

**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

[REDACTED]

Fredericksburg, VA [REDACTED]

Dear [REDACTED]

NVS-216 rrr
Ref. No 10341213.

Thank you for your correspondence concerning unintended acceleration events you experienced in your model year (MY) 2007 Lexus ES350. The National Transportation Safety Board forwarded your correspondence to the National Highway Traffic Safety Administration (NHTSA) and asked that we respond directly to you.

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 appreciate hearing of your concerns related to the unintended acceleration incidents you experienced in your MY 2007 Lexus ES350. We are glad to hear that you removed your driver's side floor mat, which is the recall remedy described in NHTSA Recall Campaign No. 09V-388. As you know the MY 2007 Lexus ES350 is not included in the sticky accelerator pedal recall. In your letter you also indicated that you feel the unintended acceleration problems are caused by the vehicle's electronics or computer software.

NHTSA has opened a recall query RQ10-003, 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.

In addition, the agency is now undertaking a comprehensive look into the safety of electronic throttle control systems in all vehicles sold in the United States equipped with that technology. The prestigious National Academy of Sciences will examine the broad subject of unintended acceleration and electronic vehicle controls across the entire automotive industry. Separately, NHTSA has enlisted National Aeronautics and Space Administration scientists with expertise in areas such as computer controlled electronic systems, electromagnetic interference, and software integrity to examine the issue of unintended acceleration specifically in Toyota vehicles. If either study should identify a potential safety-related defect, an investigation will be opened.

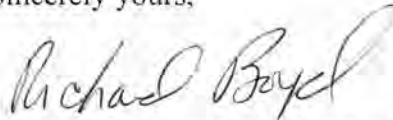


As for your request to have the dealer compensate you by replacing your vehicle or providing a loaner car while repairs are performed; this does not fall under our jurisdiction. If you have not done so, you may consider contacting your local Consumer Protection Agency, Better Business Bureau, or the Virginia Attorney General regarding your compensation request and your rights.

The Federal Trade Commission (FTC) has jurisdiction over non-safety defects, paint, fraud, or deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways to 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>.

I hope this information is helpful. If you have any questions, please contact me or Mr. Randy Reid, Chief, Correspondence Research Division, Office of Defects Investigation, at (202) 366-4383.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Richard Boyd".

Richard Boyd, Acting Director
Office of Defects Investigation