAME:		ADDRESS - Name and Street:		CITY / STATE / ZIP:		CITY / STATE / ZIP:		CITY / STATE / ZIP:	
OFFICER AND SIGNATURE OF RESPONDING / INVESTIGATING OFFICER:		ID. / BADGE NO.:		DEPARTMENT: FLAGLER COUNTY		CITY / STATE / ZIP:		CITY / STATE / ZIP:		CITY / STATE / ZIP:	

YOU MUST READ AND COMPLY WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM
 NO FURTHER ACTION REQUIRED BY YOU, REPORT COMPLETED BY LAW ENFORCEMENT AGENCY

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Government Investigating Toyota, Ford Vehicles

Posted 3/9/04 1:55 p.m. CST

By The Associated Press

WASHINGTON — The federal government is investigating reports that some Toyota Camry, Camry Solara and Lexus ES 300 vehicles have surged forward without apparent reason, injuring at least five people.



Some drivers have reported acceleration surges in the Lexus ES 300 and other vehicles made by Toyota Motor Co.

The National Highway Traffic Safety Administration said Monday it has received reports of 30 crashes due to the alleged defect. In one case, a pedestrian was seriously injured when a vehicle suddenly accelerated, NHTSA said.

Vehicles from the 2002 and 2003 model years are included in the investigation. An estimated 1,010,000 vehicles could be affected, NHTSA said.

Toyota Motor Co. spokesman John Hanson said Monday the company has received similar complaints and is reviewing its internal records. Drivers reported sudden acceleration as they depressed the brake pedal, shifted the

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transmission or drove at higher speeds using cruise control.

NHTSA also said Monday it is investigating reports that the sliding door on 1999-2002 Ford Windstar minivans can slide open while the vehicle is moving.

The National Highway Traffic Safety Administration said Monday it has received 56 complaints about the problem but no reports of injuries.

Ford Motor Co. spokesman Glenn Ray said the company is analyzing the problem and is cooperating with NHTSA. An estimated 761,368 Windstar minivans from those model years are on the road.

NHTSA investigations can lead to vehicle recalls.

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Image courtesy of the manufacturer*

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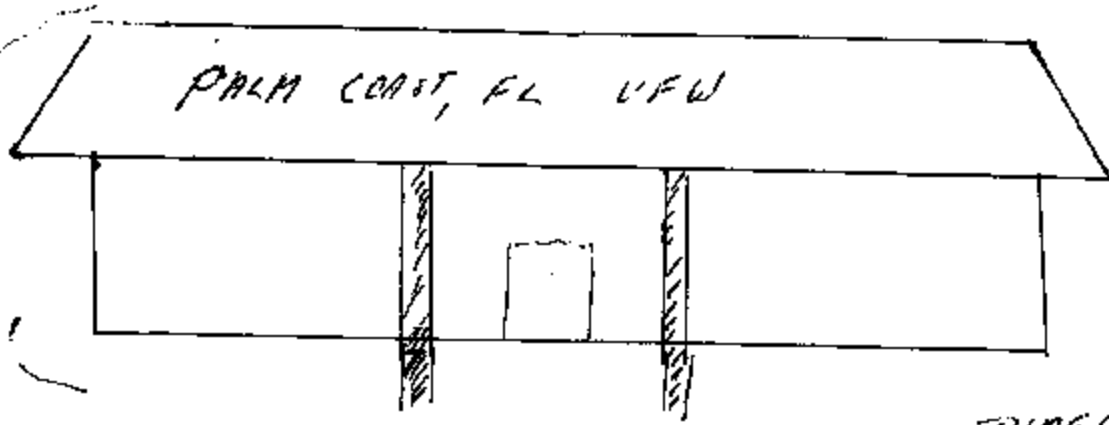
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PALM COAST, FL

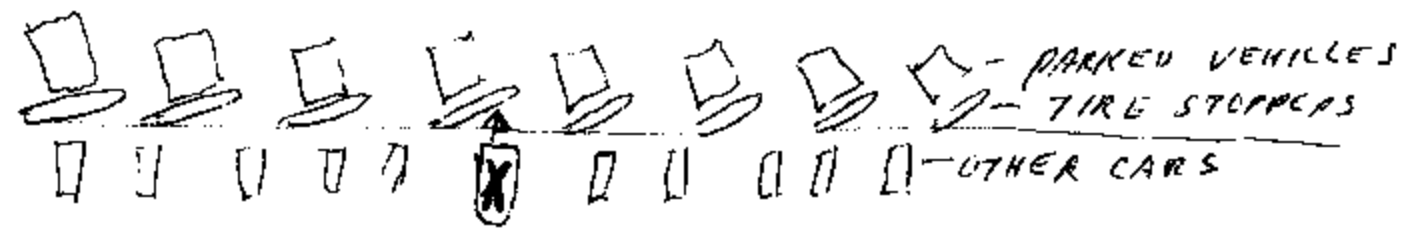
PALM COAST, FL UFW

CEMENT



CEMENT DRIVE THRU & DIAGONAL PARKING AREA

GRASS PARKING



DIRT DRIVE FOR GRASS PARKING

CEMENT ENTRANCE

X MY CAR SURGED OVER THE CEMENT TIRE STOPPER BETWEEN TWO CARS

FAX RESPONSE TO E. MYRE
FROM ST. AUGUSTINE, FL TOYOTA
SERVICEMAN, ROGER THOMPSON

1

2995 135 1 SOUTH
ST AUGUSTINE, FL 32086

To: [REDACTED]

From: ROGER Date: 03/15/04

Fa: CARBON BUILD UP Pages: 1

CC:

Urgent For Review Please Comment Please Reply Please Recycle

REQUESTED BY [REDACTED]
AFTER 3 REQUESTS

NOTES: TECHNICALLY IT IS POSSIBLE THAT THE CARBON BUILD UP IN
YOUR BOTTLE BODY CAUSED THE BUTTERFLY VALVE TO STICK OPEN. THIS
COULD CAUSE THE ENGINE TO NOT RETURN TO IDLE.

TO:

3/31/04

FROM: TOM MCDANIEL
COGGIN HONDA of ST AUGUSTINE

RE: 1997 TOYOTA AVALON, YOUR TRADE.

WE FOUND THE CAR TO BE IN EXCELLENT COSMETIC SHAPE, BUT THERE IS OR WAS A PROBLEM WITH THE THROTTLE BODY. THE AUTOMATIC IDLE WAS CAUSING CAR TO IDLE ON COLD START AT OVER 2,500RPM AND STAYING THERE FOR MUCH LONGER THAN NECESSARY.

WE ACCOMPLISHED AN INJECTOR CLEAN AND ADJUSTED THE IDLE AND THAT SEEMED TO FIX THE PROBLEM.

TOM MCDANIEL
COGGIN HONDA

**THE ATTACHMENTS TO THIS
DOCUMENT HAVE BEEN REMOVED
TO PROTECT UNWARRANTED
INVASION OF PERSONAL PRIVACY
PURSUANT TO EXEMPTION 6 OF
THE FREEDOM OF INFORMATION
ACT (FOIA), 5 U.S.C. 552(b)(6).**