NVS-208

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

May 2, 2012

The Honorable Patty Murray
United States Senate
Washington, DC 20510

NVS-216 nlm
Ref. No. 10453054

Dear Senator Murray:

Thank you for your correspondence on behalf of your constituents, [redacted] wrote concerning her model year (MY) 2006 Lexus LS430 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 trend may exist. We do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

[redacted] indicated that she made a previous report to NHTSA, but she never received a response. Information submitted by owners is automatically entered into our complaint database. If additional information is required, we may follow up by contacting the vehicle owner. We apologize for any confusion this may have caused [redacted]

[redacted] indicated that while driving her MY 2006 Lexus LS430 the instrument panel icons illuminated, trunk lid opened, flashers came on, and alarm sounded. [redacted] states that she contacted a Lexus dealer but was told by the service department that there was nothing they could do until they witnessed the problem. On March 7, 2011, she experienced unintended acceleration in her vehicle while attempting to park and crashed into a building. [redacted] claims that Lexus retrieved information about the crash from the vehicle's event data recorder and that it showed she did not have her foot on the brake. However, she disagrees with Lexus'

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report and alleges the police investigation found her not at fault and her insurance company declared the incident a no fault. [redacted] requests that NHTSA recall these vehicles or at least contact owners to make them aware of this problem.

We have reviewed our database in an effort to identify whether a safety defect trend exists with regard to unintended acceleration and electrical problems in MY 2006 Lexus LS430 vehicles. At this time, there is insufficient evidence to warrant opening a safety defect investigation. [redacted] may know that Toyota has recently recalled certain vehicles for a defect that causes the accelerator pedal to be slower to release and harder to depress or to become entrapped by the driver's floor mat. The MY 2006 Lexus LS430 is not included in the recalls because it uses a different accelerator pedal than the type recalled, and there has been no data indicating interference by the driver's mat. The information provided by [redacted] will be considered with future reports to identify any safety defect trends that may require our attention.

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 in the spring of 2010 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 – "sticking" accelerator pedals and design flaws that enable accelerator pedals to become trapped – remain the only known 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.

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. NHTSA's executive summary and NHTSA full report of the NHTSA-NASA investigation can be located on our website at www.nhtsa.gov.

In addition, the National Academy of Sciences (NAS) conducted a broad review of unintended acceleration and electronic throttle control systems. The NAS study examined unintended acceleration and electronic vehicle controls across the entire automotive industry and analyzed NHTSA's investigation of Toyota's electronic control. The NAS final report, issued in late 2011, supports NHTSA's conclusion and decision to close its investigation of Toyota's electronic throttle control on the basis of the agency's investigations.

I hope this information is helpful. If you have any questions, please contact me or Ms. Nancy L. Lewis, Associate Administrator for Enforcement, at (202) 366-3217.

Sincerely yours,

Chan D. Lieu

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