



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

ODI RESUME

Investigation: TQ 10-002
Prompted by: 10V-017, 10V-018
Date Opened: 02/16/2010
Investigator: Jennifer Timian
Approver: Richard Boyd
Subject: Sticking Accelerator Pedals

Date Closed: 08/23/2010
Reviewer: Jennifer Timian

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: TOYOTA MOTOR CORPORATION
Products: VARIOUS MY 2005-2010 TOYOTA AND MY 2009-2010 PONTIAC VIBES
Population: 2,301,430
Problem Description: UNINTENDED AND UNCONTROLLED ACCELERATION DUE TO A STICKING OR STUCK ACCELERATOR PEDAL

FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
Complaints:	0	0	0
Crashes/Fires:	0	0	0
Injury Incidents:	0	0	0
Fatality Incidents:	0	0	0

ACTION / SUMMARY INFORMATION

Action: Close this TQ

Summary:

NHTSA opened Timeliness Query TQ10-002 to evaluate the timeliness of Toyota's recall of approximately 2.3 million motor vehicles that Toyota determined contained a defect related to motor vehicle safety. These vehicles are equipped with an accelerator pedal manufactured by CTS that, under certain circumstances, may become harder to depress, slower to return, or stuck in a partially depressed position. (NHTSA Recalls 10V-017 and 10V-018.) NHTSA evaluated the timeliness of this recall as it was related to, among other things, when Toyota learned of sticking accelerator pedals installed on its vehicles, the chronology of events leading up to Toyota's January 21, 2010, defect decision, Toyota's responses to problems with sticking accelerator pedals (both in the United States and abroad) and the timing of those responses, and the timeliness of Toyota's submission of its defect information report (Part 573 report).

NHTSA issued an information request (IR) to Toyota on February 16, 2010, to ascertain information on matters leading up to the recall. Toyota responded in part to the IR on March 18, 2010, and supplemented that response on several occasions. Part of Toyota's response included a chronology of events related to safety recall 10V-017.

NHTSA reviewed Toyota's submissions and, on April 5, 2010, sent a letter notifying Toyota's counsel that the agency had tentatively concluded that Toyota was liable for civil penalties for violations of the National Traffic and Motor Vehicle Safety Act, as amended, 49 U.S.C. Chapter 301 (Safety Act) and its implementing regulations. A copy of that letter is in this investigation repository. NHTSA notified Toyota of this conclusion in its letter and demanded the statutory maximum civil penalty amount of \$16,375,000. Toyota denied its actions were untimely and that it had violated the Safety Act or its implementing regulations, but agreed to pay the penalty in interests of avoiding a protracted dispute with the agency and possible litigation.

This TQ is closed.