

**Quandt, Jeff (NHTSA)**

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**From:** Robertson, Faithia (NHTSA)  
**Sent:** Tuesday, January 5, 2021 5:34 PM  
**To:** Quandt, Jeff (NHTSA)  
**Subject:** FW: 02/21/2020 - Motor Vehicle Defect Petition Addendum  
**Attachments:** Addendum to Tesla Sudden Unintended Acceleration Recall Petition.pdf; Analysis of EDR Data \_Tesla\_RonBelt.pdf; Petition To Recall Tesla Vehicles Due To Sudden Unintended Acceleration.pdf

Attached is the requested email.

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**Subject: 02/21/2020 - Motor Vehicle Defect Petition Addendum**



Acting Administrator Owens,

Thank you for receiving this Motor Vehicle Defect Petition.

Please find attached:

1. Petition to Recall Tesla Vehicles Due To Sudden Unintended Acceleration
2. Addendum to the Petition
3. Results of Dr. Ronald Belt's Analysis of Vehicle Data from a SUA crash (NHTSA Complaint #11206155), in which he concludes the driver's foot was not on the accelerator during the SUA event

Please acknowledge receipt of this petition.

  
  
[Petition To Recall Tesla Vehicles Due To Sudden Unintended Acceleration.pdf](#) 538.1KB

[Addendum to Tesla Sudden Unintended Acceleration Recall Petition.pdf](#) 127.6KB

[Analysis of EDR Data Tesla RonBelt.pdf](#) 283.2KB

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DP20-001

PETITIONER 2-21-2020 email  
#2 attachment - Third  
Addendum to Motor Vehicle  
Defect Petition

ATTACHMENT

PETITIONER 2-21-2020 email #2  
attachment - Third Addendum to Motor  
Vehicle Defect Petition

### **Third 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

February 21, 2020

Dear Acting Administrator Owens:

Thank you for receiving this addendum to the Motor Vehicle Defect Petition relating to Sudden Unintended Acceleration in Tesla-made vehicles.

This addendum is to update the petition with seventy additional SUA reports sent to NHTSA from Tesla customers since the previous addendum dated December 30, 2019.

In addition to notifications from Tesla customers to NHTSA, there have also been several media reports of Tesla crashes that fit the SUA pattern and that have not been reported to NHTSA. This problem has been underreported and it is likely that Tesla has records of additional complaints, as well as vehicle data relating to SUA incidents.

Tesla's response to this petition seems to shift the blame for unintended acceleration to its drivers.<sup>1</sup> With nearly two hundred customers seeking help from NHTSA for Tesla SUA problems, lawsuits against Tesla based on SUA claims,<sup>2</sup> and additional crashes that fit the SUA pattern in media and social media reports, it is unlikely that this problem is the fault of each victim. Even if this were the case, it would indicate a design problem with Tesla vehicles.

The additional complaints to NHTSA include model year vehicles not included in the original Motor Vehicle Defect Petition, specifically the 2012 Tesla Model S, 2020 Tesla Model X, and 2020 Tesla Model 3.

Among the several media reports of Tesla crashes which fit the SUA pattern is a February 16, 2020 article published in *The Columbian* discussing a Tesla Model X crash into a Subway restaurant in Woodland, Washington.<sup>3</sup> "The driver told police his Tesla sedan malfunctioned, causing it to strike the building. Police said no drugs or alcohol were involved in the crash," notes the report. The incident has not been reported to NHTSA.

On February 2, 2020, Twitter user @██████████ reported that his aunt had been involved in a similar SUA incident. In a tweet to Elon Musk and Tesla<sup>4</sup>, he said:

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<sup>1</sup> <https://www.tesla.com/blog/no-unintended-acceleration-tesla-vehicles>

<sup>2</sup> <https://www.plainsite.org/dockets/46df7rnge/california-central-district-court/lee-et-al-v-tesla-inc/>

<sup>3</sup> <https://www.columbian.com/news/2020/feb/16/police-vehicle-crashes-into-building-in-woodland/>

<sup>4</sup> <https://twitter.com/thedatagap/status/1223968772861628417?s=20>

*Can you please help my aunt? She owns a Tesla and she was involved in an accident on Dec 25, 2019. She emailed customer service (Jan 9, 2020) and has yet to hear back!*

The Tesla owner involved submitted NHTSA complaint #11300718 dated January 21, 2020 from Los Altos, California involving a 2018 Tesla Model X.

@ [REDACTED] attached an email dated January 9, 2020 to Tesla from his aunt and titled "Re: incident report details for 5YJXCAE25JF [REDACTED] that occurred 12/25/2019"

The relevant portion of the email reads:

*I was driving on Castro Street, Mountain View, CA, and moved into a designated parking spot for a single car on the side of the street. The car had almost come to a full stop when it suddenly accelerated. The driver side of the car hit a tree and the front of the car hit a concrete planter barrier, at which point the car was disabled.*

The email further notes that the acceleration was unexplained and the automatic emergency braking did not deploy. In the email, she alleges that a Tesla representative called immediately following the accident but the customer had been unable to reach customer service again, and was specifically seeking the vehicle data from the crash.

In her January 21, 2020 complaint to NHTSA she noted that she had still been unable to make contact with Tesla.

Several of the recent Tesla SUA reports to NHTSA involve stories of multiple SUA incidents, including from long-time Tesla drivers.

The owner of a 2013 Tesla Model S in Laguna Hills, California, reported two SUA accidents to NHTSA in complaint #11309949, the first accident in Spring of 2016 and the second on September 30, 2019. The complaint says in part:

*Twice my Tesla lunged forward accelerating speed when trying to park resulting in accidents. I reported both issues to Tesla. First time they denied that happening and the second time this past year they needed additional information. Then when I provided the information my email kept getting bounced back.*

This report is inconsistent with Tesla's response to the original Motor Vehicle Defect Petition, in which Tesla said:

*We investigate every single incident where the driver alleges to us that the vehicle accelerated contrary to their input.*

Complaint #11300127 involving a 2014 Tesla Model S in Scottsdale, Arizona, was sent to NHTSA from a longtime Tesla owner who reports in part (spelling in original):

*In December 2016 the car accelerated spontaneously while I was in my driveway. Tesla maintained I pushed on the excelerator instead of the brake going from 2 to 92 miles an miles an hour in just a few seconds. The car was repaired and on January 12, 2020 the car once again self accelerated. Both times substantial damage was done to the front of the car and to my home. I was not injured however a passenger was in the car in 2016 and maintained she has hip injuries as a result. The insurance company did settle with her. Both accidents were not the result of my inadvertently depressing the excelerator. There definitely is a substantial danger to the public.*

Tesla's response to the Motor Vehicle Defect Petition submitted to NHTSA called these reports "completely false." Customer reporting to the National Highway Traffic Safety Administration must be seen as credible and an intrinsically valuable part of the regulatory process.

The additional seventy SUA reports included in this addendum bring the total number of SUA reports from Tesla owners in the NHTSA database to one hundred ninety three. In addition I have found twenty-nine reports in the media<sup>5 6 7</sup> or with evidence provided on social media of Tesla accidents which fit a SUA pattern that have not been reported to NHTSA, and several claims in lawsuits against Tesla which allege SUA and have not been reported to NHTSA.

The volume of complaints to NHTSA from Tesla drivers alleging SUA points to the existence of an underlying and serious defect, and these vehicles must be recalled and made safe.

Tesla Model	Model Year	NHTSA #	Complaint Date	Incident Date	Vehicle Status	Location
Model S	2016	11310075	2/19/2020	1/27/2020	Parking	Washington, Normandy Park
Model S	2013	11309949	2/18/2020	9/30/2019	Parking	California, Laguna Hills
Model 3	2019	11309205	2/14/2020	2/9/2020	Parking	Arizona, Tucson
Model X	2019	11308820	2/12/2020	2/10/2020	Driving	New York, Dix Hills



Model S	2016	11308379	2/11/2020	2/1/2020	Driving	Arizona, Anthem
Model 3	2018	11308049	2/9/2020	11/14/2019	Parking	California, San Diego
Model S	2018	11307883	2/8/2020	2/8/2020	Parking	California, Mission Viejo
Model 3	2020	11307630	2/7/2020	2/2/2020	Parking	California, Morgan Hill
Model 3	2019	11307548	2/6/2020	1/31/2020	Stop Sign	California, South Pasadena
Model S	2018	11307382	2/6/2020	5/7/2019	Parking	California, Palos Verdes Estates
Model S	2017	11307255	2/5/2020	5/19/2019	Parking	California, Mira Loma
Model X	2018	11307023	2/4/2020	1/21/2020	Stoplight	Texas, Tomball
Model S	2015	11307035	2/4/2020	1/21/2020	Stoplight	Ohio, Cleveland
Model S	2013	11307086	2/4/2020	1/29/2020	Parking	California, Riverside
Model 3	2020	11306855	2/3/2020	2/1/2020	Driving	California, Squaw Valley
Model 3	2018	11306614	2/3/2020	12/17/2019	Parking	California, San Jose
Model X	2016	11306541	2/2/2020	1/20/2020	Parking	California, Alamo
Model S	2018	11302964	1/30/2020	1/29/2020	Parking	Florida, Boca Raton
Model S	2016	11306145	1/30/2020	12/30/2019	Parking	Florida, Panama City
Model S	2015	11302858	1/29/2020	7/31/2019	Parking	Washington, Orting
Model S	2014	11302849	1/29/2020	9/4/2019	Parking	North Carolina, Apex
Model S	2018	11302573	1/28/2020	12/17/2019	Parking	Virginia, Alexandria
Model 3	2020	11302127	1/27/2020	1/8/2020	Turning	Washington, Bothell
Model X	2018	11302147 & 11300604	1/27/2020	11/14/2019	Driving	California, San Jose
Model X	2017	11301732	1/25/2020	12/13/2019	Parking	Colorado, Aspen
Model X	2016	11301846	1/25/2020	9/26/2019	Parking	Texas, Austin
Model 3	2019	11301680	1/24/2020	1/22/2020	Parking	Oregon, Canby
Model 3	2018	11301634	1/24/2020	8/30/2019	Parking	California, Dublin
Model S	2016	11301467	1/24/2020	10/12/2016	Parking	California, Palm Desert
Model 3	2018	11301360	1/23/2020	12/27/2019	Parking	California, Escondido
Model X	2016	11301362	1/23/2020	10/23/2019	Parking	Washington, Snohomish

Model 3	2019	11300892	1/22/2020	12/23/2019	Parking	Pennsylvania, Holland
Model X	2018	11301011	1/22/2020	10/28/2019	Driving	Unknown
Model 3	2018	11301192	1/22/2020	8/13/2019	Parking	Washington, Everett
Model S	2017	11301179	1/22/2020	1/19/2020	Stop Sign	Arizona, Phoenix
Model S	2017	11300901	1/22/2020	12/1/2017	Parking	California, Mission Viejo
Model S	2014	11300905	1/22/2020	1/20/2020	Parking	Washington, Mercer Island
Model X	2019	11300754	1/21/2020	1/13/2020	Parking	Florida, Palm Beach Gardens
Model 3	2019	11300620	1/21/2020	12/31/2019	Parking	Washington, Redmond
Model 3	2019	11300618	1/21/2020	9/10/2019	Parking	California, Cupertino
Model X	2018	11300718	1/21/2020	12/25/2019	Parking	California, Los Altos
Model 3	2018	11300599	1/21/2020	10/15/2019	Parking	Maryland, Gaithersburg
Model S	2018	11300887	1/21/2020	9/1/2019	Parking	California, Malibu
Model 3	2018	11300574	1/21/2020	4/22/2019	Parked	Washington, Sammamish
Model 3	2018	11300585	1/21/2020	4/17/2019	Parking	California, Temecula
Model 3	2019	11300383	1/20/2020	1/19/2020	Parking	California, Burlingame
Model S	2016	11300542	1/20/2020	1/20/2020	Stop Sign	California, Los Gatos
Model X	2016	11300366	1/20/2020	1/28/2019	Parking	Washington, Mercer Island
Model 3	2019	11300266	1/19/2020	1/18/2020	Parking	Maryland, Silver Spring
Model X	2018	11300248	1/19/2020	7/21/2019	Parking	California, Palo Alto
Model X	2018	11300322	1/19/2020	1/4/2019	Parking	Texas, Georgetown
Model S	2012	11300279	1/19/2020	8/5/2019	Parking	New York, Belle Harbor
Model 3	2018	11300204	1/18/2020	1/10/2020	Parking	California, Tracy
Model 3	2020	11300110	1/17/2020	1/17/2020	Driving	Massachusetts, Norwell
Model X	2020	11300090	1/17/2020	12/27/2019	Parking	Texas, The Woodlands
Model 3	2019	11300156	1/17/2020	12/19/2019	Driving	California, Fresno
Model 3	2019	11300124	1/17/2020	12/15/2019	Driving	California, Walnut Creek
Model 3	2019	11300075	1/17/2020	9/18/2019	Parking	Illinois, Chicago

Model 3	2019	11300120	1/17/2020	7/21/2019	Turning	Florida, Tampa
Model X	2018	11300230	1/17/2020	1/14/2020	Parking	California, Roseville
Model S	2018	11300152	1/17/2020	1/11/2020	Parking	Georgia, Atlanta
Model X	2018	11300143	1/17/2020	6/24/2019	Parking	California, Winnetka
Model S	2017	11300180	1/17/2020	10/31/2019	Parking	Florida, Palm Beach Gardens
Model S	2016	11300126	1/17/2020	4/11/2019	Parking	California, San Jose
Model S	2016	11300078	1/17/2020	1/31/2019	Parking	Ohio, Youngstown
Model S	2014	11300127	1/17/2020	1/12/2020	Parking	Arizona, Scottsdale
Model 3	2020	11299347	1/14/2020	1/8/2020	Parking	California, Rancho Cucamonga
Model S	2015	11297839	1/8/2020	1/2/2020	Parking	North Carolina, Charlotte
Model 3	2018	11297507	1/6/2020	11/28/2019	Driving	California, South Pasadena
Model 3	2019	11292014	12/30/2019	12/10/2019	Parking	California, Lathrop

[REDACTED]

[REDACTED]

DP20-001

PETITIONER 2-21-2020 email  
#2 attachment - Third  
Addendum to Motor Vehicle  
Defect Petition

ATTACHMENT

2020-02-21 Petitioner email #2  
attachment - consumer email

Date: Thu, Jan 9, 2020, 10:12 PM

Subject: Re: incident report details for 5YJXCAE25JF [REDACTED] that occurred 12/25/2019

To: | [\[REDACTED\]@tesla.com](mailto:[REDACTED]@tesla.com)>

- -Time & Date: Dec 25th, 2019, around 3 pm
- -Description of what happened: I was driving on Castro Street, Mountain View, CA, and moved into a designated parking spot for a single car on the side of the street. The car had almost come to a full stop when it suddenly accelerated. The driver side of the car hit a tree and the front of the car hit a concrete planter barrier, at which point the car was disabled.
  1. The acceleration was unexplained
  2. The air bags did not deploy
  3. There was no warning beeps from the car
  4. The automatic emergency brakes did not deploy
- -Location :**Castro Street, Mountain View, CA**
- -Road type (highway, urban, rural etc) and layout (single, dual, multi-lane etc.): City Street
- -Weather conditions: Good
- -Traffic conditions:No traffic since it was a holiday (Christmas)
- -Add pictures if you have any.

A few minutes post the accident, we received a call from Tesla. They inquired about the accident, and informed us that Tesla would be reviewing the data from the Electronic Recording System, and would be sharing the data with us. We have not heard anything from Tesla since the accident, and we need this data to resolve what caused the accident.

Please confirm receipt of this email, and let us know when we can expect a response from Tesla.

You can contact me at | [\[REDACTED\]@tesla.com](mailto:[REDACTED]@tesla.com) if I who was a passenger in the car on her cell