

**INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)**



U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, DC 20590

January 19, 2011

The Honorable Robert Menendez
United States Senator
One Gateway Center, 11th Floor
Newark, NJ 07102

NVS-216 nlm
Ref. No. 10319812

Dear Senator Menendez:

Thank you for your correspondence on behalf of your constituent, [REDACTED]
[REDACTED] wrote concerning his model year (MY) 2004 Lexus ES 330 vehicle.

The National Highway Traffic Safety Administration (NHTSA) is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect may exist. We cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

We appreciate the report you provided on behalf of [REDACTED]. Reports from motorists are a very important source of information for us. [REDACTED] indicated having a problem with the ABS and/or traction control system in his MY 2004 Lexus ES 330. The dealer and Toyota have not been responsive to his requests for assistance in resolving his problems. [REDACTED] is concerned about the safety of his vehicle, and would like to know if there are any recalls that may apply to his MY 2004 Lexus ES 330. In addition, he would like to have a contact within NHTSA to assist in determining if his vehicle is safe.

We have reviewed our database in an effort to identify whether a safety defect trend exists with regard to ABS and/or traction control problems in MY 2004 Lexus ES 330 vehicles. Our records indicate that there are no recalls related to the problem [REDACTED] encountered. In addition, there is insufficient evidence to warrant opening a safety defect investigation at this time.



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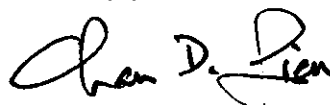
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A brochure explaining the investigation process is enclosed for [REDACTED] information; or he may visit our web site at: www-odi.nhtsa.dot.gov/cars/problems/recalls/recallprocess.cfm. The information [REDACTED] provided has been entered into our database. It will be considered with future reports to identify any safety defect trends that may require our attention.

I hope this information is helpful. If you have any questions, please contact me or Mr. Claude H. Harris, Acting Associate Administrator for Enforcement, at (202) 366-3217.

Sincerely yours,

A handwritten signature in black ink that reads "Chan D. Lieu". The signature is written in a cursive style with a large, stylized "L" at the end.

Chan D. Lieu
Director, Governmental Affairs,
Policy and Strategic Planning

Enclosure

cc: Washington Office