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NEF-010
CL-11020849-7398

[REDACTED]
Watertown, MA
[REDACTED]

MAY 10 2017

May 5, 2017

National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
West Building
Washington, D.C. 20590

ATTN: Consumer Advocacy Response Department

RE: 2010 Honda Insight

To Whom It May Concern:

This is to inform you about an accident that I had recently where I believe the cause of the accident was a defect with my braking system on a pre-2011 hybrid. I have been told by the Massachusetts Attorney General's Office that this is under your jurisdiction.

The car is a 2010 Honda Insight, an early hybrid vehicle in which the brake and accelerator work in unison to charge the battery (i.e. regenerative braking, electric motor drive assist). On July 9, 2016, I attempted to stop at a light in an intersection and found my brakes to be unresponsive. The car continued to accelerate even though my foot was firmly on the brake, carrying me through the intersection and through a traffic barrier dropping approximately 30 feet onto Soldiers Field Road where I was struck by oncoming traffic.

It clearly was not my time to leave this earth.

I am writing to let your office know about this in case this type of accident happens to someone else. I am attaching copies of reports from the internet that document this having occurred to others in other states and being a problem significant enough to warrant correction in later models.

Very truly yours,

[REDACTED]

Enc.

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NAM
8.31.17

[REDACTED]
Watertown, MA
[REDACTED]

December 20, 2016

Office of the Attorney General
McCormack Building
One Ashburton Place
Boston, MA 02108

ATTN: Consumer Advocacy Response Department

RE: 2010 Honda Insight

To Whom It May Concern:

This is to inform you about an accident that I had recently where I believe the cause of the accident was a defect with my braking system on a pre-2011 hybrid. I am not sure if this comes under your jurisdiction.

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Very truly yours,

[REDACTED]
Enc.

Cc: MA Department of Transportation

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If feds mandate brake override, GM, Honda have most work to do

March 8, 2010 @ 12:01 am
Neil Roland

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Toyota: Fixes are working on recalled vehicles

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WASHINGTON -- The federal government is likely to order brake-override systems on all light vehicles because of Toyota Motor Corp.'s unintended-acceleration problems, and observers say General Motors Co. and Honda Motor Co. probably will feel the biggest impact.

GM and Honda are the only major automakers without brake-override systems in most vehicles or without firm plans to install the systems on a widespread basis.

"It's nothing that will harm their bottom line," said Dan Edmunds, an engineer and director of vehicle testing at Edmunds.com. "Most ingredients are already there in the car."

The two companies would have to develop software to tell engines to ignore acceleration commands if the brake pedal is depressed.

U.S. Transportation Secretary Ray LaHood said last week that his agency was considering a proposal to require the systems on all new vehicles.

Sen. Jay Rockefeller, D-W.Va., chairman of the Senate Commerce Committee, said the panel also might introduce legislation with a brake-override requirement.

"It's quite likely to be mandated," said Honda's chief Washington lobbyist, Ed Cohen. "At the same time, our customers are going to demand it in light of the publicity about Toyota."

Honda plans to install the systems in all U.S. vehicles but hasn't decided when, Cohen said.

At GM, only the Chevrolet Corvette and Malibu L4 and the Cadillac CTS-V and STS-V have brake-override systems, said GM spokesman Alan Adler.

"Remaining GM models have brakes that are stronger than the engine," Adler said. "If you stood on the brake and the accelerator pedals simultaneously, the brake would win every time."

Electronic brake-override systems automatically cut engine power when the gas and brake pedals are both depressed.

Clarence Ditlow, executive director of the Center for Auto Safety, said the government would have to address when the rule should go into effect and what performance standard to establish.

One issue, for example, will be whether to allow half a second, a second or two seconds to elapse between the activation of both the gas and brake pedals and the slowing of the engine, he said.

Toyota is installing brake-override systems on seven current models and has said it plans to introduce the system on all U.S. models by 2011. About 20 percent of its U.S. vehicles now have the systems.

GM Announces Brake Override System for All Vehicles as Massive Brake Recall Looms

General Motors has announced it will expand the use of a brake override system to all eligible cars, just as the National Highway Traffic Safety Administration (NHTSA) has reportedly opened an investigation into brake issues on GM products that could see a recall of up to 6.2 million vehicles.

Apr 06, 2010

The "enhanced smart pedal" technology will be installed on all GM vehicles with an automatic transmission and electronic throttle control by 2012 says GM. The software will allow the brakes to override the throttle if both pedals are pressed simultaneously.

As for the possible recall, NHTSA said it is looking into a situation of brake line corrosion on 6 million GM pickups and SUVs made from 1999-2003 and 189,000 2500 heavy-duty pickups made in 2003. The NHTSA says it has received 110 complaints and allegations of three crashes relating to the loss of braking power due to corroded brake lines.

Toyota recently announced the expansion of a brake override system to all of its vehicles after it recalled million of vehicles due to sticking brake pedals.

[Source: The Detroit News]

Official release after the jump:

PRESS RELEASE

GM to Expand Brake Override Software Globally by 2012

DETROIT – General Motors will expand use of "enhanced smart pedal" technology globally to all passenger cars with automatic transmissions and electronic throttle control, providing an additional safeguard to enhance customer confidence.

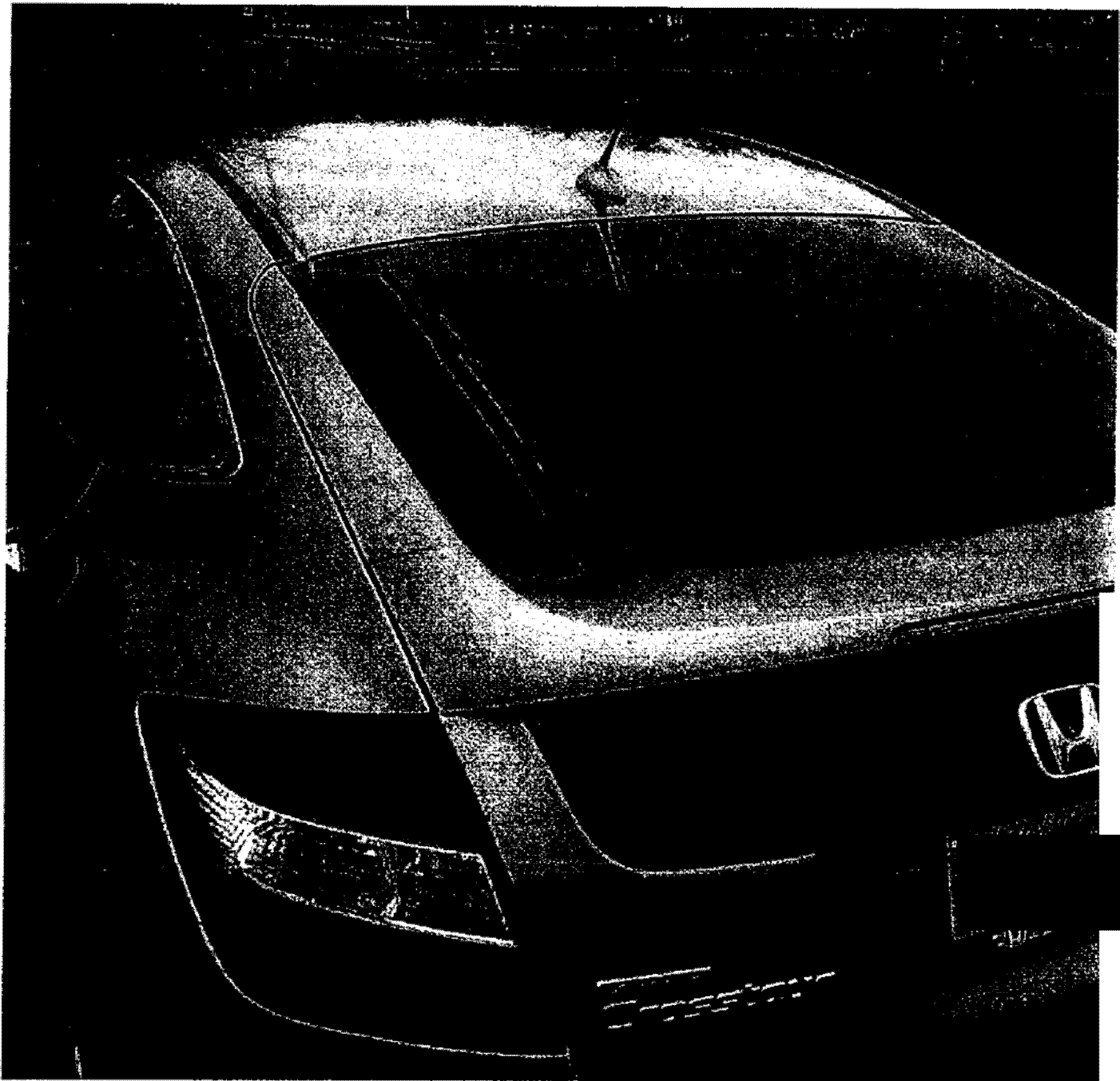
Also known as brake override, the change involves modifying existing electronic controls to reduce power to the engine in cases where the brake and accelerator pedal are being depressed at the same time. The global rollout will be completed by the end of 2012.

GM has had for the past several years a braking performance standard that applies to all cars, trucks and crossovers, requiring that the brakes can stop the vehicle within a specific distance. So brake override is an additional safeguard.

"News media analyses of government data consistently validates that GM's safety record on this issue is among the strongest in the industry," said Tom Stephens, vice chairman, GM Global Product Operations. "At the same time, we know safety is top of mind for consumers, so we are applying additional technology to reassure them that they can count on the brakes in their GM vehicle."

The rollout plan balances the speed of implementation with validation needed to assure that customers feel no deterioration in drivability.

All U.S. Honda Vehicles To Get Brake Overrides By Next Year



Bengt Halvorson Deputy Editor

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May 26, 2010

American Honda has announced that it will be installing a brake-override system on all of its Honda- and Acura-brand vehicles for the North American market by the end of 2011.

The device would, quite simply, allow the brake pedal to override any throttle input returning the engine to idle or near idle to permit safe braking if the accelerator pedal is either stuck or accidentally simultaneously pressed.

Several other automakers, including Mazda, have announced plans to incorporate brake overrides on all their future models, ahead of a potential federal requirement for them. Currently, Nissan is the only automaker to use them across its entire lineup, though Volkswagen, Mercedes-Benz, and Chrysler already have the feature on many of their models.

Toyota is also planning to install a brake override on a number of models for 2011, and the 2010 Toyota Camry and 2010 Toyota Avalon already had the feature.

At the time Toyota was dealing with its stuck-accelerator recall, Consumer Reports helped bring stuck-accelerator strategies to light, clearly demonstrating—when accelerators were floored—the stopping difference between vehicles that did and didn't have brake overrides.

The first application of the so-called Brake Priority Logic will come to market this August, Honda says.

Feds: Require brake override to stop runaway cars

By James R. Healey, USA TODAY

Updated 2012-04-12 2:40 PM



CAPTION

Lexus

Federal safety officials want to require "brake-throttle override" systems to prevent runaway vehicles with stuck throttles, even though, the feds acknowledge, "almost all" 2012 vehicles already have the systems, and officials can't say how many injuries or deaths the rule would prevent.

The proposal is one legacy of complaints about unintended acceleration in Toyota and Lexus vehicles. Most were due to driver error, a government investigation showed.

Still, the National Highway Traffic Safety Administration says, requiring so-called BTOs would "prevent most crashes where a stuck or trapped accelerator pedal was to blame" and "could prevent stuck-pedal incidents which do not result in a crash but which may require extraordinary driver action to avoid a crash."

BTOs are set up so that the brakes win when both the accelerator pedal and the brake pedal are pushed simultaneously.

Incorrect floor mats jammed open the gas pedal on a Lexus ES 350 loaner car in August 2009, sending the car out of control and killing driver [REDACTED] a 19-year veteran of the California Highway Patrol, his wife, daughter and brother-in-law riding in the car. NHTSA's investigation showed that [REDACTED] used the brakes heavily, but was unable to stop the speeding car, which did not have a brake-throttle override system.

The tragedy spotlighted the potential for "trapped pedal" situations in some Toyota and Lexus vehicles and led to a wide federal investigation and recalls involving some 8 million vehicles.

People have 60 days to comment on NHTSA's proposed rule.

Toyota Driver Freed From Prison, Prosecutor Drops Charges

• By [REDACTED]
• [REDACTED]

Aug. 05, 2010

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• 228 Shares

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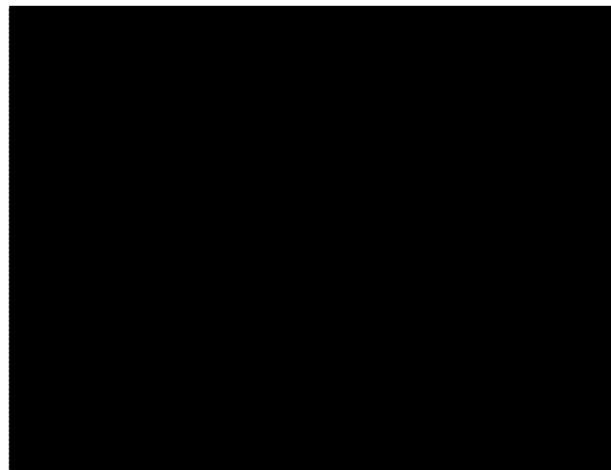
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[REDACTED] the Minnesota man jailed when his 1996 Toyota Camry sped out of control and killed three people, has won his freedom. After a judge ordered him freed pending a new trial, prosecutors announced they would not try [REDACTED] again for vehicular homicide.

Following a four-day hearing, Judge Joanne Smith had ruled Thursday afternoon there was enough evidence to grant a new trial to [REDACTED] who had been serving an eight-year sentence. She ordered him freed pending trial.

The Ramsey County prosecutor's office then announced less than an hour later that it would not be refiling charges against [REDACTED]

[REDACTED] was convicted of criminal vehicular homicide for a 2006 crash in which his Camry crashed into an Oldsmobile, killing driver [REDACTED] his [REDACTED] year-old son and injuring [REDACTED] year-old niece [REDACTED] who later died of her injuries. [REDACTED] granted an exclusive prison interview to ABC News in February, and at that time told Chief Investigative Correspondent Brian Ross that he pressed the Camry's brakes repeatedly but the car would not stop.



Play

Convicted Toyota Driver Freed From Prison



Earlier today [REDACTED] had rejected a plea deal from prosecutors that would have allowed him to go home a free man, but would still brand him a convicted felon.

According to ABC affiliate KSTP, Ramsey County, Minnesota prosecutors said [REDACTED] could return home to his family if he accepted their offer to plead guilty to the same felony and be released immediately. The terms of the plea would mean [REDACTED] would still be a convicted felon with 15 years of probation and his driving privileges would be suspended for 10 years.

null

SLIDESHOW: Driver in Prison for Fatal Runaway Toyota Accidentmore +

[REDACTED] said no to the plea deal.

His defense attorneys told KSTP his reason for rejecting the deal was because he continues to maintain he was pressing the brake at the time of the accident and he is not a felon.

The hearing, which began Monday, drew scores of [REDACTED] supporters. On Monday, nearly a hundred [REDACTED] rallied outside the courthouse demanding his immediate release.

[REDACTED] attorneys maintain the accident was caused by unintended acceleration.

"I am confident that we can show Koua's Toyota ran away on him," said Bob Hilliard, one of [REDACTED] attorneys, prior to the beginning of the hearing. "Koua's Toyota would not respond to his braking."

Brent Schafer, also representing [REDACTED] said new evidence showed that [REDACTED] deserved a new trial. "We'll call witnesses who have also experienced throttle control problems in their 1996 Camry."

The family of the victims had also backed a new trial. Michael Padden, attorney for the victims' family, said his clients were "shocked" at the plea offer and "disappointed" with the prosecutors.

"They think the Ramsey County Attorney's office is being unreasonable," said Padden. "They're shocked that they're dangling a carrot in front of the guy like this, because obviously he wants to be with his family but it's really a crappy offer if you think about it."

The Ramsey County prosecutor's office said there was no new evidence. In April, two experts hired by the prosecutor re-examined the car and reported "...there were no problems with the brakes or throttle system." They blamed the accident on driver error.

At the time, Ramsey County Attorney Susan Gaertner expressed her sympathy to all involved in the accident, while also stating her opposition to a new trial. "But the law is clear," she said. "Newly discovered evidence is required to overturn a conviction. Despite diligent efforts, we found no such evidence."

[CLICK HERE](#) to follow the ABC News Investigative Team's coverage on Twitter.

██████ attorneys hired their own expert to examine the car, however, and their expert reported there was evidence that the throttle was stuck open and that ██████ was pressing the brakes at the time of the collision.

Susanna Song is a reporter for KSTP-TV.



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