

December 14, 2015

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

NHTSA Headquarters
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

To the NHTSA:

MAR - 7 2016

I am writing because I experienced Unintended Acceleration while driving a Toyota Prius I used to own. The incident occurred on 4/7/15 while I was driving into a parking space at the condominium complex where I used to reside. The condominium complex is located at [REDACTED] in Old Greenwich, Connecticut. I reported the incident to the Greenwich, CT, Police.

When I was pulling into the parking space there was nothing unusual about it initially. It was sometime after 7pm on a Tuesday evening. I had worked that day and stopped by a store on my way home from work. I was traveling the appropriate speed to pull into a parking space - VERY SLOWLY - when the vehicle suddenly surged forward, out of my control. The vehicle crashed into a stone wall, totaling the car and causing \$9,300 in damages to the wall.

My insurance company paid the \$9,300 for repairing the wall. The estimate for repairs to my car was \$4,500. I did not get the car repaired - it didn't make financial sense. In the end I was able to get \$750 for the vehicle for scrap metal. (Given the condition and mileage on the car prior to the incident, the car was worth upwards of \$3,000, according to the "blue book" value.) The event that occurred had nothing to do with anything I did, other than buying a Toyota vehicle. I am a very experienced and skilled driver. Part of my job entailed driving my employer to appointments throughout the week. I am a very capable driver.

After the incident I contacted Toyota's Corporate offices and told them I had experienced Unintended Acceleration while driving a Prius. A representative in their corporate office sent a technician to download information from my car's Event Data Recorder. Afterwards I received a letter from Toyota stating that the company was not accepting any responsibility for this event. (A copy of the letter is attached.) I was not surprised by this response - during my research into Unintended Acceleration I was told not to expect Toyota to accept any responsibility.

I am writing to the NHTSA for three reasons:

1. First, I am writing to ask that the NHTSA add the facts related to this incident to whatever data is collected regarding Toyota vehicles and unintended acceleration
2. Secondly, I'm writing to ask the NHTSA what I might do to be financially compensated for the money I lost because of this incident. (And how my insurance company can be reimbursed for payments made due to this incident.)
3. Lastly, I wanted to ask that the NHTSA please tell me about the reporting process for these incidents - where does the NHTSA gather this information collected, etc?

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After receiving their letter denying any responsibility for this incident I tried contacting Toyota many, many times. I called the phone number listed on the letter I received, hoping to talk with the person who signed the letter. I wanted to ask a follow-up question regarding the process and also if there was anything else I can do so that my insurance company and I receive compensation from Toyota for what occurred. I never reached a human being when I called and I never received a return phone call, despite leaving approximately twenty messages. I have the impression no one was actually answering the phone at the phone number listed on the letter. It would seem that Toyota has no intention of answering any follow-up questions related to what happened while driving one of their vehicles.

It's not right that Toyota isn't made to pay the costs associated with producing defective products that result in drivers' experiencing unintended acceleration. This occurrence was the fault of the Toyota Corporation – my insurance company and I shouldn't be made to bear the costs related to what happened. More importantly, there are safety issues related to their not accepting responsibility for this defect and for not trying to fix the problem, preemptively, in the vehicles in which it is most likely to occur. Unintended acceleration is reported most often in Prius models made between 2004-2009, according to my research. My car was a 2005 Prius. I was never made aware that this could occur.

I wanted to mention one last thing because I feel it's very important. I experienced unintended acceleration approximately 6 months prior to the 4/7/15 incident. On 10/18/14, I was slowly backing my car up in a parking lot at a condominium complex when the car suddenly surged in reverse, out of my control, hitting a garage door. This occurred at approximately 10pm at night. Had it occurred during the day it's very possible that families with children would have been walking through the parking area when the car surged backward, out of control. Again, someone might have been killed. Toyota has done such a thorough and effective job denying there is a problem that when this occurred I didn't recognize it for what it was – Unintended Acceleration and not a mistake on my part. The first time it happened I got out of my car, shook my head and wondered what had just happened. Unintended acceleration never crossed my mind – I was aware that there were reports of this occurring, but Toyota successfully fought these claims and I unfortunately had trust in the company. I was not even familiar with the term "unintended acceleration" until a more severe instance occurred on 4/7/15. If Toyota had been more transparent and ethical in how its handled this defect I would have recognized it for what it was and taken the car to a Toyota dealer and asked them to address the problem. Instead, I paid \$950 out of my own pocket for the cost to repair my car. My insurance company paid for the damage to the garage door.

Thank you for your time and consideration. Can someone please get back to me regarding my questions? I may be reached on my cell phone at [REDACTED] at my email address: [REDACTED] or at the address listed below. This was an incredibly frightening experience. Had the circumstances been different I might have killed someone or been killed myself – the street adjacent to where the incident took place is a major thoroughfare for the community where I lived. I would be happy to answer any follow-up questions.

Sincerely,

[REDACTED]
Winnetka, IL [REDACTED]

TOYOTA

Delve Caballero
Direct Phone (310) 468-7426
Fax (310) 381-8690

Toyota Motor Sales, U.S.A., Inc.
15401 South Western Avenue
Torrance, CA 90504
(310) 468-4000

May 19, 2015

[REDACTED]
Old Greenwich, CT [REDACTED]

RE: Date of Loss : April 7, 2015
 Vehicle : 2005 Toyota Prius Hybrid
 VIN : JTDKB20U053 [REDACTED]

Dear [REDACTED]

Thank you for contacting Toyota's Customer Experience Center in regards to your incident on April 7, 2015. You reported that you experienced an unintended acceleration event. You stated while slowing entering a parking space, your 2005 Toyota Prius accelerated on its own surging forward. You also stated that you were unable to stop the vehicle from its movement in a timely manner causing a collision to occur.

In response to your concerns, we inspected your vehicle on April 24, 2015 at Toyota of Stamford in Stamford, CT and also obtained a copy of the Event Data Recorder (EDR) readout. Based on our inspection of your vehicle, we found no evidence that this incident was the result of any type of manufacturing or design defect of your vehicle.

The accelerator pedal was clear of all obstructions. The accelerator pedal operated smoothly from idle to wide open throttle without any binding, sticking or any interference. The engine performed as expected, idled normally and responded to input from the accelerator pedal. When inspected, the brake system response was effective, without sticking or binding. When inspected, the brake system components were undamaged and there was no brake fluid leaks observed. The brake friction components met specifications. The Brake Override System (BOS) was tested, and operated properly. After road testing your vehicle at various speeds, conducting parking maneuvers, acceleration and braking tests, we found no issues.

We are very sorry to hear about this unfortunate incident, and we do appreciate the opportunity to address your concerns.

Sincerely,

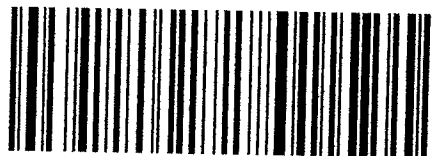


Delve Caballero
Toyota Motor Sales, U.S.A., Inc.

Winnetka, IL

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



7015 0640 0005 1185 2849

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West Building
Washington, DC 20590

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