

U.S. DOT National Highway Traffic Safety Administration
Tracking number assigned by NHTSA - 10871777

[Redacted]
[Redacted]
Navarre, Florida [Redacted]

Re: 2004 Lexus LS430 - Unreasonable Risk - Defective, Defroster / Defogger
Date:

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JUN 13 2016

Dear Sir/Madam;

In reference to the subject matter, I would like to provide you with the following information with regard to the vehicle complaint 10871777.

BACKGROUND

On December 14, 2004 Lexus Technical Service Bulletin #00604 - NHTSA #10011869 was issued with the following introduction, "Various malfunctions occurring with multi display"

The second bullet point on the list of faulty issues state's, "Climate control is not responsive" and continues by stating the display will show, "Check the connection of the air conditioner"

The bottom portion of the Service Bulletin states that the applicable warranty will cover 48 months or 50,000 miles, and further indicates that "the application of warranty is limited to correction of a problem based on consumer complaint."

This Service Bulletin was issued in the same year that the car was manufactured for sale to the general public.

DEFECTIVE PRODUCT / UNREASONABLE RISK

The Technical Service Bulletin failed to inform NHTSA that the, Multi Display Climate Control, is responsible for the full operation of the Windshield Defroster and Defogger, as well as the Fan Speeds for their application. They instead, simply refer to it as an issue restricted to the air conditioning unit. "Check The Connection of the Air Conditioner"

**** See 2004 Lexus Operations Manual for this vehicle. Air Conditioning - Section V Page. 138. Automatic Air Conditioning Controls - Page 139 Pictorial - Page 142 Pictorial & Setting Operation Page 143 Fan Speeds - Page 144 Windshield Defogging and Defrosting - Page 145 To Remove Frost or Exterior Fog On The Windshield**

CONTINUED ON NEXT PAGE

Federal Motor Vehicle Safety Standards and Regulations. US Department of Transportation. National Highway Traffic Safety Administration. Office of Vehicle Safety Compliance

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-Title 49 Code of Federal Regulation -

Part 571 - Subtitle B - Chapter V - Subpart B - Section 571.103 -

-CRASH AVOIDANCE -

1-a) Standard 103 - Windshield Defrosting and Defogging Systems. Required.

**See - S 4.1

1-b) S 4.3 - Entire - Requires testing in accordance with SAE Recommendation.

**Meeting these requirements, only to have the system fail once introduced to the general public, does not minimize the hazard, or risk that the defect places on the consumer.

*NOTE - Lexus had become aware of this problem shortly after production when the model was introduced to the marketplace. (See Bulletin Date)

2) Standard 101 - S5.3.2 Brightness of Illumination of Controls and Indicators, requires Under S5.3.2.1 - "Illumination of Controls in Table 1 (Defrosters Defoggers)- YES - Must be visible to driver under daylight and nighttime driving conditions. The display screen in my car is blank with no way to restore visibility * See S5.3.2.2. (d) (1)

*NOTE: The title of the Service Bulletin - "Multi Display Functions Are Inoperable"

CONCLUSION

16 CFR (Codes of Federal Regulation) - 1115.12, Information which should be reported & Evaluating Substantial Product Hazard - (Entire) Speaks to the evaluation of a substantial risk, and the responsibility of the subject firm to report . This risk has clearly been established by the above noted safety requirements and regulations of Title 49. The consideration of the "Utility" as a necessity, is also without question. Lexus, aware of the defect in its failure to function as designed (December 14, 2004) knew as well, that the Multi Display Unit provided for the Defroster Defogger Safety Application, and yet had not disclose the same to NHTSA, which is mandatory. They Infer, instead, that it was merely the air conditioning. Furthermore, they had advised in the bulletin, that they would only repair under consumer complaint, thus, intentionally not notifying the customer of the substantial hazard, and the unreasonable risk they assume from the defective product. In short, they were waiting for the safety hazard to present itself first. I hold to the opinion that the item of motor vehicle equipment, the defroster, defogger, presents an unreasonable risk in its failure to meet the minimum safety standards. That Lexus is required to replace the defective part, and that the basis for timely consideration should be retroactive to the date of the Technical Service Information Bulletin of December 14, 2014. That a notification was required, as would be the case, for failure to meet Federal Motor Vehicle Safety Standards, and that in failing to make such notification, as required by law, are fully responsible to emend the matter at hand.

Respectfully Submitted.

Attachment of Technical Service Bulletin enclosed. Cc File



**Technical Service
Information Bulletin**

December 14, 2004

Title:
**MULTI-DISPLAY FUNCTIONS
ARE INOPERATIVE**
Models:
'04 LS 430 & LX 470

ELECTRICAL
EL006-04

Introduction Some customers may experience various malfunctions occurring with the multi-display. Some examples are:

- "Audio Off" is shown on audio screen while audio system is playing.
- Climate control is not responsive and may say "Check connection of the air conditioner."
- Map, Destination buttons are inoperative and may display "External system not connected."
- When pressing any button on the multi-display, the system takes 5 to 10 seconds to respond to the user's input.
- Outside air temperature is not displayed.

A revised multi-display has been developed to resolve these conditions.

NOTE:

If the TX+ or TX- wires are loose at the multi-display, the same symptoms will occur. Please confirm that all connections at the multi-display are secure and that pin fit of the TX+ and TX- wiring is good before ordering a replacement multi-display.

Applicable Vehicles • 2004 model year LS 430 and LX 470 vehicles equipped with the Lexus navigation system.

Warranty Information

OP CODE	DESCRIPTION	VEHICLE	TIME	OFF	T1	T2
866101	R & R Display, Multi-display	LS 430	0.5	86111-50220	87	71
		LX 470	0.3	86111-60170		

Applicable Warranty*:

This repair is covered under the Lexus Comprehensive Warranty. This warranty is in effect for 48 months or 50,000 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.

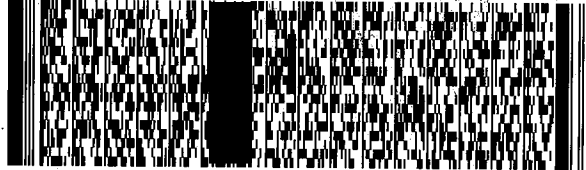

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