

**Addendum to Motor Vehicle Defect Petition:  
Petition to Recall Tesla Vehicles Due To SUA**

James C. Owens  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W.,  
Washington, DC 20590

December 19, 2019

Dear Acting Administrator Owens:

Thank you for receiving this addendum to a previous petition to recall Tesla vehicles due to Sudden Unintended Acceleration.

In the three months since filing a Motor Vehicle Defect Petition with your office and today's Addendum to the Petition, Tesla owners have filed SUA complaints involving thirteen vehicles with the NHTSA, two of the owners alleging multiple SUA events. This Addendum asks NHTSA to consider these complaints as part of the original petition. Also included are two stories of Tesla unintended acceleration crashes from local media, which resulted in a total of four injuries.

According to several of the complaints below as well as Tesla SUA victims I have contacted personally, Tesla continues to be unresponsive. Victims find it difficult to access their own vehicle data, and difficult even to contact the company.

For your reference, here are the complaints you have received from the public relating to Tesla SUA problems:

<b>Tesla Model</b>	<b>Model Year</b>	<b>NHTSA #</b>	<b>Complaint Date</b>	<b>Location</b>
Model S	2016	11257753	9/24/2019	New York, Centerport
Model 3	2019	11265452	10/1/2019	Oregon, Beaverton
Model X	2019	11266551	10/6/2019	California, Bakersfield
Model 3	2019	11267131	10/8/2019	Pennsylvania, Wexford
Model 3	2018	11268280	10/14/2019	California, Fremont
Model S	2019	11269912	10/21/2019	Tennessee, Germantown
Model 3	2019	11278152	11/4/2019	Texas, Leander
Model S	2015	11278322	11/5/2019	California, Danville
Model 3	2019	11279755	11/13/2019	California, Inglewood
Model S	2016	11280962	11/19/2019	Pennsylvania, Avondale

**Addendum to Motor Vehicle Defect Petition: Petition to Recall Tesla Vehicles Due To SUA**

Model 3	2019	11282993 & 11282996	11/30/2019	USA, Unknown
Model S	2013	11289019	12/14/2019	Massachusetts, Andover
Model X	2018	11289172	12/15/2019	California, Menlo Park

On September 24th, 2019, the owner of a 2016 Tesla Model S in Centerpoint, New York, wrote a complaint to the NHTSA, the relevant portion of which is copied below:

*As usual, I drove Tesla to work. My parking spot is a head-in parking spot. To park my car I have to make a 90-degree turn, so I pressed the breaks to slow the car. Just as the car completed the 90-degree turn and I was about to stop the car to complete parking, it accelerated out of control. It jumped the curb in the front and hit bushes about 5-6 feet ahead. The car suffered extensive damage that is estimated to cost about \$20,000.*

*I also trust that Tesla is committed to making Tesla 100% safe to drive. Therefore, it is in both parties' interest to find what exactly happened. Fortunately, Tesla keeps track of every movement that every Tesla makes. The record can prove beyond doubt what exactly happened. I, therefore, request a complete record of what happened at the time of the incident.*

*This incidence happened between 9:50am and 10am EST on August 22, 2019.*

*As I was making a 90-degree turn to park, your record would certainly show that I pressed the breaks during the turn. The only way I could have put the car in the high acceleration - that my wife and I noticed - would be that I lifted my feet from the break and instantly pressed very hard on the accelerated paddle. I cant understand how that be feasible. If the record does not show this precise pattern, than it points to a potential software flaw.*

*Please provide me and the National Highway Traffic Safety Administration (NHTSA) with the complete record of every event that happened with my car on August 22, 2019 between around 9:50am and 10am.*

On October 1, 2019, NHTSA received a complaint of unintended acceleration from law enforcement in Beaverton, Oregon, relating to a 2019 Tesla Model 3. The relevant portion of the complaint says:

*Law Enforcement Entry - Vehicle was involved in a 10-vehicle crash. Driver and passenger both stated vehicle had unintended acceleration. Addition witness statements appear to verify report. \*DT*

## Addendum to Motor Vehicle Defect Petition: Petition to Recall Tesla Vehicles Due To SUA

*As vehicle was traveling on the highway, the driver reportedly tried to slow the vehicle as it approached stopped/slowed traffic. Vehicle did not respond and driver was not able to slow it before it crashed into stopped traffic.*

On October 6, 2019, NHTSA received an unintended acceleration complaint involving an injury, this time from Bakersfield, California, relating to a 2019 Tesla Model X. The complaint says:

*While I was parking sudden acceleration occurred vehicle jumped the curb and the vehicle smashed the building went thru the wall. **There were twice prior incidents** with no accident but freaking out within last 4 weeks. The vehicle was in motion in city street all three instances. **All three incidents I was turning the corner or parking with less than 5 miles per hour.***

NHTSA received a complaint on October 8, 2019 from Wexford, Pennsylvania, involving two injuries and relating to a 2019 Tesla Model 3. The complaint says:

*My wife was trying to park the car in our garage when the car suddenly sped up and hit our inner garage wall. It then reversed back and hit the wall a second time. Then it automatically reversed and parked on the neighbor's driveway. Both the sterling air bag and airbag near the feet deployed. The car's front was smashed. Our garage wall and door are also badly damaged. I have asked Tesla to investigate if it was because of the autopilot taking over but have not received a response from them yet after more than a week.*

On October 14, 2019, NHTSA received a complaint from a 2018 Tesla Model 3 owner in Fremont, California, which says:

*Hello - I was trying to park my vehicle in a parking spot in Santa Clara, California when **the car automatically accelerated and hit another car**. It then immediately had a flat tire. **I did not hit the wrong pedal nor was I accelerating it**. It was quite dangerous. It came to a halt after hitting another car. Both the cars were damaged. Prior to that we had difficulty trying to connect to the car using the app on the phone but thought it could have been due to an app error. Not sure if it was correlated. This event happened on Sep 24. Tesla advised me to tow the car to the service center. Since then my car has been with Tesla Service. They have not given us any updates about the diagnostics and keep telling us to take the car back. They have cleared to drive the car for 20 miles. My car was extensively damaged. I request your help. This is quite serious for the safety of everyone. While I am willing to accept if Tesla proves beyond doubt that it was my error, I am quite confident that it did it automatically. I am also concerned that **Tesla has not given us any update for the last 3 weeks** and have not provided us with any details of what the course of action is beyond asking us to take the car back and clearing it to drive*

**Addendum to Motor Vehicle Defect Petition: Petition to Recall Tesla Vehicles Due To SUA**

*for 20 miles. I have 2 kids and want a thorough investigation for the safety of everyone involved. Please help.*

On October 21, 2019, Visanji Gala of Germantown, Tennessee experienced a similar SUA crash in his 2019 Tesla Model S while parking in his garage. The relevant portion of his report to the NHTSA says:

*The contact owns a 2019 Tesla Model S. While the contact was pulling into the driveway at 4 MPH, the vehicle accelerated and crashed into the garage door and wall. The air bags did not deploy, and the steering wheel and brakes seized.*

This crash attracted some media attention. Writing for InsideEVs.com,<sup>1</sup> [REDACTED] quotes [REDACTED] referring to his car as “possessed by a demon”, not the first Tesla SUA crash victim to use this analogy.<sup>2</sup>

[REDACTED] quotes [REDACTED] as saying:

*As if possessed by a demon, the Tesla had a mind of its own and decided to go to Garage 1. I hoped it would stop as the door was closed. I tried hard to steer it to Garage 3 but I had no control over the steering wheel. It just would not budge. I tried to brake but even the brakes did not work.*

*The car broke through the closed garage door and hit a heavy treadmill, pushing it aside by a few feet. It went through the sidewall of the utility room before being forced by items stored there to stop. I am not sure why it stopped.*

*I have no clue what happened. I am guessing some type of malfunction. I am in shock, really flabbergasted to explain or understand what happened. I have tried tweeting Elon Musk.*

*After 40 minutes on hold and going through several numbers, all they said was ‘your insurance will handle the claim.’ No help from Tesla.*

On November 4, 2019, NHTSA received a SUA complaint from the owner of the 2019 Tesla Model 3 in Leander, Texas. The complaint says:

*I turned into a perpendicular parking space in a home depot parking lot. I let up on the accelerator as the car inched closer to the curb. As I began to press the brake to bring the car to a complete stop, the car suddenly lurched forward, jumped the curb, crossed*

---

<sup>1</sup><https://insideevs.com/news/380193/tesla-model-s-took-control/>

<sup>2</sup> See also NHTSA complaint #11164094 for a 2018 Tesla Model 3 on Page 57 of the original petition.

## Addendum to Motor Vehicle Defect Petition: Petition to Recall Tesla Vehicles Due To SUA

*the grass median and come to rest on the hood of another car. I know my foot was on the brake at the time and contend that the incident was due to a vehicle malfunction.*

On November 5th, 2018, NHTSA received another complaint from the owner of a 2015 Tesla Model S in Danville, California. This complaint may be associated with autopilot and not SUA, I include this complaint here because the complainant specifically notes unintended acceleration. The relevant portion of the complaint says:

*The contact owns a 2015 Tesla Model S. While driving 65-70 MPH for thirty minutes with the auto pilot engaged, the vehicle spontaneously accelerated without warning. The contact crashed into the read of a 2015 Toyota Prius.*

On November 13, 2019, a 2019 Tesla Model 3 owner in Inglewood, California, complained to the NHTSA of unintended acceleration. The complaint reads:

*I was parking in my drive way. I thought I placed the car in park. My foot was on the brake.*

*So I opened the driver door. When I took my foot off the brake the car lunged forward. The door was opened and I had both feet outside the door.*

*I tried to push the park button.*

*The car went into reverse.*

*This caused the driver door to impact the building and damage the door.*

On November 19, 2019, NHTSA received a complaint from the owner of a 2016 Tesla Model S which crashed in an elementary school parking lot in Avondale, Pennsylvania. The owner alleges unintended acceleration in the NHTSA complaint.

*My wife was pulling into a parking spot at her school as a slow rate of speed (as she was parking between 2 cars). The vehicle was in chill mode, which means that it cannot accelerate at a high rate of speed. When she was roughly  $\frac{3}{4}$  of the way into the parking spot with her foot on the brake, the vehicle accelerated on its own as if it was in performance mode. It went over a curb and into a chain link fence (which was roughly 10-12 feet past the curb) before she could get the vehicle to stop itself. This was at an elementary school and children were present. Fortunately no one was hurt. Tesla has yet to respond to our inquiries regarding the incident.*

## Addendum to Motor Vehicle Defect Petition: Petition to Recall Tesla Vehicles Due To SUA

On November 30, 2019, NHTSA received two complaints involving separate SUA incidents in the same vehicle. The first complaint states:

*On November 29, 2019, we were driving our 5-month-old Tesla Model 3. We were coming to a stop at a stoplight in heavy traffic, when suddenly the car accelerated on its own. My husband had to brake suddenly to prevent running into another car.*

The second complaint, involving the same car as above, says:

*On 11-27-19, [our] Tesla Model 3 which is 5 months old suddenly accelerated in traffic. My husband was driving about 20 miles an hour at the time. This also occurred on 11-29-19, in a more dangerous situation. I made a separate report for that date. Fortunately, no collision occurred, but we are scared now.*

On December 14, 2019, NHTSA received a SUA complaint involving a 2013 Tesla Model 3 in Andover, Massachusetts. The complaint reads:

*On Tuesday, December 10, my wife was slowly approaching our garage door waiting for the garage door to open **when the car suddenly lurched forward** [with] speed such that the car went through the garage door destroying two garage doors, the load bearing column between the two doors. A lolly column inside the garage was broken in two pieces and our other car in the garage was damaged as were other items in the garage. The car eventually stopped when it hit the concrete wall of the garage but two marks on the garage floor indicate the rear drive wheels continued to spin even after hitting the concrete wall. We are the original owners of this car and have driven it for 6 ½ years so we are very familiar with the car. Thankfully, she was not injured.*

On December 15, 2019, the owner of a 2018 Tesla Model X complained to the NHTSA of a SUA crash. The complaint says:

*Using the self-park system, from a stationary position and pressing the touch screen prompts to use the self-park, and having hands and feet away from the gas, brake and steering wheel, and parking between two cars, the car accelerated backward on its own and I had to slam my foot on the brake to stop it but it still hit a pole going in reverse and damaged the body of the car. Had I not hit the brake my son and I would have been injured. Tesla has denied responsibility.*

In addition to the NHTSA complaints, there have been several recent media reports of unintended acceleration events in Tesla vehicles. I would like to draw your particular attention to two recent reports.

**Addendum to Motor Vehicle Defect Petition: Petition to Recall Tesla Vehicles Due To SUA**

On November 13, 2019, a Tesla Model 3 went through the wall of a Smithtown, New York, CVS Pharmacy while attempting to park. The driver and a responding police officer were injured in the incident.<sup>3</sup>

And on December 17, 2019, a Tesla Model S went through the front wall of the British Pride Bakery in Burlington, Ontario, Canada, while attempting to park. The driver and a bakery employee were injured in the crash.<sup>4</sup>

Please feel free to contact me at your convenience should you require anything further.

Brian Sparks

[REDACTED]  
Berkeley, CA [REDACTED]  
[REDACTED]

---

<sup>3</sup> <http://longisland.news12.com/story/41313618/2-injured-after-tesla-crashes-through-smithtown-cvs>

<sup>4</sup><https://www.insidehalton.com/news-story/9778900--devastating-accident-car-crashes-through-bakery-at-burlington-plaza-leaving-2-injured/>