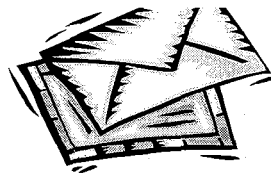


**NHTSA ccmMercury Routing Slip**



**Congressional**

Printed: 10/29/2008

CL-10248108-9832

NHTSA #: ES08-006894  
XREF #: ES08-003884  
Delivery: REG

Rec'd Date: 10/29/2008  
Doc Type: CNG  
Address To: NOA010

Referred By: NPO-011  
Doc Date: 10/22/2008  
Due Date: 11/7/2008

S10 #:

DOT/I #:

RMP #:

**Subject: LETTER ON BEHALF OF [REDACTED] DISSATISFIED WITH NHTSA'S RESPONSE TO HIS CONCERNS RE THE DARKENING OF THE ODOMETER ON HIS TOYOTA COROLLA, WANT TO KNOW WHY NHTSA WON'T OPEN AN INVESTIGATION; FAX REPLY ATTN: CINDY KLAPMUST/WASHINGTON OFFICE**

Ack Date:  
Sign Office: DEPUTY ADMINISTRATOR

Ack By:  
Signature: JAMES F. PORTS, JR.

Signed For:

Cleared Date:  
File Loc:  
Added By: SHARRIS x62534

Cleared By:  
XREF File:  
Modified By: SANDRA.HARRIS

Cleared For:  
Closed Date:

Most Recent Comment:

**Author:**

The Honorable FRANK R WOLF  
U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, DC 20515  
Tel: 202-225-5136 Fax: 202-225-0437 E-mail:

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REP'LY	10/29/2008	11/7/2008	
NVS-010	INFORMATION	10/29/2008		10/29/2008
NIA-110	INFORMATION	10/29/2008		10/29/2008
NOA02	INFORMATION	10/29/2008		10/29/2008
NOA-010	INFORMATION	10/29/2008		10/29/2008
I	INFORMATION	10/29/2008		10/29/2008

2008 OCT 30 AM 10:28

EXECUTIVE SECRET

10:26 AM 10/30/08

NATIONAL HIGHWAY  
TRAFFIC SAFETY ADM.

NM  
10/29  
10/30/08  
NJ

**FRANK R. WOLF**  
10TH DISTRICT, VIRGINIA



241 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-4610  
(202) 225-5136

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**Congress of the United States**  
**House of Representatives**

October 22, 2008

13873 PARK CENTER ROAD  
SUITE 130  
HERNDON, VA 20171  
(703) 709-5800  
(800) 945-9653 (IN STATE)

110 NORTH CAMERON STREET  
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(540) 667-0990  
(800) 850-3463 (IN STATE)

wolf.house.gov

Mr. David Kelly  
Administrator  
National Hwy Traffic Safety Administration  
1200 New Jersey Ave SE West Building  
Washington DC 20590-0001

Dear Mr. Kelly:

I recently received the enclosed information from my constituent, [REDACTED] of Winchester, Virginia, sharing his concerns about the darkening of the odometer on his Toyota Corolla. I had forwarded correspondence from [REDACTED] earlier this year and appreciated your response, but he recently followed back up with me to share his further concerns why an investigation has not been opened regarding his concerns.

I would appreciate any information or comments you may have to for me to share with [REDACTED] on this matter. Please fax your reply to my office at 202-225-0437, attention: Cindy Klappmuss.

Thank you for your assistance in helping me to be attentive to my constituents.

Best wishes.

Sincerely,

Frank R. Wolf  
Member of Congress

FRW:cr

EXECUTIVE SECRETARIAT  
OCT 29 11 09 AM '08  
NATIONAL HIGHWAY  
TRAFFIC SAFETY ADMIN.

ES08-006894

9/2/08

Honorable Frank R. Wolf  
U.S. House of Representatives  
Washington, DC 20515

SEP 11 2008

Thank you for your letter of August 18, 2008. You have been far more helpful than you might first suppose.

The unanswered \$2 billion question posed by the letter to you (dated July 10, 2008) from the National Highway Traffic Safety Administration (NHSTA) is: Why has NHSTA elected not to open an investigation into the **safety hazard** built into the 2008 Toyota Corolla?

I shall elaborate more on that question and the possible answers in the other letter enclosed. It would be immensely helpful if you would forward copies of that that letter to the Chairmen of the committees which oversee NHSTA and the Federal Trade Commission.

Needless to say, you will have my vote in November.

[REDACTED]  
[REDACTED]  
[REDACTED]  
Winchester, VA [REDACTED]  
Phone: [REDACTED]

9/3/08

Honorable Frank R. Wolf  
U.S. House of Representatives  
Washington, DC 220518

There is an unanswered \$2 billion question in the letter to you (dated July 10, 2008) from the National Highway Traffic Safety Administration (NHTSA) -- and that question is: Why has NHTSA elected not to open an investigation "at this time" into the **safety hazard** built into the 2008 Toyota Corolla?

The problem is not new and, undoubtedly, applies to other model years as well; so it is a logical assumption that (1) NHTSA has received thousands of complaints about the **defect**, (2) NHTSA did make an investigation long ago, and (3) has been hiding the results of that investigation for the months or years that have elapsed since that time.

Why would it cover up the results of its investigation? We are not talking about chump change. If two million Toyotal Corollas have defective odometer lighting and if it would cost \$1,000 to replace the dashboard in each of those two million vehicles, you arrive at a cost of \$2 billion. Toyota has the means and cash, of course, to run roughshod over any person or agency which might try to regulate its actions.

I have no doubt that Toyota has a very influential lobbying organization in Washington, DC and that some of its lobbyists would not be adverse to trading cash, gifts, and favors to NHTSA officials in return for favorable actions which would save Toyota part or all of the \$2 billion that it would cost to recall and retrofit the **defective** vehicles with safe dashboards.

All of the other makes of vehicles which I have driven or been a passanger in during the last five years has had an odometer which remained fully lighted whenever the ignition was turned on -- and could be read at a glance.

How many accidents have been caused because a driver took his eyes off the road for a few seconds too long? How many deaths and injuries have resulted from those occasions where the driver of a Toyota Corolla took his or her eyes off the road -- while attempting to decipher a hard-to-read odometer.

Do I think that all NHTSA officials are corrupt? No, but something which might be called organizational imbecility all too often takes over when the current managers of an organization try to cover up mistakes and corruption which might tarnish the name and reputation of the organization.

In any event, the \$2 billion question warrants a thorough investigation into the matter.

It also seems to me that the Comptroller General should be asked to review NHTSA operations and determine whether NHTSA has been flouting the intent of Congress by picking and choosing the safety **safety hazards** it chooses to investigate. If it is making its choices on a statistical basis, it would inevitably repeat the mistakes which led to the publication of Unsafe At Any Speed. That book disclosed that various automobile manufacturers were comparing potential legal awards due to deaths and injuries in highway collision with the potential costs of recalling and retrofitting their defective vehicles -- and making their decisions on a cost basis.

Maybe it is time to abolish NHTSA and transfer its functions to agencies which can be held more accountable for their decisions and actions.

[REDACTED]  
[REDACTED]  
Winchester, VA [REDACTED]

Phone: [REDACTED]

Any rational person can readily verify that the **safety hazard** (discussed above) exists by (1) borrowing a 2008 Toyota Corolla, (2) driving it in the sunshine, and (3) trying to read the odometer at periodic intervals while the vehicle is in motion. (It would be of help if you made this test yourself, if you have not already done so.)



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

JUL 24 2008

Deputy Administrator

1200 New Jersey Avenue SE  
Washington, DC 20590

JUL 22 2008

July 10, 2008

The Honorable Frank R. Wolf  
U.S. House of Representatives  
Washington, DC 20515

NVS-216 et  
Ref. # 10231748

Dear Congressman Wolf:

AUG 0

Thank you for your correspondence dated May 30 on behalf of your constituent, [REDACTED] [REDACTED] contacted your office concerning the problems he encountered with his model year (MY) 2008 Toyota Corolla.

The National Highway Traffic Safety Administration (NHTSA) is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or items of motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect may exist.

We appreciate your report on behalf of [REDACTED] and his previous report dated May 17, 2008, which was entered into our database. Reports from motorists are a very important source of information for us. Specifically, [REDACTED] is concerned with the diminished visibility of the odometer during daylight hours in his MY 2008 Toyota Corolla. Although we are not opening a safety defect investigation at this time, we continually review all available data to determine whether an investigation may be warranted.

I hope this information is helpful. If you have any questions, please contact Mr. Ronald L. Medford, Senior Associate Administrator for Vehicle Safety, at (202) 366-9700.

Sincerely yours,

James F. Ports, Jr.



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

Deputy Administrator

1200 New Jersey Avenue SE  
Washington, DC 20590

July 10, 2008

The Honorable Frank R. Wolf  
U.S. House of Representatives  
Washington, DC 20515

NVS-216 et  
Ref. # 10231748

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Sincerely yours,

James F. Ports, Jr.



ES08-003884