

NHTSA ccmMercury Routing Slip



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INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

NHTSA #: ES16-005382

XREF #:

Delivery: EML

Rec'd Date: 11/16/2016

Doc Type: ADE

Address To: NOA001

Referred By: NAD-200

Doc Date: 11/3/2016

Due Date: 12/6/2016

S10 #:

DOT/I #:

RMP #:

Subject: A1 INCOMING EMAIL: LETTER FROM [REDACTED] RE 2009 LEXUS 350ES AIR BAG RECALL-SAFETY DEACTIVATION

Ack Date:

**Sign Office: AA FOR
ENFORCEMENT**

Cleared Date:

File Loc:

Added By: CBUTLER x60180

Ack By:

Signature: GREG REA

Cleared By:

XREF File:

Modified By: Chris.Butler

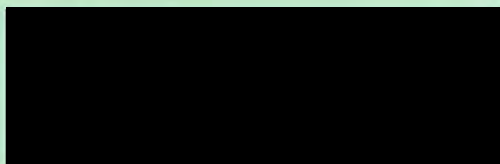
Signed For:

Cleared For:

Closed Date:

Most Recent Comment:

Author:



NOV 21 2015

Assigned To	Task	Asgn Date	Deadline	Returned Date
NEF-010	REPLY	11/16/2016	12/6/2016	
NIO-120	REPLY	11/16/2016		

RR
11/21/16
SMD

Butler, Chris CTR (NHTSA)

From: Korkor, Julie (NHTSA)
Sent: Wednesday, November 16, 2016 3:06 PM
To: Butler, Chris CTR (NHTSA)
Subject: FW: Air Bag Recall- Safety-Deactivation

Chris,

Please control this to Randy and Derrick Lewis.

Thanks!

Julie

JFrom: Shelton, Terry (NHTSA)
Sent: Friday, November 04, 2016 7:04 AM
To: Korkor, Julie (NHTSA); Hemmersbaugh, Paul (NHTSA)
Subject: FW: Air Bag Recall- Safety-Deactivation

EXECUTIVE SECRETARIAT
RECEIVED-NHTSA
2016 NOV 16 P 3:30

Ps. I did not see the incoming in my email for this one. I was thinking of the GM recall email. In any case we need to control both.

Thanks.

Sent with Good [REDACTED]

From: Rosekind, Mark (NHTSA)
Sent: Thursday, November 3, 2016 9:39:17 PM
To: Shelton, Terry (NHTSA); Danielson, Jack (NHTSA)
Cc: Thomas, Bryan (NHTSA); Pascale, Alison (NHTSA); Hemmersbaugh, Paul (NHTSA); Blackman, Anita (NHTSA)
Subject: FW: Air Bag Recall- Safety-Deactivation

Would like to see the response before it is sent.

Thanks for handling,

Mark

From: [REDACTED]
Sent: Thursday, November 3, 2016 9:10:31 AM
To: Rosekind, Mark (NHTSA)
Cc: Lewis, Derrick (NHTSA)
Subject: Air Bag Recall- Safety-Deactivation

Dear Dr. Mark Rosekind:

On October 28, 2016 I sent Mr. Derrick Lewis the email below. To date I have not received any form of a response.

Our government agencies are here to protect the people, but they are failing miserably in regard to making sure air bags are available to

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all the consumers that received recall notices. I read today that you are making efforts to locate all the Honda owners that have air bag recalled, but what about the rest of us that have recall notices for 6 months and still can't get a new air bag. In the mean time these air bag companies continue to make air bags for new cars when they should be forced to get the recalled air bags taken care of first.

Since our agencies have failed to protect us in a timely fashion I strongly request you allow the consumers who can't get new air bags get an immediate deactivation of our dangerous bags. The dealerships are claiming it is illegal to deactivate them. Under these horrible and life threatening conditions the recall bags that can't be replaced should be deactivated. I am sure you would not want your loved ones driving in vehicles with unsafe air bags for 6 months to a year so please allow dealerships to deactivate the recalled bags until they can be replaced.

I appreciate your response and understanding.

Sincerely,
[REDACTED]

Dear Mr. Derrick Lewis:

I own a Lexus 350ES 2009. In May of 2016 I received a recall notice from Lexus for the passenger side air bag, which stated safety concerns so I should not allow anyone to sit in the passenger side until it had been remedied. I called the dealership and they did not have any idea when the parts would be available, but to keep checking and not allow anyone to sit in the passenger side. I kept checking and now, 6 months after the recall, they are claiming that notices will go out, hopefully, in the beginning of 2017 to let us know when they expect to get the parts. But, it doesn't mean they will be fixed in the beginning of the year.

This is totally unacceptable that we are forced to drive with unsafe air bags. I looked at the Safer.car.gov website and you need a medical reason to ask for a deactivation of the air bags. We should not have to go through red tape to have unsafe air bags deactivated from our vehicles. Nor, should we be forced to play Russian Roulette with our families lives (if it deploys will it hurt us, kill us, etc) or not let someone sit in our passenger seat, which is absolutely absurd for a family of 4. If there is no immediate solution to replace unsafe air bags allow the dealerships to deactivate them immediately.

If the government is allowing the air bag companies to continue making air bags for new cars, which they are probably making first over making the past air bags safe, then we should be allowed to get our unsafe air bags deactivated right away. There have been two more recent deaths; one is Southern California. This is beyond unacceptable and the public deserves better protection.

Please do the right thing for all of us that are forced to have unsafe air bags and allow us to immediately get them deactivate. They may save lives when they are made properly, but the ones in too many cars that have been recalled are not safe and they are taking lives.

Thank you for your immediate response and allowing us to get them deactivated immediately.

Sincerely,
[REDACTED]

San Ramon, CA