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June 7, 2008

Mr. Jeffrey Quandt, Chief
Vehicle Control Division (NVS-213, Rm W48-312)
NHTSA, Office of Defects Investigation
1200 New Jersey Ave. SE
Washington DC 20590

Ref: DP08-001

Dear Mr. Quandt:

I am the petitioner in DP08-001. I read with interest Toyota's April 25 response to your letter of inquiry, and I was startled to see Toyota adopt a "blame the media" strategy to deflect questioning and criticism. I wish to point out significant omissions of facts and flaws in methodology contained in their response. I ask that this letter be made part of the record.

When Scott Yon inspected my vehicle in March, I noted to him that I was not an engineer and thus not technically competent to discuss engineering issues. Media issues are a different matter. I spent 33 years as a reporter and editor for The Associated Press, including 10 years as a Washington correspondent and 18 years as a supervising editor. In total, I was on the national staff for 15 years. At the time of my retirement in 2006, I was regional news editor for the western United States. I am competent to address issues of media coverage and its effects, and issues of media analysis.

In my years of journalism, it was not uncommon for news subjects to blame the media for reporting a problem as a way of deflecting questions about the underlying subject. Seldom, however, have I seen the tactic used with such a total lack of underlying factual support. Toyota, in fact, makes no effort to document the "extensive media coverage" or to link media reports to the complaints, both of which would be easy to do if it were true.

After my own incident in January, I searched Google for reports of other incidents. I found only one reporter pursuing such a story -- Jeremy Finley of WSMV-TV in Nashville, who did two reports in October 2007, after the bulk of the NHTSA complaints had already been filed. A search of the Google news archives going back to at least 2005 show only two stories with the search terms "Toyota Tacoma 'sudden acceleration'" or "Toyota Tacoma 'unintended acceleration'" -- and both of those were about Toyota's 2007 floor mat recall.

There is a reason for this lack of news coverage. The CBS news magazine "60 Minutes" got a huge black eye with its reports on the Audi years ago. The nation's editors are still

terrified by that incident; no one wants to be the next “60 Minutes” on this issue. They will report government actions – thus a small flurry of stories this February when DP08-001 was accepted for filing – but they will not climb out on that limb to do their own stories about sudden or unintended acceleration.

It is conceivable, I suppose, that Google and I have missed a vast reservoir of news coverage about the Tacoma’s sudden acceleration. But if Toyota argues that is the case, it is incumbent upon Toyota to produce a listing to support its contention. I do not believe they will do so, because the so-called “extensive media coverage” *simply does not exist*.

If Toyota did produce such a list, however, the next required step to prove media causation would be to cross-reference the date of the publication with the dates of complaint filings (not the date of the incident). If news coverage alone prompted people to file a complaint, then there should be a spike of complaint filings in a week or two following the news report. News stories fade from memory quickly; if we are talking about “minor drivability issues” as Toyota claims, news coverage will cease to have any impact within a few days.

If these “drivability issues” are common across product lines, as Toyota seems to say, there also should be a smaller but discernible spike of complaints involving competing trucks. This sounds counter-intuitive, but think it through: More Toyota drivers will be attracted to the story, and thus their spike would be most noticeable. But drivers of other brands who recognize a problem that has occurred in their own vehicle and realize a government agency exists to receive such complaints would likely file their own complaints; they certainly would not presume that NHTSA accepts complaints only about Tacomas. The total absence of any such an “echo spike” for competing models (or Tundras, for that matter) supports the contention that there is a problem unique to the Toyota Tacoma.

Your database gives date of incidents in its complaints, but does not provide the date the complaint was filed. Lacking that date, and the dates of purported media coverage, it is impossible for me to do such an analysis myself. It is essential, however, for any claim of media analysis to claim legitimacy.

Toyota also cites “a high level of Internet activity on this subject ...” This again is offered with no effort at substantiation, and available evidence does not support it.

The Tacoma forums at www.ToyotaNation.com host 25,744 discussion threads. Of these, nine have one or more posts containing the phrase “unintended acceleration.” Most use the phrase in an ancillary context, such as posts about floor mats; only two threads are on point. Both began in late 2007.

The Tacoma 2005+ forum at www.TundraSolutions.com hosts 5,233 discussion threads. Only two threads have posts containing the phrase “unintended acceleration.” Both began in late 2007.

There may have been some earlier threads using different words (though similar results showed for the phrase “sudden acceleration”). But to describe the discussion of these issues on these forums as a “high level of ... activity” is absurd. And virtually all the activity appears to come *after* the bulk of the complaints were on file with NHTSA, not before. They are the *effect* of the complaints, not the *cause*.

It should also be noted that those reading such forums by their nature are Toyota *enthusiasts*, not critics. Many of them leap to the defense of the Tacoma, and are not easily persuaded. They certainly are not sheep who are easily herded into filing baseless complaints.

In sum, Toyota attempts to blame this whole situation on some sort of media-induced hysteria. But it offers no evidence that excessive or hysterical media coverage, in traditional press or on the Internet, in fact exists. It offers no analysis that relates the number or distribution of complaints to any media reports. It surveys none of the complainants to ask what role media played in their actions.

If this total lack of documentation and analysis were applied to an engineering problem, your engineers would laugh it out of the building. It is no more valid in media analysis. This is in fact a classic attempt to “blame the media” in hopes of distracting attention from the underlying issue.

And what is that issue? My petition alleges that the 32 complaints filed against the MY 2006 and 2007 Tacoma must be weighed against the fact that no other light truck has more than a single complaint in that two-year span.

Toyota says its analysis shows 19 of those complaints involve only “minor drivability concerns.” My review, using Toyota’s criteria, would ascribe 14 to that category. That means between 13 and 18 are more serious complaints, several involving loss of control or personal injury.

Accepting Toyota’s numbers for the sake of argument, this is still *at least* 13 times more serious complaints than any other model of light truck sold in the United States. Toyota seems to take the position that these should be considered as “inspired by publicity” and thus should be ignored. This is nonsense.

Toyota’s response acknowledges that it has received 478 consumer complaints of unintended acceleration, including 49 crashes, nine of which involved injuries. If we extrapolate Toyota’s own figure that 40 percent of the complaints are serious, beyond “minor drivability concerns,” that would suggest nearly 200 of these complaints to Toyota involve serious issues, including possible loss of control. And Toyota’s response is to suggest the problem would not exist if the media did not talk about them.

In its conclusion, Toyota says its ETC “is designed with redundancies and fail-safe modes ...” This is admirable, but the evidence suggests they are inadequate, a possibility Toyota refuses to even consider.

Toyota says its field study "confirms there is no safety defect." It does nothing of the sort, as any first-year logic student would see immediately. It confirms only that Toyota failed to find a defect in the 12 vehicles examined. It also, unfortunately, speaks to Toyota's mind-set that it is so closed to other possibilities and so willing to draw such broad, self-serving conclusions from such a limited inquiry.

Finally Toyota says the complaint record of the Tacoma, compared to other light trucks, "does not *necessarily* indicate the existence of a safety-related defect ..." (emphasis added). True. But then, this is merely a petition to *begin* an investigation, and must invoke a lower threshold of evidence. The **reasonable possibility of a safety-related defect** should be the standard. And that possibility is supported.

The public portion of the data supplied by Toyota does not refute my central point. And the fact that their only defense is a rant against "publicity-inspired complaints" suggests that investigation should begin sooner rather than later.

I hope the agency will act favorably on my petition.

Sincerely,

A handwritten signature in black ink, appearing to read "W.C. Kronholm". The signature is fluid and cursive, with a long horizontal stroke at the end.

William C. Kronholm

cc: Jeremy Finley, WSMV-TV
Justin Hyde, Detroit Free Press
Scott Yon, ODI