

## Kevin Haggerty

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Committee on Oversight and Government Reform  
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My name is Kevin Haggerty and I owned a 2007 Toyota Avalon. In the past 6 months I have experienced 5 events where my car accelerated on its own. The first few times I experienced the car accelerating without my foot on the gas pedal I was driving through town. The car would go back to its normal rpms after driving a few miles, or after the car was stopped, turned off and restarted. After experiencing the sudden acceleration the third time, I took my vehicle to be checked by my local auto shop. They could not find anything wrong with my vehicle. After 2 more incidents I brought my car to a Toyota Dealership on November 11th, 2009 to be checked. After keeping my car for 2 days they found no unintended acceleration problems and confirmed that the factory mats were installed properly.

Then on December 28th, 2009 I was driving to work on Route 78 in New Jersey. The car began to accelerate without my foot on the gas pedal. As I pushed on the brake, the car continued to accelerate. At that time I was not able to stop my vehicle by pressing on the brake pedal. The only way I was able to slow the car down was to put the car into neutral. I got off the next exit which was the exit for the dealership. Determined to get the car to the dealership and show them first hand that this was happening, I drove approximately 5 miles by alternating from neutral to drive and pressing very firmly on the brakes. On my way there I called them and asked for the service manager to meet me outside. As I pulled into the front of the dealership, I put the car into neutral and exited the car. With the brakes smoking from the excessive braking and the car's rpm's racing, the manager entered my car. He confirmed that the gas pedal was not obstructed, the mats were properly in place and that the rpm's were very high. They contacted a Toyota Tech to come to the dealership and look at my car. He arrived within a few hours.

The dealership had my car for 1 and 1/2 weeks. When I was told the car was ready to be picked up, I asked what problem they had found. I was told by the service manager that "per Toyota" they replaced the throttle body and accelerator assembly including 1 or 2 of the sensors. Since they could not tell me exactly what problem they found with these parts and why they were replaced, I started doing some research about Toyotas online. I came across Sean Kane's name in multiple articles I read and decided to contact him. When I reached him, I explained my situation and expressed my fear of driving this car in light of what just happened. I no longer felt safe in it since nobody could explain why the acceleration problem occurred in the first place. Sean did not have an answer for the cause and was surprised that the dealership replaced parts and witnessed it first hand.

I was then contacted by ABC News and they were interested in doing a follow up story on accelerator problems. ABC also confirmed with Toyota that the parts taken out of my car were sent to Toyota's Corporate offices to be evaluated. I agreed to an interview mainly because I wanted to help people understand how to safely stop a car by putting it into neutral. I continued driving my car out of necessity but refused to put my children in it.

About 3 weeks ago a local dealership owner, after hearing about my story, made me a generous offer on a new vehicle, as well as offered to pay off the balance of the loan on my Avalon. For my safety, as well as the safety of my family, I took him up on his offer.

### **Toyota Driver: ABC News Videos Helped Save My Life**

<http://abcnews.go.com/Blotter/toyota-driver-abc-news-videos-helped-save-life/story?id=9618954&page=2>

Kevin Haggerty, a 45-year-old salesman from Pittstown, New Jersey, has seen plenty of car wrecks in his other job, a volunteer firefighter. When he went shopping for a car, he decided he wanted something safe and reliable, something that would protect his wife and two daughters, and that's what he thought he'd gotten when he purchased a new 2007 Toyota Avalon sedan.

But in mid-2009, he says he started having trouble with occasional episodes of random acceleration. Haggerty says his Toyota would start revving and picking up speed and he'd have to stand on the brakes to slow it down. And then, three days after Christmas, there was an episode that would have resulted in a high-speed collision on Interstate 78, and perhaps fatalities – had not Haggerty used what he'd learned from ABC News to bring his runaway Toyota under control before it crashed.

Haggerty says problems with his Toyota Avalon started in the middle of last year. Haggerty would be driving through his hometown at 25 miles an hour and the car would begin accelerating. He took the car to his Toyota dealership in November after a couple of incidents. The mechanics there said they didn't know what was causing it.

"They went through the car thoroughly and did all the diagnostic tests," said Haggerty, "and they couldn't determine why it was happening."

The dealership did not attempt to blame the problem on poorly fitting floor mats, which was the official Toyota corporate explanation for the issue.

By then, Haggerty had seen ABC News reports on uncontrolled acceleration, and had also watched a video on the Blotter about how to control an accelerating car.

Three days after Christmas, on Monday morning, December 28, Haggerty was traveling east on Interstate 78, headed to work, when he says the car started accelerating again. Soon the car had revved itself up to 65 miles per hour. Haggerty remembered the video.

"I had my foot on the brake," recalled Haggerty. The more he pressed the brake, the more the car accelerated. "It seemed like the accelerator was overpowering the brake."

As Haggerty started to panic, he thought back to the video he'd watched. "I could see why some people would want to keep hitting the brake, keep pumping the brake rather than go into neutral. But I remembered the safest thing to do is to go into neutral and control the car, and that's what I did."

After getting the car under control, Haggerty called the dealership on his cellphone. He realized he was close to the interstate exit that would take him to dealership. They had told him they had never witnessed the acceleration first-hand -- now he was going to show them.

"I called the service manager," said Haggerty. "I told him I'm having the problem right now." They told him to bring the car in.

The car kept trying to accelerate, but switching from neutral to drive and back again as needed allowed Haggerty to steer the car onto an off ramp and the three miles to the dealership.

When he reached the dealership, the brakes and the tires were smoking. Haggerty put the car in neutral. The engine was still revving.

The first thing the service manager did, said Haggerty, was check the floor mat. The mat was still in place, attached to the floor with factory-installed brackets. "He even confirmed to me," said Haggerty, "that it's not the floor mat that's the problem. It was accelerating and he witnessed it. He sat in the seat and he witnessed it accelerate."

The service manager called a Toyota representative. According to Haggerty, the Toyota representative told the service manager to replace the gas pedal and the throttle and their sensors. Haggerty has not had another incident of random acceleration since the parts were replaced. He feels fortunate that he was alone in the car on December 28.

"After I got out of the car at the dealership, the first thing I thought about was my family," said Haggerty. "And if they were in the car, if my wife was driving – you know, I'm not sure if she would have panicked and kept hitting the brake pedal and known enough to put it into neutral. That flashed through my mind, you know. If my wife and kids were in the car."