

# U.S. seeks new auto safety rule

Brake-override systems in all cars are proposed to prevent sudden acceleration.

BY JIM PUZZANGHERA  
AND JERRY HIRSCH

WASHINGTON — More than 2½ years after the fatal crash of a Lexus in suburban San Diego led to the recall of millions of Toyota vehicles, federal regulators are taking their most significant step to prevent future vehicles from accelerating out of control.

The National Highway Traffic Safety Administration formally proposed a requirement Thursday that automakers include a brake-throttle override system in all their passenger cars and light trucks to help drivers regain control when a vehicle accelerates suddenly.

The move came after the fiery 2009 Lexus crash and subsequent Los Angeles Times stories triggered a flood of complaints about sudden acceleration in Toyota Motor Corp. vehicles. Lexus is a Toyota brand. The complaints led to high-profile congressional hearings and calls for tougher federal regulations.

Since then, Toyota has made a brake-override system standard, and most other automakers offer such a system on many of their vehicles or are adding it.

Still, federal officials said they wanted to make sure every car or light truck sold in the U.S. came equipped with a system that allows drivers to stop the vehicle even when a throttle is stuck or jammed.

"America's drivers should feel confident that any time they get behind the wheel they can easily main-

tain control of their vehicles — especially in the event of an emergency," Transportation Secretary Ray LaHood said. "By updating our safety standards, we're helping give drivers peace of mind that their brakes will work even if the gas pedal is stuck down while the driver is trying to brake."

Automakers would have about two years to comply once the proposal becomes

[See **Override**, B4]

# Brakes

**[Override, from B1]**  
final, which is expected. Some automakers might need to change their systems to comply with the new regulations. But the proposal said there should be minimal cost to the industry to implement the requirement because almost all 2012 light vehicles sold in the U.S. have a brake-override system.

"We have long been in favor of brake override," said Clarence Ditlow, executive director for the Center for Auto Safety. "But the devil is in the details.... You have to say that everyone has a good brake override that won't malfunction."

Toyota said it was the first full-line automaker — one that sells cars, trucks and SUVs — to make a brake-override system standard, implementing it in all vehicles the company sold by the end of 2010.

The system allows drivers to stop a vehicle if there is physical entrapment of the pedal or jamming of the throttle, Toyota spokesman Mike Michels said. Entrapment was the suspected



Detroit Free Press/MCT

**THE FIERY CRASH** of this Lexus in 2009, believed to be the result of sudden acceleration, killed an off-duty CHP officer and three members of his family.

cause of the deadly Lexus crash.

A 60-day public comment will begin soon on the 98-page proposal. The Alliance of Automobile Manufacturers, which represents Toyota, Ford Motor Co., General Motors Co., Chrysler Group and eight other large automakers, said it was reviewing the proposal. The group said it has supported making brake-override systems standard since 2010.

Michels noted that brake override is not completely fail-safe because there are times when a driver needs to use both the brake and the

throttle.

"It's important to note that if the foot is first on the brake and the accelerator is then applied, the engine will accelerate. This is, of course, to permit drivers to hold a car on a steep hill using both feet," Michels said.

But if the accelerator is applied first and the brake is then depressed, the override will kick in.

Investigators believe the Lexus ES 350 crashed after a floor mat was improperly installed and may have trapped the accelerator pedal, causing the vehicle to race down California High-

way 125 outside San Diego at more than 100 miles per hour. The car crashed and burst into flames, killing off-duty California Highway Patrol Officer Mark Saylor and three members of his family.

That crash led to a recall of 3.8 million Toyota and Lexus vehicles to fix the floor mat problem. After a Times series of stories on sudden unintended acceleration, Toyota issued millions more recall notices to fix sticking gas pedals and other issues.

Safety officials believe that brake-override systems, in which the application of the brake pedal by the driver would instantly disengage a stuck throttle, can prevent such crashes.

"We learned as part of the comprehensive NASA and NHTSA studies of high-speed unintended acceleration that brake-override systems could help drivers avoid crashes," NHTSA Administrator David Strickland said.

"This proposal is one way the agency is helping keep drivers safe and continuing to work to reduce the risk of injury from sticky pedals or pedal entrapment issues."

The systems act as an electronic fail-safe that

automatically releases the throttle when a car's onboard computer senses that the brake pedal is depressed. Designed for cars with electronic throttle control, which uses wires and software rather than mechanical cables to connect the gas pedal to the engine, it has been available for nearly a decade.

Some carmakers, including Nissan, Volkswagen, BMW and Chrysler, have been using brake-override systems for years.

But even if the systems become universal, there's still some question as to whether they will reduce driver complaints about unintended acceleration.

"This technology is typically raised as a solution to the issue of unintended acceleration. The problem is that the evidence shows this is usually a driver-error issue. In other words, the gas is being applied, not the brakes," said Jeremy Anwyl of auto information company Edmunds.com.

---

jim.puzzanghera  
@latimes.com  
jerry.hirsch@latimes.com  
Hirsch reported from Los Angeles.