

December 27, 2023

Mr. Elon Musk
Co-founder and Chief Executive Officer
Tesla
3500 Deer Creek Road
Palo Alto, California 94304

Dear Mr. Musk,

We write with extreme concern following recent reporting about Tesla’s knowledge of safety flaws in its vehicles and concealment of the causes of these flaws from the National Highway Traffic Safety Administration (NHTSA). This reporting puts your statement from January that “Teslas are the safest car on the road” at stark contrast with reality.¹ We call on you to swiftly recall all Tesla components that pose a safety risk and correct the record with NHTSA to ensure it can properly do its job.

An alarming *Reuters* report last week outlined repeated failures in steering control and suspension parts on Tesla vehicles shortly after purchase. The report detailed complaints about suspension connection points, including fore and aft links, and sudden losses of power steering – often while a vehicle was in motion.² We are encouraged that NHTSA is conducting investigations into the fore link and power steering.³ However, it appears that Tesla knew about the flaws in its components and failed to take action: in 2020, Tesla recalled the front suspension aft link and rear suspension upper link in China after pressure from regulators, but no such recall occurred in the United States or elsewhere in the world, putting countless Americans and others on the road at undue risk.⁴ We urge you to swiftly issue a recall for any component – power steering, suspension, or otherwise – that poses a threat to the safe functioning of a vehicle.

Moreover, we are disturbed that you would blame your customers for these failures. Reporting notes that Tesla repeatedly attributed the suspension failures to “vehicle misuse” or “driver abuse,” including when justifying to NHTSA why it was not pursuing the aforementioned suspension recall in the United States.⁵ It is unacceptable that Tesla would not

¹ Elon Musk, @elonmusk, 2023, “Teslas are the safest cars on the road, but most people don’t know that,” Twitter, January 20, 2023, 2:39 p.m., <https://twitter.com/elonmusk/status/1616520714236092417>.

² Hyunjoo Jin, Kevin Krolicki, Marie Mannes, and Steve Stecklow, “Tesla blamed drivers for failures of parts it long knew were defective,” *Reuters*, December 20, 2023, <https://www.reuters.com/investigates/special-report/tesla-musk-steering-suspension/>.

³ U.S. Department of Transportation, National Highway Traffic Safety Administration, “Front Fore Link Failure,” <https://static.nhtsa.gov/odi/inv/2020/INOA-PE20020-5764.PDF> (accessed December 21, 2023); U.S. Department of Transportation, National Highway Traffic Safety Administration, “Loss of steering control,” <https://static.nhtsa.gov/odi/inv/2023/INOA-PE23014-4415.PDF> (accessed December 21, 2023).

⁴ Elizabeth Mykytiuk to Jeffrey Giuseppe, September 3, 2020, online, <https://static.nhtsa.gov/odi/frcl/2020/FRCL-20F163-2795.pdf>.

⁵ Jin, Krolicki, Mannes, and Stecklow, “Tesla blamed;” Mykrtiuk to Giuseppe, September 3, 2020.

United States Senate
WASHINGTON, DC 20510

only attempt to shift the responsibility for the substandard quality of its vehicles to the people purchasing them, but also make that same flawed argument to NHTSA. NHTSA exists to ensure roadway safety, but it cannot do its job with incomplete or incorrect information.

In light of these apparent false and misleading representations, we demand that you correct the record in every respect and that you commit to providing accurate and truthful statements in the future. The credibility and reputation of your company is at stake – and even more importantly, the safety of motorists and others on the roads.

As you are well aware, no company is above the law. We appreciate your urgent attention to this important matter, and we await your written response.

Sincerely,



RICHARD BLUMENTHAL
United States Senate



EDWARD J. MARKEY
United States Senate

CC: National Highway Traffic Safety Administration