



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, DC 20590

MAR 28 2011

Port Orange, FL

NVS-216 mec
Ref. No. 10322281

Dear

Thank you for your correspondence to Secretary LaHood concerning your model year (MY) 2008 Lexus ES350. Your correspondence was forwarded to the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation for reply.

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 items of 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. Reports from motorists are a very important source of information for us. In your letter you indicate experiencing unintended acceleration on two occasions in your MY 2008 Lexus ES350 vehicle. On February 9, 2010, you crashed your vehicle at a car wash. In addition, you reported that the brakes were ineffective and air bags did not deploy during the crash. You are disappointed with NHTSA because you feel our study of unintended acceleration in Toyota vehicles may be discriminatory against certain age groups.

In February 2011, the U.S. Department of Transportation released results from an unprecedented 10-month study of potential causes of unintended acceleration in Toyota vehicles. NHTSA launched the study last spring at the request of Congress, and enlisted National Aeronautics and Space Administration (NASA) engineers with expertise in areas such as computer controlled electronic systems, electromagnetic interference and software integrity to conduct research into whether electronic systems or electromagnetic interference played a role in incidents of unintended acceleration.

NASA engineers found no electronic flaws in Toyota vehicles capable of producing the large throttle openings required to create dangerous high-speed unintended acceleration incidents. The two mechanical safety defects identified by NHTSA more than a year ago ("sticking" accelerator pedals and design flaws that enable accelerator pedals to become trapped) remain the only known vehicle based causes for these kinds of unsafe unintended acceleration incidents. Toyota has recalled slightly more than 10 million vehicles in the United States for these two safety defects. Toyota has paid \$48.8 million in civil penalties as the result of NHTSA investigations into the timeliness of several safety recalls last year. Across the industry, automakers voluntarily initiated a record number of safety recalls in 2010.

In completing their report, NASA engineers evaluated the electronic circuitry in Toyota vehicles and analyzed more than 280,000 lines of software code for any potential flaws that could initiate an unintended acceleration incident. At the Goddard Space Flight Center in Maryland, NASA hardware and systems engineers rigorously examined and tested mechanical components of Toyota vehicles that could result in an unwanted throttle opening. At a special facility in Michigan, NHTSA and NASA engineers bombarded vehicles with electromagnetic radiation to study whether such radiation could cause malfunctions resulting in unintended acceleration. NHTSA engineers and researchers also tested Toyota vehicles at NHTSA's Vehicle Research and Test Center in East Liberty, Ohio to determine whether there were any additional mechanical causes for unintended acceleration and whether any of the test scenarios developed during the NHTSA-NASA investigation could actually occur in real-world conditions.

Although our study did include the age of drivers collected during our investigation activity, it was not our intent to single out one particular age group but rather report any human factors as well as mechanical and electronic concerns. The age information simply relates the age of drivers involved in reported incidents and notes the age groups in which such involvement is most frequent.

In addition, a number of factors, other than crash severity, can affect whether an air bag will deploy in a given crash; e.g., the angle of impact, the speed of the other vehicle, and the amount of force absorbed by the other vehicle or object that is impacted. Only an expert in crash reconstruction can provide an educated opinion as to whether the air bag in a vehicle should have deployed in a specific crash.

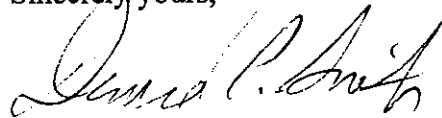
Should you encounter a safety-related problem with a motor vehicle or item of motor vehicle equipment in the future, we would appreciate it if you would complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.dot.gov/ivoq or call the Auto Safety Hotline at 1-888-327-4236. Also, the NHTSA Executive Summary and NHTSA Full Report for the NHTSA-NASA investigation can be located online at www.nhtsa.dot.gov.

Page 3



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

Sincerely yours,



Daniel C. Smith
Senior Associate Administrator
for Vehicle Safety