



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

ODI RESUME

Investigation: DP 15-005
Prompted by: Petition
Date Opened: 07/09/2015
Investigator: Stephen Mchenry
Approver: Otto Matheke
Subject: Low-speed surging
Date Closed: 08/19/2015
Reviewer: Jeff Quandt

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: Toyota Motor Corporation
Products: 2009 Lexus ES350
Population: 43,000 (Estimated)

Problem Description: The petitioner alleges that engine RPM may increase and vehicles may accelerate when the accelerator pedal is not depressed.

FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
Complaints:	1	0	0
Crashes/Fires:	1	0	0
Injury Incidents:	0	0	0
Fatality Incidents:	0	0	0
Other*:	2	0	0

*Description of Other: Other similar incidents alleged by the petitioner involving other Toyota vehicles.

ACTION / SUMMARY INFORMATION

Action: The petition is denied.

Summary:

The Agency received a petition on June 19, 2015, requesting an "investigation into low-speed surging in different models of Toyota automobiles in which the car starts accelerating and the engine RPM increases even when the accelerator pedal is not depressed." The petition is based upon the petitioner's interpretation of pre-crash Event Data Recorder (EDR) data from a crash his wife experienced in a model year (MY) 2009 Lexus ES350 vehicle and from two other crashes involving a MY 2010 Toyota Corolla and a MY 2009 Toyota Camry.

The petitioner's allegations regarding the three crashes are based upon several misconceptions about the manner in which the EDR samples and records pre-crash data in the ES350, Corolla and Camry vehicles. In each of the three crashes, the vehicles accelerated as the drivers were attempting to park the vehicles. All three accelerations occurred as the vehicles were entering the intended parking spaces and in the times and positions where driver braking should be initiated to safely park the vehicles. No braking was recorded in two of the crash events until the EDR trigger point (t = 0 seconds) and in the third crash no braking was recorded at all. The crashes are all consistent with pedal misapplications by the driver mistaking the accelerator pedal for the brake when attempting to park the vehicle. In addition, contrary to the petitioner's assertion regarding previous studies by NHTSA and NASA, the issues raised in the petition are fully within the scope of prior studies which have carefully examined the subject of low-speed sudden acceleration in Toyota vehicles equipped with electronic throttle control.

Taking into account the allocation of agency resources, agency priorities, and the likelihood that an additional investigation would not result in a finding that a defect related to motor vehicle safety exists, NHTSA has concluded that further investigation of the issues raised by the petition is not warranted. The agency accordingly has denied the petition.

The official petition denial, as published in the Federal Register, is available in the document file for this defect petition, as well as copies of reference material related to the denial.