



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
(1-888-327-4236)

INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received

22-JUL-2008

Repository ☐

Reference No.
10235290

OWNER INFORMATION (Type or Print)

Name

Address

City

BEACH HAVEN

State

NJ

Zip Code

Daytime Telephone Number

E-mail Address

Evening Telephone Number

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 a copy of this report to the vehicle manufacturer.
Signature of Owner _____ Date 9/27/08

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side:

4T1BE30K25U

Make

TOYOTA

Model

CAMRY

Model Year

2005

Date Purchased

8/15/05

Dealer's Name and Telephone Number

GATEWAY TOYOTA 732-240-2000

Engine:

No: Cylinders

4

Fuel Type:

REG.
UNLEADED

Original Owner

☒

Dealer's City

TONS RIVER

State

NJ

Zip Code

08753

Transmission Type

5 SPEED
AUTO

☒ Antilock Brakes

☒ Cruise Control

Powertrain

Vehicle Component Code

180000 VEHICLE SPEED CONTROL

Multiple Failure:

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s)

03-JUL-2008

Failure Mileage

30100

Failure Speed

5

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM19ABC036)

☐ Original Equipment
☐ Prior Repair

Failure Location:

Tire Component Code

Tire Failure Type

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:

Date Manufactured:

Model No./Name:

Seat Type:

Installation System:

Child Seat Component Code:

Failed Part:

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

☒ YES

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).

TL*THE CONTACT OWNS A 2005 TOYOTA CAMRY. WHILE COASTING AROUND A CORNER AT 5 MPH, THE VEHICLE SUDDENLY BEGAN ACCELERATING ON ITS OWN. THE CONTACT APPLIED THE BRAKES, BUT THE VEHICLE DID NOT RESPOND. THE VEHICLE REAR ENDED THE PRECEDING VEHICLE. THERE WERE NO INJURIES. FIVE DAYS PRIOR TO THE FAILURE, WHILE DRIVING 25 MPH, THE CRUISE CONTROL ENGAGED BY ITSELF. THE VEHICLE HAS NOT BEEN DIAGNOSED BY THE DEALER. THE CURRENT AND FAILURE MILEAGES WERE 30,100.

VEHICLE WAS INSPECTED AT GATEWAY TOYOTA ON 7/15/08 BY MR. NICK POUPAKIS, TOYOTA FIELD EXPERT. CLAIMS HE COULDN'T FIND ANY SIGN OF SYSTEM FAILURES (SEE REPORT) BUT SAID ELECTRICAL MALFUNCTIONS COULD HAVE COME FROM REPLACED WINDSHIELD TOYOTA NEVER TOLD ME ABOUT PREVIOUSLY

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 response 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 response, or a statistical summary thereof, may be used in support of the agency's action.

Beach Haven, NJ
September 28, 2008

US Dept of Transportation
Nat'l Highway Traffic Safety Administration
Office of Defects Investigation, NVS-210
1200 New Jersey Ave SE
Washington, DC 20077-9382

Dear Mr. Borris,

Thank you for sending me the necessary information to file a report with your agency. The long delay with my reply was caused by the fact that Toyota failed to send me their report in a timely manner despite numerous promises to do so. I finally had to go to corporate Toyota and demand the copy I was promised back on July 18, 2008 (you can see their letter is dated Sept. 15, 2008 but didn't arrive until the 19th). Not surprisingly, they said it was "virtually impossible" for the 2 systems to fail as I described it and they couldn't find anything wrong with the car. I know with absolute certainty that events occurred exactly as I described them and whatever systems they claim didn't malfunction most certainly did. I've also heard from several other people who had the same experience with their Camrys only death and serious injury resulted so I guess I'm one of the lucky ones, so to speak. The numerous electrical glitches the car experienced in the week before the accident were not even mentioned in Toyota's report. I had specifically asked their field expert, Mr. Nick Poupakis, to note them and the fact that the windshield had been replaced (his observation, a fact unknown to me as the brand new owner of the car) which he said may have been responsible for some of the glitches. I find it extremely hard to believe that a car which previously had a perfect record experienced numerous glitches in the week before the accident but the sudden and inexplicable acceleration and brake failure had nothing to do with those either. Incidentally, I've been driving for 37 yrs and have an outstanding driving record which I urge you to check. I teach physical education and have excellent reflexes/reactions and I certainly know my brake pedal from my gas pedal. I also have an eye witness, my 47 yr old brother, who saw me stamping on the brake so the "driver error" tag everyone is so quick to use most definitely wasn't the case although it sure seems convenient.

Please look into this problem with the Camrys; Toyota obviously isn't anxious to take responsibility or to do anything about it. Just the lame excuses their expert gave me when I mentioned all the glitches showed how eager they were for any excuse to make me go away. Factor in Toyota's obvious unwillingness to send the report and make me wait and jump through hoops further leads me to believe they have real concerns about their vehicles. My neighbor, an insurance agent, couldn't believe it when I told him about the accident since one of his clients just had the exact same thing happen with her Sienna.

We need you to be proactive since Toyota repeatedly claims the cars are fine and it must be driver error. Even the police officer mentioned on the report that it was "probably driver error" and he only knew what he was told and stepped on the brake about ½ hr after the accident. I've been told since that he should never have written that on the report but it does show how quickly people jump to easy conclusions.

Thank you for taking the time to read this and, hopefully, further examine Toyotas with this same profile.

Sincerely,



TOYOTA

Writers Direct Telephone (310) 468-5638
Writers Direct Fax (310) 381-5017

Toyota Motor Sales, U.S.A., Inc.
19001 South Western Avenue
Torrance, CA 90501

September 15, 2008

BEACH HAVEN NJ

Re: Date of Loss: July 3, 2008
Vehicle: 2005 Toyota Camry
VIN: 4T1BE30K25U

Dear

This letter is in response to your communication with our Customer Experience Center. As you are aware, Toyota Motor Sales, USA, Inc. ("TMS") has completed its technical inspection of your vehicle.

It is our understanding that after you made a right turn into a driveway, you were coasting into the parking lot and you said the vehicle accelerated on its own despite your continued pressing on the brake pedal. You then impacted another vehicle in the parking lot. The inspection of your vehicle was conducted due to your allegation of unintended acceleration and brake failure.

In order for the accident to have occurred as you reported, two different systems within the vehicle would have had to fail, those being the throttle linkage and brakes. For both systems to fail simultaneously is virtually impossible. The brake master cylinder was inspected and found to be full of fluid and operating properly. The brake system was checked for leaks and none were found. The brake components were checked for loose, missing, damaged, defective or incorrectly installed parts and all components were found to be in order at the time of inspection. All brake pads and shoes were found to be above minimum specifications. The throttle body and accelerator pedal assemblies were also inspected and found operating as designed and in good condition. Additionally, an extensive road test was performed, and no problems with the brakes or throttle assembly were discovered.

We are very sorry to learn of this unfortunate incident, however, our inspection of your vehicle found no evidence of any defect or malfunction, and we are unable to offer additional assistance.

Thank you for allowing us the opportunity to address your concerns.

Very truly yours,


Troy H. Higa
Claims Administrator

Page 1 of 2 Fatal New Jersey Police Crash Investigation Report Reportable Non-Reportable Change Report

1 Case Number 10 Crash Occurred On: 6TH STREET W 11 Speed Limit 25 118a 32

2 Police Department of BEACH HAVEN Code 01 118b -

3 Station/Precinct BEACH HAVEN 35 14 15 16 17 Cross Road Name BAY AVENUE 18 Speed Limit 3 5 119a 25 119b -

4 Date of Crash 07/03/08 5 Day of Week Th 6 Time 1000 7 Municipality Code 1503 8 Total Killed - 9 Total Injured - 19 RAMP 20 (Route No.) 21 Latitude 22 Longitude 20a 119a 25 119b -

23 Veh No. 01 24 Policy No. 25 Ins Code 53 Veh No. 02 54 Policy No. 55 Ins Code 120 01

26 Driver's First Name Initial Last Name 29 Sex F 56 Driver's First Name Initial Last Name 59 Sex 121 01

27 Number and Street 30 Eyes 4 57 Number and Street ROAD 60 Eyes 2 122 -

28 City BEACH HAVEN State NJ Zip 58 City PHILLIPSBURG State NJ Zip 123 -

31 State NJ 32 Driver's License No. 33 DOB 34 Expires 61 State 62 Driver's License No. 63 DOB 64 Expires 07/11 124 09 125 10

35 Owner's First Name Initial Last Name 65 Owner's First Name Initial Last Name 126 11

36 Number and Street 66 Number and Street 127 11

37 City State Zip 67 City PHILLIPSBURG State NJ Zip 128a 26 128b 28 128c - 128d - 129a 28 129b - 129c - 129d -

38 Make TOYOTA 39 Model CAMRY 40 Color SL 41 Year 2005 42 Plate No. 43 State 68 Make HONDA 69 Model CIVIC 70 Color WT 71 Year 2003 72 Plate No. 73 State 130 12 131 12 132 06 133 06

44 VIN Number 4T1BE30K251 45 Expires 08/2009 74 VIN Number 12HGES267331 75 Expires 03/2009

46 Vehicle Removed To Driven Left at Scene Towed 47 Authority Owner Driver Police 76 Vehicle Removed To Driven Left at Scene Towed 77 Authority Owner Driver Police

48 Alcohol/Drug Test Given: No Yes Refused Type: Breath Blood Urine Results: 0 % Pending 78 Alcohol/Drug Test Given: No Yes Refused Type: Breath Blood Urine Results: 0 % Pending

49 Hazardous Material Name or Placard No. On Board Spill 79 Hazardous Material Name or Placard No. On Board Spill

50 Carrier No. USDOT Other 80 Carrier No. USDOT Other

51 Commercial Vehicle Weight < 10,000 lbs 10,001 - 26,000 lbs > 26,001 lbs 81 Commercial Vehicle Weight < 10,000 lbs 10,001 - 26,000 lbs > 26,001 lbs

52 Carrier Name 82 Carrier Name

136 Damage To Other Property

Oper. 137 Charge Multiple Charges 138 Summons No. Oper. 139 Charge Multiple Charges 140 Summons No.

141 Officer's Signature PATROLMAN STEPHEN SOLOVEY 142 Badge No. 3635 143 Reviewed By MWG Badge No. 3254 144 Case Status Pending Complete

Names & Addresses of Occupants - If Deceased, Date & Time of Death

83	84	85	86	87	88	89	90	91	92	93	94	95	Names & Addresses of Occupants - If Deceased, Date & Time of Death	
A01	01	01	-			-	-	-	09	04	-	-	Beach Haven NJ	
B01	03	01	-			-	-	-	09	04	-	-	BRIDGEWATER	
C02	01	01	-			-	-	-	09	04	-	-	Phillipsburg	
D														
E														

STATE OF NEW JERSEY

MOTOR VEHICLE CRASH DESCRIPTION

Police Agency BEACH HAVEN POLICE DEPARTMENTStation BEACH HAVENCase
No. _____

135 Crash Description

(Refer to vehicle by number)

ALL INVOLVED	83	84	85	86	87	88	89	90	91	92	93	94	95	NAMES & ADDRESSES OF OCCUPANTS -- IF DECEASED DATE & TIME OF DEATH
	F													
	G													
	H													
	I													
	J													

I ASKED THE DRIVER OF VEHICLE 1 IF SHE WOULD ALLOW ME TO TEST HER BRAKES. THE DRIVER OF VEHICLE 1 AGREED TO ALLOW ME TO CHECK FOR PROPER FUNCTION OF HER BRAKES. AFTER FOUR ATTEMPTS OF PUTTING THE VEHICLE IN DRIVE AND STEPPING ON THE BRAKE PEDAL, I WAS UNABLE TO DETERMINE ANY PROBLEMS WITH THE BRAKES ON VEHICLE 1. VEHICLE 1 HAD DAMAGE TO THE FRONT BUMPER AND LICENCE PLATE. VEHICLE 2 HAD DAMAGE TO THE REAR BUMPER WHICH WILL REQUIRE BODY WORK TO THE VEHICLE. THE DRIVER OF VEHICLE 1 HAD HER VEHICLE TOWED BY UNDERTOE BECAUSE OF THE BRAKE PROBLEM SHE HAD.

IN MY CONCLUSION, THE DRIVER OF VEHICLE 1 MAY HAVE ACCIDENTLY STEPPED ON THE GAS PEDAL INSTEAD OF THE BRAKE PEDAL CAUSING THE VEHICLE TO STRIKE THE REAR END OF VEHICLE 2.