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Toyota pickup probe pushed

Sudden acceleration claims hard to pin down

BY JUSTIN HYDE • FREE PRESS WASHINGTON STAFF • APRIL 7, 2008

It's a wonder [redacted] walked away from the crash that turned his new Toyota Tacoma pickup into an unrecognizable mush of metal, plastic and dirt. But [redacted] has a different wonder -- why Toyota doesn't believe his complaints of sudden acceleration.

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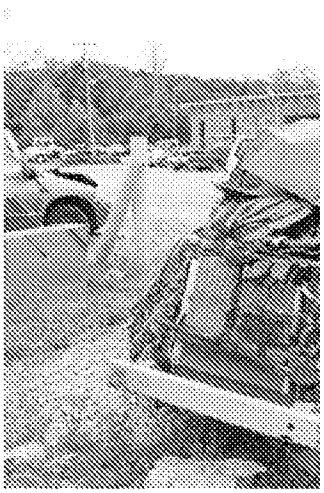
[redacted] a retired vehicle theft investigator, describes driving down a rain-slicked freeway north of Nashville last June when he tapped the brakes to avoid another car. Instead of slowing, he says, the engine revved, spinning out the truck's rear wheels. The truck ran off the road, jumped an embankment and rolled several times before coming to rest on its side.

His crash is one of eight in a passel of 33 complaints to federal regulators that has restarted a decades-old debate about whether sudden acceleration claims reflect vehicle defects or mental ones. At a customer's urging, the National Highway Traffic Safety Administration launched an investigation into 2006 and 2007 Tacoma pickups over sudden acceleration -- the fourth such look in three years at Toyota models over similar complaints.



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The Tacoma cases have yet to suggest a technical explanation. Over the past eight years, the agency has closed at least six investigations into reports of unexpected or uncontrolled acceleration in vehicles without finding evidence of defects.

On the day of the crash, [redacted] was on his way to a Toyota dealership to have it examined for uncontrolled acceleration. Since April 2007, he had sent letters to Toyota, dealers and his insurance company detailing several instances where he says the engine surged when he hit the brake, including a couple of cases where he had to mash the pedal to keep the vehicle under control.

"Toyota has said to us they've found nothing wrong with the truck and it's our fault," [redacted] said, referring to about a dozen Tacoma owners with similar complaints. "They're basically calling us all stupid."

Federal officials and automakers maintain that without evidence of a problem, the most likely answer will always be driver error. Before last October's recall of Toyota and Lexus floor mats in Camry and ES 350 sedans, the NHTSA had triggered only two other similar recalls since 1989.

"Sudden acceleration is a tough issue," said Ricardo Martinez, a doctor who was the chief NHTSA administrator from 1994 to 1999. "If a crash occurs, you always blame it on the vehicle, but most always the investigation found that wasn't the case."

Toyota spokesman Bill Kwong says the company has found no problems with the Tacoma that would explain the complaints.

"We don't feel it's an issue with the vehicle," he said. Regulators "get sudden acceleration complaints from consumers for various manufacturers ... and in most cases they have found it's a misapplication of the pedals by the driver."

But attorneys and safety advocates argue that sudden acceleration complaints are symptoms of defects, including electronic failures in increasingly complex vehicle-control systems that may leave no trace and can't be easily reproduced by a mechanic.

If there "were truly human error, there would be a proportional distribution across models," said Clarence Ditlow, who has spent years researching sudden acceleration as head of the Center for Auto Safety in Washington. "It's very difficult to explain how some makes and models have higher numbers of complaints than others absent some flaw in the vehicle."

The NHTSA began receiving complaints about the current Tacoma and sudden acceleration in late 2005. Some owners report trucks surging after they put on the brakes, or while at a stoplight. Others say their Tacoma surged while they were driving. A few said they were barely able to control the vehicle using the brakes.

None of the complaints suggest a clear cause, and those who say they've had their trucks

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inspected by a mechanic report no problems found.

The agency did not review the complaints until it was petitioned to do so by [redacted] a retired journalist in Montana. After two incidents of uncontrolled acceleration with his 2006 Tacoma within 2 hours in January, [redacted] examined the NHTSA's online database.

[redacted] said his research showed that compared with the mass of Tacoma complaints, including six injuries, there were only four reports of sudden acceleration from owners of all other 2006 and 2007 pickups. His Toyota dealer found no problem, and Toyota declined to examine the truck.

The NHTSA has examined [redacted] truck and sent a request for data to Toyota. The agency doesn't comment on open investigations as a matter of practice, and Toyota says it's cooperating. The investigation is still in its early stages, and the NHTSA would need to take several additional steps before suggesting a recall.

But without a clear cause, a recall seems unlikely no matter how many drivers complain. From 2004 to 2007, the NHTSA closed three separate investigations into sudden acceleration by Toyota Camrys and Lexus ES330 models. In each probe, many owners complained of sudden acceleration and gave similar details.

And in each investigation, no mechanical trend was found, and the NHTSA closed the cases because of a lack of evidence.

The last time the NHTSA fully explored the issue of sudden acceleration complaints was in 1989, following years of dispute over vehicles such as the Audi 5000, the poster car for the problem because of a "60 Minutes" report in 1986.

After sorting through thousands of complaints and running its own vehicle tests, the agency found that where there was no mechanical evidence of a vehicle defect, "the inescapable conclusion is that these" cases "definitely involve the driver inadvertently pressing the accelerator instead of, or in addition to, the brake pedal."

Automakers cheered the ruling, but by that time, they had started installing brake-shift interlocks that forced drivers to apply a brake if they tried to put a vehicle in gear. Throughout the 1990s, the number of sudden acceleration complaints to the NHTSA steadily declined.

But consumer advocates and attorneys say the NHTSA closed its eyes rather than admit the problem. Tom Murray, an Ohio attorney who specializes in sudden acceleration cases, said automakers and the NHTSA did not want to acknowledge other possible causes of sudden acceleration, namely electrical interference. Murray says complaints rose as automakers stuffed new electronics in vehicles -- and fell after they learned how to better shield those electronics.

"NHTSA accepted" the "claim of Audi that the absence of proof is proof of absence," Murray said. "They made one of the most colossal blunders by saying 'We can't find a defect inside the vehicle after the fact; it must be the driver.' "

Murray said he has seen an uptick in complaints in recent years as more vehicles, including the Tacoma, began to use drive-by-wire systems -- where electronics replace mechanical connections between the pedals, engine and sometimes the brakes. He and Ditlow maintain that the NHTSA lacks the money to track down more complex electrical failures, especially those that might be random and leave no physical evidence.

"I always thought that when Toyota went to drive-by-wire, the likelihood of having sudden acceleration is going to increase," Ditlow said. To order a recall, federal law "doesn't say you have to find a failure mode, just a substantial number of failures."

*Contact **JUSTIN HYDE** at 202-906-8204 or jhyde@freepress.com.*

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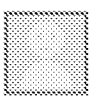

[redacted] wrote:

Well, another chink in Toyota's armor.

4/7/2008 9:56:06 AM

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[redacted] wrote:

I went out to the car one chilly morning, started it up, put it in Reverse to back out of my driveway, with my foot solidly on the brake, I slowly let it idle backwards when the car started accelerating. Of course I pushed as hard as I could on the brakes until my reaction was to shut the car off. I KNOW I did not touch the accelerator. That is the only time it has done since I owned the car. And my car was a BMW 530i.

4/7/2008 9:47:44 AM

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[redacted] wrote:

now that toyota is #1, it is learning quickly from gm to take their customers for granted and put out mass garbage

4/7/2008 9:42:37 AM

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[redacted] wrote:

schuh, GM uses 3 sensors in the accelerator pedal; two rising voltages (on different scales), and one decreasing voltage. If all three do not correspond, the TAC module will go to limp mode. We still saw complaints of unintended acceleration, and we still never found anything. I'm still calling driver error on this story.

4/7/2008 9:29:27 AM

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[redacted] wrote:

Well this IS Toyota and they DO have a track record of simply blaming the driver.

IE seat belts, sludge, acceleration et al.
4/7/2008 9:24:59 AM

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[redacted] wrote:

When I worked for the big 3 I never saw a case where a car was put into production with a known issue that could compromise the public safety. A recall is not desired and has horrific concequences for anyone that caused it. I have even seen them bring back hundreds of cars from the ship yard because it was discovered that a potential safety issue was there. As for electronics flaking out. I am an electrical engineer that worked on designing this stuff, and I can say that everything that is designed is done so that things fail safely. Thousands of hours of testing are done to veryify this as well. Most new cars have a feature called limp home mode for this very reason. In the event that a critical sensor fails a car can only go so fast. The gas pedal is one of these items. There is usually 2 sensors to show pedal positon. If they don't agree you can't go above 30 and acceleration is slow.
4/7/2008 9:23:39 AM

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[redacted] wrote:

I see two things here: First... if the gas and brake pedals are too close and people are accidentally hitting both at the same time, then there is a major flaw with that vehicle. Especially if people are doing it and don't know they are. That's just plain scary. Second□ I don't think most people are bashing foreign vehicles as much as they are bashing the biased press. As a matter of fact, just about all article's about foreign vehicles, the pro-American folks rarely bash the vehicles with the foreign name plates, they usually bash the press and the idiots who knowingly send their money overseas instead of maximizing their investment in this country and our local economy.
4/7/2008 9:15:55 AM

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[redacted] wrote:

I have personally owned a car that had sudden acceleration. I was at a stop light and the engine would flare up, and I would have to shut the car off. Didn't do it all the time. Took it to the dealership 3 times before it did it there. They swapped out the ECM, or cal and the problem went away. Tell me how they had a "fix" all ready if they didn't know about it??? Foot on the wrong pedal my a**!
4/7/2008 9:14:49 AM

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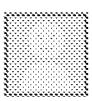

[redacted] wrote:

Seems that Toyota has learned a lesson from the Detroit3 management, "we'll fix it in the recall!" Of course, if there is no government mandated recall.....
4/7/2008 9:10:20 AM

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[redacted] wrote:

Years ago, most cars had plenty of room between the gas, brake and clutch peddles. Now they are jammed together and the plastic over those peddles range down too close too. It is NOT a surprise to me that somebody could step on both the brake and gas peddles at the same time. I hit them over and over again with my size 11 boots on, in the winter. And let's face it if there is a voltage spike, static charge, or whatever, the computer which CONTROLS all of the cars locomotion could be compromised, just like your computer locks up at home. No evidence...go figure!!!~
4/7/2008 9:04:00 AM

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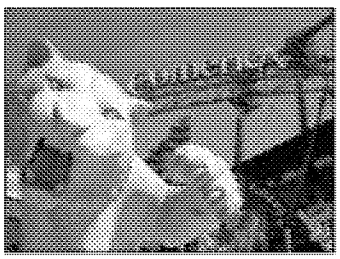

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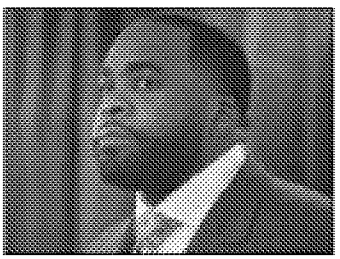

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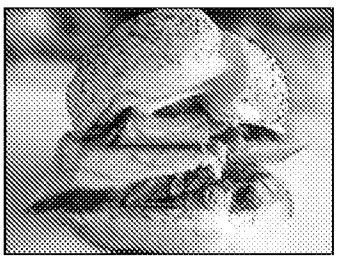

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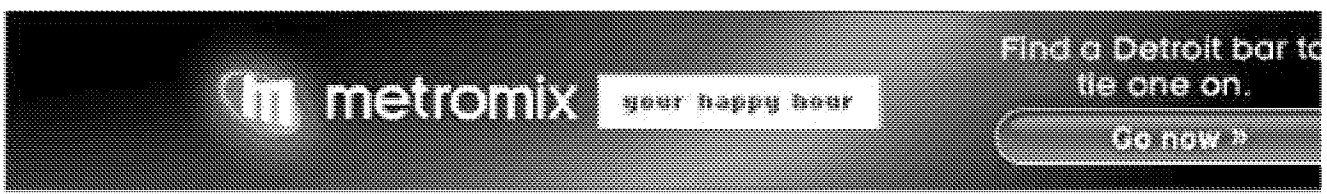

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