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Statement of Rep. Henry A. Waxman Chairman, Committee on Energy and Commerce

Response by Toyota and NHTSA to Incidents of Sudden Unintended Acceleration Subcommittee on Oversight and Investigations February 23, 2009

Chairman Stupak, I want to thank you for holding today's hearing on reports of sudden unintended acceleration in Toyota vehicles.

I am a great admirer of Toyota. Toyota makes good cars. I've driven one – pleurably and safely – for years. And the company has been a strong corporate citizen. The Prius is a breakthrough vehicle that is making a crucial contribution to our environment and energy security.

Perhaps that is why I am so disappointed in the company's response to reports of Toyota vehicles racing out of control – too often with fatal consequences.

Over the last decade, cars have become moving computers. They have dozens of microprocessors and millions of lines of code.

This development has brought many improvements in vehicle performance and vehicle safety. Air bags are triggered by electronic controls, electronic vehicle stability controls keep cars from swerving out of control, and fuel efficiency has increased.

Like any advancement, the increased reliance on electronics can bring new risks, and these need to be carefully examined. But this did not happen.

In preparation for this hearing, the Committee analyzed over 100,000 pages of documents from Toyota and the National Highway Traffic Safety Administration (NHTSA). These documents show that both Toyota and NHTSA have received thousands of complaints of runaway Toyota vehicles. And they show that these complaints increased after the introduction of electronic throttle controls.

But what is most significant is what is missing from the documents.

There is no evidence that Toyota or NHTSA took a serious look at the possibility that electronic defects could be causing the problem.

Toyota did not initiate a study into possible electronic defects until just two months ago. And NHTSA still does not have an electrical or software engineer on staff.

Our review indicates that Toyota received as many as 2,600 complaints of runaway vehicles through its telephone hotline alone. Over 700 of these incidents resulted in accidents.

Toyota had three responses: First, blame the driver. Second, blame the floormat. Third, blame a sticky gas pedal. And NHTSA – without doing any meaningful independent review – accepted Toyota’s explanations.

Toyota’s U.S. President, Jim Lentz, will testify today and has cooperated in our investigation, which I appreciate. He has said that Toyota was “very confident that the fix in place is going to stop what’s going on.”

As we will learn today, that seems unlikely.

On our first panel, we will hear from Rhonda and Eddie Smith, who will describe Rhonda’s harrowing account of driving a runaway Toyota vehicle. Their account does not sound like driver error, a floormat problem, or a sticky pedal. It sounds like an electronic defect.

On the same panel, we will hear from two automotive experts: Sean Kane and David Gilbert. They have been trying to identify possible electronic defects in Toyota vehicles.

I am not an electronics expert, but if what they say is true, Toyota vehicles have a serious flaw in their electronic control systems that leaves them vulnerable to sudden unintended acceleration.

One question we will ask today is why didn’t Toyota and NHTSA do the kind of investigation that Mr. Kane and Dr. Gilbert have done. Toyota failed its customers and NHTSA neglected its responsibilities. Today, we will try to find out why.

Given all that Toyota has achieved over the past 50 years, it would be wrong for Toyota to be permanently impaired as a result of the safety failures that have occurred. Toyota is a great company, and I hope it will have a great future.

But fundamental reforms are needed in Toyota’s leadership. Consumer complaints need to be taken seriously; the possibility of electronic defects must be actively investigated; and safety must start coming first.

Fundamental reforms are also needed at NHTSA. The agency lacked the expertise and resources to critically assess Toyota’s insistence that its vehicles could not fail.

Ultimately, I believe addressing this problem will require legislation. Carmakers have entered the electronics era, but NHTSA seems stuck in a mechanical mindset. We need to make sure the federal safety agency has the tools and resources it needs to ensure the safety of the electronic controls and on-board computers that run today's automobiles.

Again, I thank Chairman Stupak for holding this hearing and look forward to hearing from our witnesses.