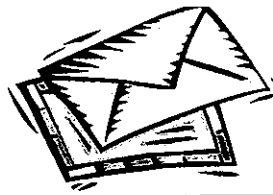


CL-10368839-7027

NHTSA ccmMercury Routing Slip



Printed: 11/24/2010

NHTSA #: ES10-007490	Rec'd Date: 11/24/2010	Referred By: NPO-011
XREF #:	Doc Type: CNG	Doc Date: 11/15/2010
Delivery: MESSENGER ENV.	Address To: DOT/I	Due Date: 12/17/2010
S10 #:	DOT/I #: 2010-1320	RMP #:
Subject: LETTER FROM SENATOR BOOZMAN ON BEHALF OF CONSTITUENT [REDACTED] REGARDING PROBLEMS HIS 2004 LEXUS LX470		
Ack Date:	Ack By:	Signed For:
Sign Office: DIR. GOVT. AFFAIRS	Signature: CHAN LIEU	Cleared For:
Cleared Date:	Cleared By:	Closed Date:
File Loc:	XREF File:	
Added By: TMAPP x62870	Modified By: TAMMY.MAPP	
Most Recent Comment:		

EXECUTIVE SECRETARIAT
 200 NOV 24 P 1:40
 RECEIVED - NHTSA

Author:

The Honorable JOHN BOOZMAN
U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, DC 20515
Tel: Fax: E-mail:

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	11/24/2010	12/17/2010	
NVS-010	INFORMATION	11/24/2010		11/24/2010
NIA-110	INFORMATION	11/24/2010		11/24/2010

NOV 24 2010

NH
112910
TGW

November 15, 2010

Sen. John Boozman
213 W. Monroe, Suite K
Lowell, AR 72745

EXECUTIVE SECRETARIAT

2010 NOV 24 P. 1:16

RECEIVED - TULSA

To Whom It May Concern:

We have a 2004 Lexus LX470 that retailed for approximately \$70,000. Approximately 2 years ago between and 60-70,000 miles, I noticed a very slight shake. I thought I ran over something.

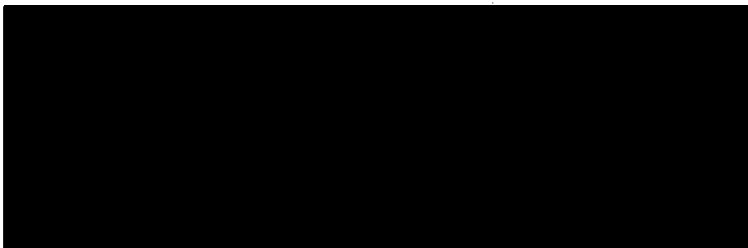
My wife drives it 95% of the time, so I did not have a feel for the vehicle. Sometimes when I did drive it, I noticed this shake. After a few months, I was driving it and it vibrated a little harder than before so I had the front end aligned. Later I drove it again and it started vibrating again. I thought it might be the tires, so I bought new tires. That did not fix the problem, so I took it to Toyota of Fayetteville and they informed me that Lexus has had problems with this and was aware this was happening to these vehicles. The vent on the transmission was letting water into the transmission. The Toyota dealer put it on the diagnostic machine then advised me to take it to the nearest Lexus dealer. FYI Toyota and Lexus are made by the same manufacturer.

We took it to the closest Lexus dealer in Tulsa, 110 miles away. Their diagnosis was the same. However, we were denied warranty work at Tulsa, but were advised to contact Lexus. Lexus reviewed our problem and denied warranty work because it was out of warranty. However, after talking to employees of Lexus of Tulsa and Toyota of Fayetteville, I discovered this was a known common problem with the Lexus transmission.

I know our Lexus is now out of warranty, but it was not when the problem started and they were aware it takes a long time for this malfunction to show up. I think they wanted to avoid a recall.

I sent all the information to Lexus of Tulsa to forward on to Lexus headquarters, but was denied warranty again. I then took my car to AAMCO Transmission to get another opinion and they confirmed this was a problem that Lexus was aware of via Lexus' website (see attached).

I would like for you to look into this problem for me and for others. Lexus' customer satisfaction phone # is 1-800-255-3987. My case # is 1010071537. I would appreciate your assistance in this matter.



Prairie Grove, AR

ES10-007490



Toyota of Fayetteville
 1352 W. Showroom Dr.
 Fayetteville, AR 72704
 479-251-2151

918-628-1263

CUSTOMER NO. 86643	ADVISOR CHUCK MULKEY	452	TAG NO. 5151	INVOICE DATE 10/01/10	INVOICE NO. TOCS273157
	VEHICLE MAKE LEXUS	LICENSE NO.	MILEAGE 88,600	COLOR WHITE/	STOCK NO.
PRAIRIE GROVE, AR	YEAR/MODEL/MODEL 04/LEXUS/LX470			DELIVERY DATE	DELIVERY MILES
	VEHICLE ID NO. J T J H T O O W O 4 3			SELLING DEALER NO.	PRODUCTION DATE
	P.F. NO.	R.O. NO.		R. O. DATE 10/01/10	
	BUSINESS PHONE	COMMENTS			MO: 88600

JOB# 1 CHARGES

LABOR	DRIVEABILITY	TECH(S):3673	90.00
J# 1 10TOZ	CUST STATES THE VEHICLE SHAKES AT 30 AND 40 MPH PLEASE CHECK AND ADVISE VEHICLE HAS SHUDDER AND DRONE WHEN VEHICLE IS IN 5TH GEAR VENT ON TRANSMISSION LETTING WATER INTO TRANS. VEHICLE NEEDS TRANSMISSION REBUILT OR REPLACED CUST ADVISED THEIR IS TSB FOR THIS CONDITION VEHICLE NEEDS TO BE TAKEN TO NEAREST LEXUS FOR REPAIRS		
JOB# 1 TOTALS		LABOR	90.00
		JOB# 1 JOURNAL PREFIX TOCS JOB# 1 TOTAL	90.00
MISC	CODE	DESCRIPTION	CONTROL NO
JOB # A	A1	SHOP SUPPLIES	
		TOTAL - MISC	9.00
COMMENTS	WAITING		
TOTALS			

DISCLAIMER OF WARRANTIES
 AS IS - THE ONLY WARRANTIES APPLYING TO THIS PART(S) ARE THOSE WHICH MAY BE OBTAINED FROM THE MANUFACTURER. THE SELLING DEALER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR WARRANTS ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THIS PART(S) AND/OR SERVICE. BUYERS SHOULD NOT BE ENTITLED TO RECOVER FROM THE SELLING DEALER ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES TO LOSS OF USE, LOSS OF TIME, LOSS OF PROFIT, OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES OR WARRANTY.

TOTAL LABOR....	90.00
TOTAL PARTS....	0.00
TOTAL SUBLET....	0.00
TOTAL G.O.G....	0.00
TOTAL MISC CHG.	9.00
TOTAL MISC DISC	0.00
TOTAL TAX.....	9.16
TOTAL INVOICE \$	108.16

THANK YOU FOR YOUR BUSINESS!
 WE SELL TIRES:)WE SELL TIRES:)WE SELL TIRES:)WE SELL TIRES:)

CUSTOMER SIGNATURE

NOT RESPONSIBLE FOR LOSS OR DAMAGE TO VEHICLE OR PARTS DURING REPAIRS OR DAMAGE TO VEHICLE OR PARTS DURING REPAIRS.

ENVIRONMENTAL COMPLIANCE CHARGE
 MAINTAINING THE AIR AND WATER QUALITY requires the use of chemicals and generating wastes (solvents, oils, caustics, lead, asbestos, etc.) that must be stored, managed, and disposed of in accordance with federal, state and local environmental regulations. We support these regulations and also believe our customers do too because they help ensure a safe, healthful environment for everyone. Complying with these regulations increases the cost of service. Ordinarily, increased costs simply result in an increased hourly labor charge. This dealership has decided to pay for raising its labor rate, to list a compliance charge on appropriate service work orders. We believe this program would be transferred to you if you are helping to pay for a cleaner environment.

I ACKNOWLEDGE RECEIPT OF THE PARTS AND LABOR LISTED

X _____
 CUSTOMER SIGNATURE

WE APPRECIATE YOUR BUSINESS
 Thank You!
 WE APPRECIATE YOUR BUSINESS
 Thank You!

The Reynolds and Reynolds Company, EPRINTING, C2501945 Q, (06/09)

RECOMMENDED SERVICES

OPERATION	OPERATION DESCRIPTION	MO/MI	TOTAL	OPERATION	OPERATION DESCRIPTION	MO/MI	TOTAL
00TOZLOF	OIL&FILTER SERVICE	MI		00TOZLOFV	VALUE LOF SERVICE	MI	

SERVICE HISTORY

DATE	REPAIR ORDER	MILEAGE	ADVISOR	TECHNICIAN	TYPE	OPERATION	OPERATION DESCRIPTION
11/16/05	132537	42406	9164	1952	I	85TOZ008	DVD DUAL HEADREST
10/24/05	130190	40741	4911	1952	I	85TOZ15	SECURE KEY
10/21/05	130095	40741	1235	1304	I	70TOZ01	DETAIL SUV/TRUCK
				8914	I	70TOZ03	PAINTLESS DENT REP.
				8370	I	01TOZ0003	USED CAR CHECK LIST
				8370	I	01TOZ	OIL & FILTER SERVICE

SALESPERSON NO.

S E R V I C E

STATE REG# 04678772001

TERMS CASH <input type="checkbox"/> CREDIT CARD <input type="checkbox"/> CHECK <input type="checkbox"/> (PRIOR APPROVAL) OTHER <input type="checkbox"/>	VEHICLE I.D. NO. JTJHT00W043	YEAR/MAKE/MODEL 04/LEXUS/LX470	PRODUCTION DATE	STOCK NO.	LICENSE NO.	R.O. NO. 273157
CALL WHEN READY <input type="checkbox"/> YES <input type="checkbox"/> NO	PRAIRIE GROVE, AR	CUSTOMER NO. 86643	SERVICE CONTRACT	DELIVERY DATE	DELIVERY MILES	SELLING DEALER NO.
SAVE REMOVED PARTS FOR CUSTOMER <input type="checkbox"/> YES <input type="checkbox"/> NO	RESIDENCE PHONE	BUSINESS PHONE	CONTRACT NO.		EXPIRATION DATE	EXPIRATION MILES
APPOINTMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TIME RECEIVED 09:23am	DATE/TIME PROMISED 10/01/10 06:00pm	PRIORITY	MILEAGE 88,600	ADVISOR NO. 452	ADVISOR CHUCK MULKEY
I hereby authorize the repair work therein set forth to be done by you, together with the furnishing by you of the necessary parts and other material for such repair, and agree that you are not responsible for any delays caused by unavailability or delayed availability of parts or material for any reason; that you neither assume or authorize any other person to assume for you any liability in connection with such repair; that you of repairs thereto; that your employees holding such vehicle.						

ORIGINAL CUSTOMER ESTIMATE: TOTAL

X _____

COMMENTS:
WAITING

3673
1.0

1. C 10TOZ DRIVEABILITY
CUST STATES THE VEHICLE SHAKES AT 30 AND 40 MPH PLEASE CHECK AND ADVISE

1. Drove vehicle confirmed vehicle has a shake accompanied by a dronic noise. Vehicle is in 5th gear. TSB for 5th Gear Shudder matches description. Water intrusion through breather vent causes this 5th Gear Shudder. Vin Also matches



1801J273157

Quality Control

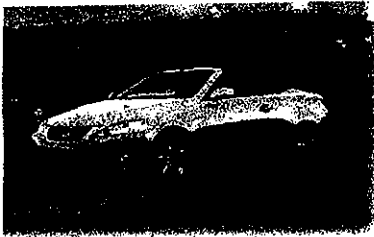
Tech _____
 Team L _____
 Parts Return _____

FAYETTEVILLE AUTO PARK DISCLAIMER OF WARRANTY - All warranties on these parts are the manufacturer's. The Seller FAYETTEVILLE AUTO PARK hereby expressly disclaims all warranties, either expressed or implied, including any implied warranty of merchantability or fitness for a particular purpose and FAYETTEVILLE AUTO PARK neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of these parts. This disclaimer by the seller FAYETTEVILLE AUTO PARK in no way affects the terms of the manufacturer's warranty. REPAIR WORK DONE ON THIS ORDER WILL BE BASED IN PART UPON A FLAT RATE MANUAL COMPUTATION.

TOYOTA
TOYOTA of FAYETTEVILLE
479-251-2151

Thank You
For Your
Business!

Ask for Genuine TOYOTA Parts & Service
PLEASE PEEL OFF SLOWLY



LEXUS OF TULSA

4210 South Memorial
Tulsa, OK 74145-4812
Phone 918-665-3987
www.lexusoftulsa.com



CUSTOMER NO. 63775	ADVISOR KEDRICK	TAG NO. 850 5332	INVOICE DATE 10/07/10	INVOICE NO. LECS174057
	LABOR RATE 95.00	LICENSE NO.	MILEAGE 88,730	COLOR BLIZZARD PE
	YEAR / MAKE / MODEL 04 / LEXUS / LX 470 /		DELIVERY DATE 03/30/04	DELIVERY MILES
PRAIRIE GROVE, AR	VEHICLE I.D. NO. J T J H T O O W 0 4 3		SELLING DEALER NO.	PRODUCTION DATE 12/01/03
	R.T.E. NO.	R.O. NO.	R.O. DATE 10/07/10	REPRINT# 1
RESIDENCE PHONE	BUSINESS PHONE	COMMENTS		
		MO: 88731		

JOB# 1 CHARGES

LABOR
J# 1 09LEZ100 AUTO TRANS DIAGNOSIS TECH(S): 626 **47.50**
 CUST STATES SHAKE/VIBRATION THRU TRANSMISSION AT 30/40 MPH.
 CUST ADV OF POSSIBLE TSB FROM LOCAL TOYOTA DEALER. CHK/ADV.
 TRANSMISSION IS CAUSING SHUDDER. NEEDS TRANSMISSION REPLACED
 TO CORRECT
 NO REPAIR PERFORMED
 EST FOR REPLACEMENT OF TRANSMISSION
 \$3764.91 PARTS
 \$864.50 LABOR
 \$320.66 TAX
 \$4950.07 TOTAL REPAIR

JOB# 1 TOTALS

LABOR **47.50**

JOB# 1 JOURNAL PREFIX LECS JOB# 1 TOTAL 47.50

ESTIMATE

CUSTOMER HEREBY ACKNOWLEDGES RECEIVING
 ORIGINAL ESTIMATE OF \$0.00 (+TAX)

COMMENTS

IN TOWN WAITING; LOANER
 DELETED OPERATION(S)
 33LEZWASH WASH AND VACUUM

TOTALS

*****	TOTAL LABOR.....	47.50
*	TOTAL PARTS.....	0.00
*	TOTAL SUBLET....	0.00
* [] CASH [] CHECK CK NO. []	TOTAL G.O.G....	0.00
*	TOTAL MISC CHG.	0.00
* [] VISA [] MASTERCARD [] DISCOVER	TOTAL MISC DISC	0.00
*	TOTAL TAX.....	0.00
* [] AMER XPRESS. [] OTHER [] CHARGE		
*	TOTAL INVOICE \$	47.50

I hereby authorize the repair work herein set forth to be done by you, together with the furnishing by you of the necessary parts and other material for such repair. I acknowledge and accept that you make no warranties, express or implied for the products used for this repair, in particular, that you expressly disclaim any implied warranties of merchantability or fitness for a particular purpose for such products. I also agree that you are not responsible for any delays caused by unavailability or delayed availability of parts or material for any reason; that you neither assume or authorize any other person to assume for you any liability in connection with such repair; that you shall not be responsible for loss or damage to the above vehicle, or articles left therein in case of fire, theft or other cause beyond your control; that any express mechanic's lien is hereby acknowledged on the above vehicle to secure the amount of repairs thereto; that your employees may operate the above vehicle on streets, highways or elsewhere for the purpose of testing and/or inspecting such vehicle; I shall not be entitled to recover any consequential damages, damages to property, damages for loss of use, loss of time, loss of profits, or income, or any other incidental damages.

X _____

SERVICE AND PARTS HOURS
 MON - FRI 7:00 A.M. - 6:00 P.M.
 SAT 8:00 A.M. - 5:00 P.M.

LEXUS OF TULSA

4210 SOUTH MEMORIAL
 TULSA, OKLAHOMA 74145
 PHONE (918) 665-3987

Thank You!
We Sincerely Appreciate
Your Business!

Select Vehicle | New TSBs | Technician's Reference Component Search:



Conversion Calculator

2004 Lexus Truck LX 470 V8-4.7L (2UZ-FE)

Vehicle Level → Technical Service Bulletins → All Technical Service Bulletins → A/T - 5th Gear Shudder

A/T - 5th Gear Shudder

TRANSMISSION & CLUTCH TC001-05

Title:
FIFTH GEAR SHUDDER

Models:
'04 - '05 LX 470

January 28, 2005

Introduction

Some 2004 and 2005 model year LX 470 vehicles may exhibit a shudder (or vibration) sensation, usually accompanied by a cyclic droning noise, when lightly accelerating (less than 15% throttle) after the transmission shifts into 5th gear (usually between 35 and 45 mph). This condition may be caused by water entering the transmission breather, contaminating the transmission fluid. The transmission breather has been changed to prevent water intrusion.

Applicable Vehicles

^ 2004 - 2005 model year LX 470 vehicles produced BEFORE the Production Change Effective VIN shown below.

MODEL	PRODUCTION CHANGE EFFECTIVE VIN
LX 470	JTJHT00W#53

Zoom

Sized for Print

Production Change Information

PREVIOUS PART NUMBER	CURRENT PART NUMBER	PART NAME	QTY
35123-60040	35123-60060	Skirt, Transmission Breather	1
-	35010-60A00-84	ATM with Torque Converter	1

Zoom

Sized for Print

Parts Information

OP CODE	DESCRIPTION	TIME	OFF	T1	T2
TC4009	R & R Transmission	5.4	35123-60060	9B	88
Combo A	R & R Transmission Breather	0.1			

Zoom

Sized for Print

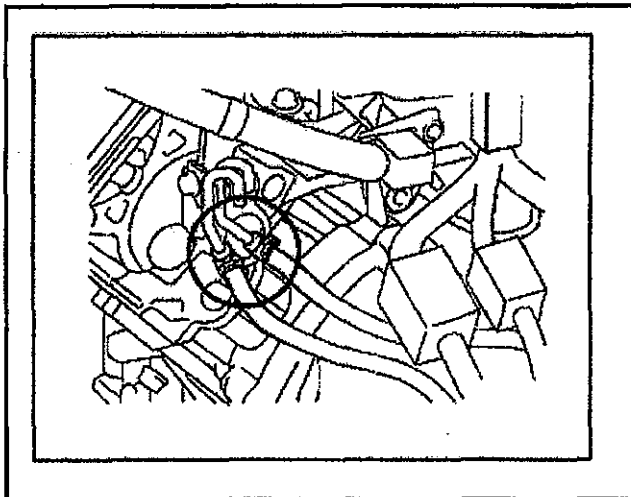
Warranty Information

Applicable Warranty*:

This repair is covered under the Lexus Powertrain Warranty. This warranty is in effect for 72 months or 70,000 miles, whichever occurs first, from the vehicle's in-service date.

* Warranty application is limited to correction of a problem based upon a customer's specific complaint.

Repair Procedure



Zoom

Sized for Print

1. Remove automatic transmission with torque converter.

A. Disconnect the breather tube and transfer rear case hose No. 1 from the

23-Nov-10

2010 Senate Report - Governmental Affairs Correspondence
Control Sheet (I-10), W85-328

Control Number: 2010 – 1320
Date DOT Received: 1/23/2010
Date DOT Entered: 1/23/2010
Member's Date: 1/15/2010
Member Last Name: Boozman
Member First Name: John
Member Organization: United States Senator
Address1 213 W. Monroe, Suite K
Address2
City: Lowell
State: AR
Zip 72745
Constituent File Name: [REDACTED]
Constituent Date
Action Office: National Highway Traffic Safety Administration
Subject: 2004 Lexus LX470
Action Office Code: NHTSA
Due Date: 12/17/2010
Member Contact:
Pending Yes
Member Contact Phone:
Closed Date:
Remarks:
Direct Reply/Comeback Copy Yes
Congressional Affairs Contact