

**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**

Administrator

1200 New Jersey Avenue, SE
Washington, DC 20590

July 9, 2010

The Honorable Charles E. Schumer
United States Senator
757 Third Avenue, Suite 1702
New York, NY 10017

NVS-216 et
Ref. No. 10324231

Dear Senator Schumer:

Thank you for your correspondence on behalf of your constituent, [REDACTED]
[REDACTED] wrote concerning his model year (MY) 2003 Toyota Matrix.

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 items of motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. 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 appreciate the report you provided on behalf of [REDACTED]. Reports from motorists are a very important source of information for us. [REDACTED] indicated that he had two major accidents in his MY 2003 Toyota Matrix which he believes are related to the sticky accelerator and/or floor mat problem in certain Toyota vehicles. He states that both accidents occurred during the warranty period, and the vehicle sustained mechanical and body damage. [REDACTED] wrote the manufacturer and dealer, but has not received a response. In addition, [REDACTED] insurance premiums have increased.

We are sorry to hear of the problems [REDACTED] reported and understand his concern regarding the unintended acceleration he experienced. However, the MY 2003 Matrix is not included in the recent recalls announced by Toyota addressing unintended acceleration. The MY 2003 Matrix was not produced with a CTS accelerator pedal, which is involved in the recall. In addition, there is no evidence of accelerator pedal entrapment by a floor mat at this time.

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The agency has opened a recall query (RQ10-003, summary enclosed) requesting additional information from Toyota to more fully understand and evaluate, among ~~other~~ things, whether the scope of the recalls identified (makes, models, and model years) is sufficiently broad. NHTSA will continue to monitor the performance of these vehicles. We recommend that [REDACTED] subscribe to receive email recall notifications directly from NHTSA at <http://www-odi.nhtsa.dot.gov/index.cfm>. Under Subscriptions, there is a link for Email Notifications which when opened will display a page titled "Subscribe To NHTSA's Recall Notification Email System." When [REDACTED] completes the form with his vehicle information and email address and submits the information to NHTSA, he will begin receiving emails for recalls on his vehicle.

NHTSA is now undertaking a comprehensive look into the safety of electronic throttle control (ETC) systems in all vehicles sold in the United States equipped with that technology. The agency has procured help from scientists and other experts in areas such as computer controlled electronic systems, electromagnetic interference, and software integrity from the National Aeronautics and Space Administration (NASA) to conduct a short-term review of ETC systems used in Toyota vehicles to determine whether they contain any possible flaws that could cause unintended acceleration. NASA's expertise in electronics, hardware, software, hazard analysis and complex problem solving ensures this review will be comprehensive. The NASA review of the ETC systems in Toyota vehicles should be completed by late summer.

In addition, the prestigious National Academy of Sciences will examine the broad subject of unintended acceleration and electronic vehicle controls across the entire automotive industry. This will not be limited to Toyota, but will cover all vehicle manufacturers. The panel will make recommendations to NHTSA on how its rulemaking, research, and defects investigation activities may be enhanced to ensure the safety of electronic control systems in motor vehicles. If either study should identify a potential safety-related defect, an investigation will be opened.

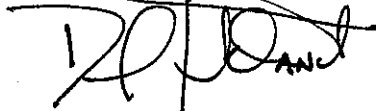
With regard to the customer service and insurance problems [REDACTED] has encountered; this does not fall under our jurisdiction. If he has not done so, he may consider contacting the Federal Trade Commission (FTC). The FTC has jurisdiction over fraud, deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways he can contact the FTC: by toll-free telephone at 1-877-FTC-HELP (1-877-382-4357); by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at <http://www.ftc.gov/ftc/complaint.htm>. Additionally, he may consider contacting his local Consumer Protection Agency, Better Business Bureau, or the New York Office of the Attorney General regarding his problems.

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I hope this information is helpful. If you have any questions, please have your staff contact me or Mr. Daniel C. Smith, NHTSA's Associate Administrator for Enforcement, at (202) 366-3217.

Sincerely yours,

A handwritten signature in black ink, appearing to read "D. Strickland", with a stylized flourish at the end.

David L. Strickland

Enclosure

cc: Washington Office