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OPINION: BUSINESS WORLD | FEBRUARY 23, 2010, 6:39 P.M. ET

# 'My Sudden Acceleration Nightmare'

By HOLMAN W. JENKINS, JR.



Reading the mind of Akio Toyoda as he faces Washington's grand inquistors.

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Secret National Security Agency transcript of CEO Akio Toyoda's inner monologue as he prepares to testify in today's congressional hearing into the Toyota recall crisis:

Oh what a feeling. I wonder what Hank Paulson does for the dry heavens?

How I envy Ford-san. At least the Firestone mess involved a real defect, a tire spec unsuitable for Americans accustomed to cruising all day in hot weather at 80 mph on underinflated tires.

Toyota is battling a "defect" it can't find and may not exist. Our crisis management has not been the best, but . . . oy vey.

I wouldn't be here if not for an accident fluky and bizarre even by unintended-acceleration standards. A San Diego Lexus dealer installed an unapproved and ill-fitting floor mat in a loaner car. The mat was placed in the car upside-down and wasn't fastened down. The dealer ignored a previous customer's complaint that the mat interfered with the gas pedal. The next borrower didn't or couldn't shift into neutral when the pedal jammed. Four people died in a horrible crash.

Before the accident, Toyota issued recalls and service bulletins related to floor mats. How is this not the dealer's fault? Not a single incident of runaway speeding has been traced to the sticky pedals Toyota subsequently recalled. No electronic defect has been found.

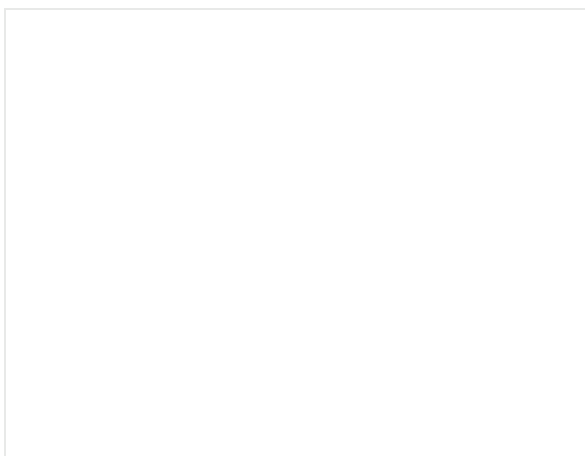
I should have listened to the Germans. They racked up billions of miles on their vehicle electronics before bringing them to lawyer-happy America. They installed a brake-override so a foot on the brake would always shut the throttle.

## WSJ Toyota Stories

In the News: Toyota Probes Other Causes of Acceleration, U.S. Chief Says Toyota Document Cited Savings From Limited Recall

On the Editorial Page: Akio Toyoda: Back to Basics for Toyota Michael Dunne: Toyota's Loss Isn't Quite China's Gain

To think, if we had adopted the same kludge, our runaway-vehicle complaints would probably be in line with those of our competitors. It's the fix that fixes whether the problem is pedal blockage, electronic glitch or a driver's foot on gas and brake at the same time. The only problem it doesn't fix is a driver mistakenly stomping on the gas—the actual source of most unintended acceleration.



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## About Holman W. Jenkins Jr.

Holman W. Jenkins Jr. is a member of the editorial board of The Wall Street Journal and writes editorials and the weekly Business World column.

Mr. Jenkins joined the Journal in May 1992 as a writer for the editorial page in New York. In February 1994, he moved to Hong Kong as editor of The Asian Wall Street Journal's editorial page. He returned to the domestic Journal in December 1995 as a member of the paper's editorial board and was based in San Francisco. In April 1997, he returned to the Journal's New York office. Mr. Jenkins won a 1997 Gerald Loeb Award for distinguished business and financial coverage.

Born in Philadelphia, Mr. Jenkins received a bachelor's degree from Hobart and William Smith Colleges in Geneva, N.Y. He received a

I wonder if Dr. Richard Restak is in his office today? Years ago, the George Washington University neurologist coined the term "neurobehaviorally impaired" for such drivers: "He or she acts too fast or not fast enough; steps on the accelerator when the intention is to put on the brake; slips the gear into reverse instead of forward; comes to a full stop when the sign merely indicates 'yield.' In all cases, the response is almost but not quite appropriate to the situation . . . [and] leaves a wake of dented fenders, sore necks and inflamed tempers."

Great quote, but I can't afford to blame our customers.

No such inhibitions trouble the National Transportation Safety Board (the folks who investigate plane crashes). Last fall, they issued a special report on four school-bus accidents and a fire-truck crash, fingering "pedal misapplication" in every case: "In all five, the drivers either reported a loss of braking or were observed by vehicle occupants to be unsuccessfully attempting to stop the vehicles, though no evidence of braking system failure was found." And these were professional drivers!

I wonder how many congressmen were around for the industry-wide crisis kicked off years ago by Audi. In 1987, the feds received 2,500 complaints of "unintended acceleration," more than in the previous 20 years combined. "The defect, which involves almost all makes of cars, causes them to accelerate without warning. . . . Sophisticated electronic controls are now believed to play a role in the problem," concluded the New York Times, citing (who else?) Clarence Ditlow, the trial lawyer handmaiden who will be testifying against me today.



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Toyota CEO Akio Toyoda

Two years later, the National Highway Traffic Safety Administration issued its own exhaustive report on the post-Audi fury: "pedal misapplication."

Far be it from me to suggest a defect is never to blame—say, a poorly designed gas pedal and floor mat. But what a shocker that even our San Diego dealer now has hired a lawyer to float a theory that an electronic bug was behind a crash that every investigation has attributed to floor mats?

Trial lawyers love the electronic gremlin theory because it's impossible to disprove in any individual case. But we're here to talk about a *pattern* of cases. That's what Congressman Henry Waxman, who accuses Toyota and NHTSA of "resisting" evidence of an electronic fault, doesn't understand.

What can "resist" possibly mean in a context where only data and analysis can establish an answer? Eight of the 34 deaths the plaintiffs bar insists are due to runaway Toyotas are accounted for by just two crashes—the San Diego crash (floor mats) and a Texas crash in which an epileptic drove into a lake. What was the average age of drivers in the remaining unexplained (i.e., non-floor mat) incidents? What, if anything, did drivers have in common? Were they new to the vehicle?

Electronic bugs should occur at random. Here's guessing that once we and the feds agree on a database of incidents and examine them in detail, we'll be able to say conclusively whether there's a "trend" that indicates an electronic defect.

Of course, a competent investigator wouldn't pronounce without data—but who ever said Congress was a competent investigator?

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Robert and William Smith Colleges in Geneva, N.Y. He received a master's degree in journalism from Northwestern University in Evanston, Ill., and studied at the University of Michigan on a journalism fellowship.

Email: holman.jenkins@wsj.com

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