

interviewed. TSC studied and tested the vehicles' fuel, cruise control, and braking systems.⁵ The vehicles' driving controls were evaluated for both location within the cabin and operation. After gathering the information, TSC convened a panel (the "Panel") of independent experts in various disciplines⁶ to review the data and make recommendations.

At the conclusion of TSC's effort, comprising thousands of person-hours gathering data, comprehensively testing vehicles including their systems and equipment, interviewing owners and drivers, and inspecting crash scenes and the vehicles involved, a report was released with the following conclusion: "For a sudden acceleration incident in which there is no evidence of throttle sticking or cruise control malfunction, the inescapable conclusion is that these definitely involve the driver inadvertently pressing the accelerator instead of, or in addition to, the brake pedal."⁷

3.0 The ODI Consumer Complaint Database

3.1 "Vehicle Speed Control"

With NHTSA's recent roll-out of the ARTEMIS consumer complaint repository, all

owner complaints that may involve a sudden acceleration event are coded (or in the case of reports pre-dating the roll-out, re-coded) as "Vehicle Speed Control" related (component code 180). These complaints form a subset of all complaints where a problem related to vehicle (*i.e.*, engine) speed control was alleged (including, for example, some stalling complaints). Where a specific component is identified, the complaint is more descriptively coded as either: a. the accelerator pedal (component code 181); b. throttle linkages (component code 182); c. throttle cable(s) (component code 183); d. throttle return springs (component code 184); or e. the cruise control system (component code 185). In his petition, Mr. Boddaert requested that we conduct a petition analysis related to "Vehicle Speed Control-linkages," component code 182. Our review of the NHTSA consumer complaints database found seven linkage-related complaints for MY 1997–2000 Lexus vehicles and sixty complaints if all six Vehicle Speed Control coding categories are included. On July 10, 2003, we discussed this issue with the petitioner and advised him that we planned

to expand the petition's scope to include all six Vehicle Speed Control categories.

3.2 Lexus and its Peers

To determine whether incidents involving alleged sudden acceleration and/or vehicle speed control malfunctions are more frequently reported to NHTSA by Lexus owners, we compared the reporting frequency for Lexus, Cadillac, and Lincoln vehicles, as these represent a significant portion of the luxury car and SUV market. In each instance, we searched the NHTSA complaint database for all reports filed under component code 180 through 185 for vehicles where the "make" is Lexus, Cadillac, or Lincoln and the model year is 1997 through 2000. This search revealed a total of 182 reports.

3.3 Report Frequency

Of the 182 reports found in the search described above, 60 relate to Lexus vehicles, 57 involve Cadillacs, and 65 concern Lincolns. We then normalized this data to account for differences in vehicle production quantities. Here are the results:

TABLE 1.—VEHICLE SPEED CONTROL REPORT RATE/100K FOR LEXUS AND PEERS

Make	No. of complaints	Production	Rate/100K
Lexus	60	599,983	10.0
Cadillac	57	650,449	8.7
Lincoln	65	610,340	10.6

Based on this analysis, there is no evidence that Lexus vehicles are experiencing vehicle speed control-related problems more frequently than their peers. However, to

further assess the Lexus field experience, we conducted the analysis originally requested by the petitioner; *i.e.*, we limited the complaint count to only those complaints

related to Vehicle Speed Control-linkages. Here are those results:

TABLE 2.—VEHICLE SPEED CONTROL-LINKAGES REPORT RATE/100K FOR LEXUS AND PEERS

Make	No. of complaints	Production	Rate/100K
Lexus	7	599,983	1.2
Cadillac	5	650,449	.76
Lincoln	11	610,340	1.8

Again, the results fail to establish the existence of a defect trend related to Lexus vehicle speed control problems and/or sudden acceleration incidents reported to NHTSA.

4.0 Conclusion

The information gathered does not indicate that Lexus vehicles are over-represented in the NHTSA database for consumer complaints concerning sudden acceleration and/or problems with vehicle speed control.

Based on the foregoing analysis, there is no reasonable possibility that an order concerning the notification and remedy of a safety-related defect would be issued as a result of granting Mr. Boddaert's petition. Therefore, in view of the need to allocate and

prioritize NHTSA's limited resources to best accomplish the agency's safety mission, the petition is denied.

References

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⁵ In some instances, the testing was performed by NHTSA's Vehicle Research and Test Center (VRTC).

⁶ The curriculum vitae of all the panelists is included in Appendix A to the Report. The panel

was highly credentialed, including Dr. John B. Haywood, professor of Mechanical Engineering at M.I.T. and Director of its Sloan Automotive

Laboratory, and Dr. Phillip B. Sampson, Hunt Professor of Psychology, Tufts University.

⁷ Pollard and Sussman, 49.