INFORMATION REDACTED PURSUANT TOTHE FREEDOM
OF INFORMATION ACT (FOIA), 5 U.S.C.552(B)(6)

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	Repository ☐
08-OCT-2019 JAN 27 2020	Reference No. 11267105

OWNER INFORMATION (Type or Print)

Name	[redacted]	Daytime Telephone Number [redacted]	E-mail Address [redacted]
Address	[redacted]	Evening Telephone Number	
City HAGERSTOWN	State MD	Zip Code [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	Make	Model	Model Year
5TDBZRFH2HS[redacted]	TOYOTA	HIGHLANDER	2017

Date Purchased	Dealer's Name and Telephone Number			Engine: No: Cylinders	Fuel Type:
Original Owner ☐	Dealer's City	State	Zip Code		

Transmission Type	☐ Antilock Brakes ☐ Cruise Control	Powertrain	Multiple Failure:	Incident Date(s) 01-OCT-2019

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Codes: 060000 ENGINE (PWS), 180000 VEHICLE SPEED CONTROL, 100000 POWER TRAIN	Failure Mileage 14680	Failure Speed

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: DOTMAL9ABC036)	☐ 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	Number of Deaths	Reported to Police N

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 2017 TOYOTA HIGHLANDER. WHILE THE CONTACT WAS PARKING THE VEHICLE, IT SUDDENLY SPED FORWARD, DROVE OVER A MEDIAN, AND CRASHED INTO A TREE. THERE WERE NO INJURIES AND A POLICE REPORT WAS NOT FILED. THE MANUFACTURER OFFERED TO INSPECT THE VEHICLE OR PROCESS A REQUEST FOR THE VEHICLE TO BE REPURCHASED. THE CONTACT WAS UNSURE OF WHICH OPTION TO TAKE. DARCARS TOYOTA FREDERICK (5293 BUCKEYSTOWN PIKE, FREDERICK, MD 21704, (301) 696-6300) WAS CONTACTED, BUT DID NOT DIAGNOSE OR REPAIR THE VEHICLE. THE CAUSE OF THE FAILURE WAS NOT DETERMINED. THE FAILURE MILEAGE WAS 14,680.

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.

Narrative Description of Incident(s), Failure(s), Crash(es), and Injury(ies)

I have enclosed all correspondence with Toyota. I am hoping that will clarify the facts for you. They did not even address the 2nd incident that I reported.
Shame on Toyota!!

[redacted]

ATTACH ADDITIONAL SHEETS IF NECESSARY

U.S. Department of Transportation

National Highway Traffic Safety Administration

1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382

Official Business
Penalty for Private Use $300

NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES

BUSINESS REPLY MAIL
FIRST CLASS MAIL PERMIT NO. 1888 WASHINGTON, DC

POSTAGE WILL BE PAID BY ADDRESSEE

US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NEF-100
1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382

Report Number: [redacted]

State of Maryland Motor Vehicle Crash Report

Reporting Agency: HAGERSTOWN POLICE DEPARTMENT

Case Information:

Report Type: **Property Damage Crash** County: **Washington** Municipality:
Local Case No.: [redacted] Local Codes: Crash Date: **10/1/2019**
Investigating Officer **OFF C. Biden - 3990** Crash Time: **10:36 AM** ☑ Photos Taken

Location:

GPS X-Coordinates: **-77.7063787342187** GPS Y-Coordinates: **39.6397758790561**
Non-Traffic Accident **535 E FRANKLIN STPRIVATE PARKING LOT**

Accident Diagram:

Narrative:

U1 WAS PULLING INTO A PARKING SPACE AND STATED THE VEHICLE ACCELERATED ON ITS OWN OVER THE CURB INTO THE TREE. NO INJURIES WERE REPORTED AND THE VEHICLE WAS TOWED AWAY BY FREESTATE TOWING.

DAMAGE TO PROPERTY: County-WASHINGTON COUNTY COMMISSION ON AGING

Crash Type:

Collision Type: **Single Vehicle**
Harmful Event One: **Fixed Object** Harmful Event Two: **N/A**
Fixed Object Struck: **Tree Shrubbery** School Bus Involved: **N/A**

Road/Area:

TC Functioning:

Conditions:

Weather: **Clear**
Contrib - Road: **N/A**
Contrib - Environment: **N/A**
Light: **Daylight**

Vehicle 1 (39266M3):

Basic Information

Registration: [redacted] Tag State: **MD** Exp Year: VIN #: **5TDBZRFH2HS**[redacted]
Year: **2017** Make: **TOYOTA** Model: **TK** Body Type: **Sport Utility Vehicle**
Insurer: **USAA CASUALTY INS CO** Policy #: [redacted]
Towed Vehicle: **N/A**

At Fault/Citation(s)

At Fault: **Yes** Citation Issued: **No** Citation Code:

Owner

First: [redacted] Middle: [redacted] Last: [redacted]
Street: [redacted] Home Phone:
City: **HAGERSTOWN** State: **MD** Zip: [redacted] Other Phone:

Driver:

DL#: [redacted] DL State: [redacted] DL Class: [redacted] CDL: **No**
First: [redacted] Middle: [redacted] Last: [redacted]
Street: [redacted]
City: **HAGERSTOWN** State: **MD** Zip: [redacted] Home Phone:
DOB: [redacted] Sex: [redacted] Other Phone:

Safety Equip.: **Shoulder/Lap Belt(S)** Equip. Problem: **Unknown** Airbag Deployed: **Not Deployed**

Alch. Test Given: **N/A** Alch. Test Type: BAC:
Substance Use: **None Detected** Drug Test Given: **N/A** Drug Test Result:

Condition: **Apparently Normal** Ejected: **Not Ejected/Trapped**
Injury Severity: **No Apparent Injury** EMS Unit: EMS Run Number:

Impact & Damage

First Impact: **Twelve Oclock** Areas Damaged: **Twelve Oclock**
Main Impact: **Twelve Oclock**
Most Harmful Event: **Fixed Object**
Damage Extent: **Functional** Fire: **No**

Circumstances

Going Direction: **N** Continuing Direction: **N** Vehicle Movement: **Parking** Speed Limit:
Left Scene: **No** Driverless Vehicle: **No** Emergency Vehicle: **No** **5**
Special Function: **N/A**

Contrib. Circumstances Person: **N/A**
Driver Distracted By: **Unknown** Contrib. Circumstances Vehicle: **N/A**

Sequence of Events:

Towing

Towed: **Yes** Removed By: **FREESTATE** Removed To: **TOW LOT**

END - Vehicle 1 (39266M3)

TOYOTA

Alexis Turner
Direct Phone (469) 292-7147

Toyota Motor North America, Inc.
6565 Headquarters Drive
Plano, TX 75024

November 6, 2019

Via email at [redacted] and U.S. Mail

[redacted]
Hagerstown, MD [redacted]

RE: Date of Loss: October 1, 2019
Vehicle: 2017 Toyota Highlander
VIN: 5TDBZRFH2HS[redacted]

Dear [redacted]

Thank you for contacting Toyota's Customer Experience Center regarding the incident that occurred on October 1, 2019. You reported that while you were operating your 2017 Toyota Highlander, it experienced an unintended acceleration event. You stated that you were pulling into a parking space when the vehicle accelerated over a curb and impacted a tree.

In response to your concerns, Toyota Motor North America, Inc. (TMNA) assigned Engineering Analysis Associates (EAA) to perform an inspection and readout of the electronic data of the vehicle. Your vehicle was inspected at Mace Auto Body on October 15, 2019. At the time of the inspection, the vehicle had already been repaired and the odometer reading was 14,847.

During the inspection, the inspector did not observe any concerns with the vehicle's engine idle or acceleration. Please be advised that at the time of the inspection, the coolant level was found to be low in the radiator and recovery jug and was filled prior to the vehicle evaluation. When tested, the accelerator pedal operated freely without any restriction. The brake system components were inspected, and no abnormalities were found. There were no brake fluid leaks observed. During the functional test drive, the brake system operated as expected in various conditions. The Brake Override System (BOS) functioned when tested. A stall speed test was performed, and the brake system held the vehicle stationary. A diagnostic check of the vehicle was performed and there were no Diagnostic Trouble Codes (DTCs) recovered at the time of the inspection. The Event Data Recorder (EDR) readout recorded that there was a lack of significant brake pedal applications during this incident. Additionally, the EDR readout recorded that the accelerator pedal was depressed leading up to and at the time of the impact. Based on our inspection and the EDR readout, we did not find evidence that a defect in the vehicle caused this incident.

We were very sorry to learn of this unfortunate incident and appreciate the opportunity to address your concerns.

November 25. 2019

Reply to letter from Alexis Turner
Toyota Highlander VIN 5TDBZRFH2HS[redacted]

Dear Alexis Turner,

I appreciated the letter with your findings. I understand that you found nothing that could have caused my car to accelerate. I wished I could explain exactly what I experienced. I will try again:

As I was coasting into my parking spot there was a point of acceleration by the car without any action on my part.
This happened within a second or even less when I felt the car speed up and I panicked and hit the floor board looking to break. In my state of terror it is possible that I found the gas pedal instead. That is a possibility, but the point of acceleration happened before that and I am a 100% sure of that. I am the one who experienced this no matter what the computer showed. I was terrified and I feel lucky that the tree stopped the car instead of going out into traffic.

In the meantime there was another incident which I also reported to customer service.
The gas pedal would not respond to my foot pressure. I had to take my foot off the pedal completely and start again to increase my speed as I was going thru a traffic light that was just turning yellow. There is definitely something wrong. This is too much of a coincidence to dismiss.

I don't feel safe in my car anymore no matter what your findings were.
I would appreciate a reconsideration that I could be correct!

I reported these incidents to the NHTSA and would not have done so if I felt I was at fault.
Computers do not show real time happenings!!

I would like you to reconsider and do the right thing by buying back this Highlander so I can feel safe on the road again and restore my confidence in Toyota.

Sincerely,

[redacted] case #[redacted]

TOYOTA

Alexis Turner
Direct Phone (469) 292-7147

Toyota Motor North America, Inc.
6565 Headquarters Drive
Plano, TX 75024

December 13, 2019

[redacted]
Hagerstown, MD [redacted]

RE: Date of Loss: October 1, 2019
Vehicle: 2017 Toyota Highlander
VIN: 5TDBZRFH2HS[redacted]

Dear [redacted]

Thank you for your correspondence that was dated on November 25, 2019 regarding the above-referenced incident.

We understand that you do not agree with our decision in relation to the incident that occurred on October 1, 2019. However, our inspection of your vehicle and the Event Data Recorder (EDR) readout did not identify evidence of a defect and our position remains the same.

Thank you for allowing us to address your concerns.

Sincerely,

Alexis Turner
Toyota Motor North America, Inc.

Oct 1, 2019

I did not even have time to straighten the wheel.
Notice no mark on the curb, that is how fast this car took off... [redacted]

[redacted]
Hagerstown, MD [redacted]

BALTIMORE MD 212
30 DEC 2019 PM 5 L

RETURNED TO SENDER
RETURNED FOR ADD'L POSTAGE .15¢
WHEN REMAILING CROSS OUT THIS NOTICE OR PASTE STAMPS OVER IT

This letter was returned to me Jan. 17, 2020
I had the PO weight it and it was returned anyway.
I hope it will finally get to the right person
Thank you

US Dept. of Transportation
National Highway Traffic Safety Admin
Office of Defects Investigation NEF-100
200 New Jersey Ave SE. 20590
[redacted] Washington, DC [redacted]