

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 MAR 14 2012 10-FEB-2012	Repository ☐ Reference No. 10447367
OWNER INFORMATION (Type or Print)			
Name	[REDACTED]		Daytime Telephone Number [REDACTED]
Address	[REDACTED]		E-mail Address [REDACTED]
City WEBSTER	State NY	Zip Code [REDACTED]	Evening Telephone Number [REDACTED]
The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).			
VEHICLE INFORMATION			
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side 5FNRL3H6XAB [REDACTED]		Make HONDA	Model ODYSSEY
		Model Year 2010	
Date Purchased 8/27/2010	Dealer's Name and Telephone Number GARBER HONDA (585) 334-0880		Engine: No: Cylinders
Original Owner ☒	Dealer's City ROCHESTER	State NY	Fuel Type: GAS
	Zip Code 14623		
Transmission Type AUTOMATIC	☒ Antilock Brakes ☒ Cruise Control	Powertrain	Multiple Failure: YES
		Incident Date(s) 3 INCIDENTS 13-DEC-2011 DEC 2011 - FEB 2012	
FAILED COMPONENT(S)/PART(S) INFORMATION			
Vehicle Component Code: 030000 SERVICE BRAKES, HYDRAULIC			Failure Mileage 7,000 → 8,000
			Failure Speed 10
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: DOTM9ABC036)	☐ 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 N	
Narrative 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 2010 HONDA ODYSSEY. THE CONTACT STATED WHEN THE BRAKE PEDAL WAS ENGAGED IT EXTENDED AND FORCED HIS FOOT TO HAVE CONTACT WITH THE ACCELERATOR PEDAL. THE CONTACT STATED IN ORDER FOR THE BRAKES TO WORK HE HAD APPLY PRESSURE TO THE PEDAL AND EXTEND IT TO THE FLOORBOARD WHICH CAUSED HIS FOOT TO HIT THE ACCELERATOR PEDAL AND THE VEHICLE TO SURGE. THE CONTACT STATED THE FAILURE OCCURRED AT LOW SPEEDS LESS THAN 10 MPH. THE FAILURE WAS NOT DIAGNOSED BY THE DEALER. THE FAILURE MILEAGE WAS UNKNOWN, BUT THE CURRENT MILEAGE WAS 8,000.			
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 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.			

2/28/2012

Reference No. 10447367

2010 Honda Odyssey Brake Problem (VIN 5FNRL3H6XAB [REDACTED])

When applying the brakes on my 2010 Honda Odyssey (8,000 miles), the brake pedal goes lower than the accelerator pedal. If my foot is overhanging the brake pedal, the edge of my foot can also depress the accelerator pedal causing my Odyssey to accelerate and lunge forward. When this happened, I then pressed down harder on the brake pedal which also depressed the accelerator further causing the car to speed up even more until I took my foot off the pedal. This has occurred 3 times over the last several months while going less than 10 mph, one time almost causing me to have an accident.

On 2/22/2012 I took my Odyssey to the dealer to address this problem. I also asked them to adjust the brake pedal so it does not depress as far as the accelerator pedal. They checked out my brake system thoroughly and told me it was to specification and did not see the problem. The dealer also contacted the Honda Tech line and was told that Honda has received complaints about this condition, however, it is inherent in the design and there is no way to adjust the brake pedal to prevent it from pressing below the accelerator pedal. I was told to squarely place my foot on the center of the pedal when braking to avoid contacting the accelerator pedal.

As a point of reference, I have a 2002 Honda Odyssey and a 2009 Honda Accord and never experienced this problem. On both of these vehicles, the brake pedal does not depress as low as the accelerator pedal, consequently this situation does not occur.

I consider the brake design on my 2010 Odyssey to be a serious safety concern which can cause an accident. If this happened while I was slowing down at a crosswalk, my car would have lunged forward into the crosswalk potentially causing harm to someone walking in front of me.

CUSTOMER #: 456158R
UNIT# H102884R

109595



3925 West Henrietta Rd.
Rochester, NY 14623
(585) 334-0880
www.garberRoc.com

INVOICE

WEBSTER, NY
HOME: [REDACTED] CONT:N/A
BUS: [REDACTED] CELL:

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REGISTRATION NUMBER: R7113265
FACILITY NUMBER: 7113265

SERVICE ADVISOR: 4364 JOSHUA GRANT

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
GY	10	HONDA ODYSSEY	5FNRL3H6XAB [REDACTED]	[REDACTED]	8172/8177	T981	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
27AUG10 DD			12:00 22FEB12			CASH	22FEB12
R.O. OPENED		READY	OPTIONS: STK:H102884R DLR:207252 ENG:3.5 Liters				
08:23 22FEB12		12:38 22FEB12	TRN:A				

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
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A CUSTOMER STATES WHEN BRAKING AT TIMES THE BRAKE PEDAL GOES LOW AND
THE GAS PEDAL IS TOUCHED

S118 SPOKE WITH TECH LINE 3258880 INSPECTED

BRAKES COULD NOT DUPLICATE CUSTOMERS CONCERN

PARTS:	4453 CH	LABOR:	0.00	OTHER:	0.00	TOTAL LINE A:	0.00
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8177 ROAD TEST VEHICLE AND WAS UNABLE TO DUPLICATE THIS
COMPLAINT--CONTACTING TECH LINE PER SRVC WRITER REQUEST--COMPLETED
ALLEGED BRAKE FAILURE WORKSHEET AS RECOMENDED BY TECH LINE-ROAD TEST
VEHICLE IN ATTEMPT TO DUPLICATE(UNABLE TO DUPLICATE), REMOVE WHEELS TO
INSPECT ALL BRAKE SYSTEM COMPONENTS(ALL COMPONENTS IN "LIKE NEW
CONDITION"), INSPECT SUSPENTION SYSTEM FOR ANY BENT COMPONENTS OR
INTERFERENCE WITH BRK ANY COMPONENTS WHEN WHEELS TURNED LOCK TO LOCK(NO
SIGNS OF ANY DAMAGE AND NO INTERFERENCE FOUND), COMPLETED FEB'96 SRVC
NEWS MASTER CYL TEST(MASTER CYLINDER IS GOOD), BRAKE FLUID CONDITION IS
GOOD/TRANSPARENT, FLUSHED/BLED BRAKE SYSTEM WITH NEW FLUID PER SRVC
MANUAL PROCEDURE(SMALL AMOUNT OF AIR BLED FROM REAR CALIPERS)--ALL
DOCUMENTS ATTACHED TO REPAIR ORDER (TECH LINE REF # 3258880

B CUSTOMER STATES THE PASS SLIDING DOOR SQUEEKS WHEN OPENING AND
CLOSING

S117 LUBED UPPER ROLLER

PARTS:	4453 CH	LABOR:	0.00	OTHER:	0.00	TOTAL LINE B:	0.00
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8172 PASS SLIDING DOOR UPPER ROLLER MADE SQUEEK NOISE WHEN OPENING,
LUBED UPPER ROLLER AND NOISE WENT AWAY--ALL OK @ THIS TIME

Original Estimate (Parts & Labor)	Total Additional Cost Authorized	Approved By:	Date & Time	Manner of Authorization	*SHOP SUPPLY COSTS: We have added a charge equal to \$_____ to the Repair Order for shop supplies used in connection with this repair.	DESCRIPTION	TOTALS
\$	\$			☐ In Person ☐ Via Fax ☐ Via Telephone ☐ Via E-Mail		LABOR AMOUNT	0.00
Revised Estimate	\$			☐ In Person ☐ Via Fax ☐ Via Telephone ☐ Via E-Mail		PARTS AMOUNT	0.00
WARRANTY DISCLAIMER: ALL PARTS AND ACCESSORIES ARE SOLD AND ALL REPAIRS ARE PROVIDED BY THE DEALERSHIP AS-IS, WITHOUT ANY WARRANTY OR GUARANTEE. THE DEALERSHIP HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS AND IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF PARTS OR PRODUCTS OR THE REPAIR. THE ONLY WARRANTIES ON PARTS AND ACCESSORIES OR REPAIRS ARE THOSE WHICH MAY BE OFFERED BY THE MANUFACTURER OR THE ORIGINAL PARTS DISTRIBUTOR AND ONLY SUCH MANUFACTURER OR DISTRIBUTOR SHALL BE LIABLE FOR PERFORMANCE UNDER SUCH WARRANTIES. CUSTOMER SHALL NOT BE ENTITLED TO RECOVER FROM THE DEALERSHIP ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFIT OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES. By signing below, you acknowledge that you were notified of and authorized the Dealership to perform the services/repairs itemized in this invoice and that you had the opportunity to inspect the vehicle and received or inspected any replaced parts as requested by you before paying this invoice. The vehicle is being returned to you in exchange for your payment of the Amount Due.						GAS, OIL, LUBE	0.00
						SUBLET AMOUNT	0.00
						MISC. CHARGES *	0.00
						TOTAL CHARGES	0.00
						LESS INSURANCE	0.00
PARTS RETURN WAIVER: I hereby waive the return of any replaced parts. INITIALS [REDACTED]						SALES TAX	0.00
						PLEASE PAY THIS AMOUNT	0.00