



U.S. Department
of Transportation
National Highway
Traffic Safety
Administration

DOT Auto Safety Hotline

Vehicle Owner's Questionnaire

To Report Vehicle Safety Defects

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

FOR AGENCY USE ONLY 100148

Date Received

Repository ☐

Reference No.
10965861

OWNER INFORMATION (Type or Print)

Name			Daytime Telephone Number	E-mail Address
Address				
City	State	Zip Code	Evening Telephone Number	

The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side JTHBK1EG3B2		Make LEXUS	Model ES350	Model Year 2011
Date Purchased 4/18/2015	Dealer's Name and Telephone Number LEXUS OF NORTH MIAMI, 305.372.1400		Engine: No: Cylinders V6	Fuel Type: REGULAR
Original Owner ☐	Dealer's City, MIAMI, FL	State FL	Zip Code 33181	
Transmission Type 6 SPGd.	☒ Antilock Brakes ☒ Cruise Control	Powertrain	Multiple Failure:	Incident Date(s) 02-MAY-2016

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Code: 140000 AIR BAGS	Failure Mileage	Failure Speed
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ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make	Tire Model (Name or Number)	Tire Size (Example P215/65R15)
DOT No. (Example: DOTM9ABC036)	☐ Original Equipment ☐ Prior Repair	Failure Location:
Tire Component Code	Tire Failure Type:	

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:	Date Manufactured:	Model No./Name:
Seat Type:	Installation System:	
Child Seat Component Code:	Failed Part:	

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies).)

Crash ☐ Yes ☒ No	Fire ☐ Yes ☒ No	Number of Persons Injured	Number of Deaths	Reported to Police N
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Narrative Description of Incident(S), Crash(es), and Injury(ies).

Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e., parts repaired or replaced (and if old part is available).

TL* TAKATA RECALL. THE CONTACT OWNS A 2011 LEXUS ES350. THE CONTACT RECEIVED NOTIFICATION OF NHTSA CAMPAIGN NUMBER: 16V340000 (AIR BAGS); HOWEVER, THE PART FOR THE REPAIR WAS UNAVAILABLE. THE CONTACT STATED THAT THE MANUFACTURER EXCEEDED A REASONABLE AMOUNT OF TIME FOR THE RECALL REPAIR. THE CONTACT HAD NOT EXPERIENCED A FAILURE. THE MANUFACTURER WAS MADE AWARE OF THE ISSUE. VIN TOOL CONFIRMS PARTS NOT AVAILABLE.

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

RECALL STATEMENT

April 21, 2017

On 10/19/2016, I took my car in for the 74,000-mile warranty service checkup and informed them that the rear doors Bezel cover panels are unattached and was told it was recalled and I would be notified. I researched the Lexus recall listing and discovered that I was sold a defective Lexus 2011 ES 350 on 4/18/15. Which apparently didn't pass the 161-point car inspection for pre-own vehicles and discovered the car was supposed to be recalled for passenger air bag, prior to the sale. I was never notified or informed by the Lexus dealer service department at the time of service nor Toyota manufacture by mail or telephone about the recall. I immediately contacted the Lexus dealer service department about the passenger air bag recall and the rear doors Bezel cover panels and was told to visit the office to discuss the recalls.

On 10/21/16, I contacted Lexus customer satisfaction department to file a claim for the recall and was issued a (case # [REDACTED], and instructed to contact the Lexus dealer.

On 10/22/16, I visited the Lexus dealer service department and they recommended a loaners car until the car is recalled for repair in late-January, 2017 or early February 2017. So, they could fix the rear doors Bezel cover panels when they replace the passenger air bag. Subsequently, on 10/27/16, Enterprise rental car company rented the car and instructed not to drive my car only start the car to preserve the battery.

On 10/31/16, I contacted the National Highway Traffic Safety Administration (NHTSA), on how to file a complaint and was educated on the recall process and to contact them if the car isn't fixed in late-January, 2017 or early February 2017.

From 10/27/16 to 3/17/17, I had temporary permission to use two parking spaces, my car and the loaners car in my Condominium association parking lot, until the proposed repair date of January, 2017 or early February 2017. Subsequently, on 3/14/17 my Condominium association notified me that I no longer had permission to use a second parking space, therefore had to remove the car by 3/17/2017 or be towed. Putting me into a harmful and financial situation due to lack of recall the replacement parts.

On 3/14/17, being distressed and vexed about where to park or store the recall car. I contacted the Lexus dealer service department and was told the car hasn't been recalled yet and the supervisor will contact me concerning storage. I contacted the Lexus corporate office at 800.255.3987 #5/#6 (case # [REDACTED] and was told to contact the dealer if there was storage, but was doubtful. I contacted Lexus dealer service department and spoke with manager Mr. Jimmy, who stated they couldn't store the car because the recall is now "extended to September 2017."

On 3/16/17, Again, I contacted the Lexus corporate office and spoke with Ms. Amy L, Lexus customer satisfaction department, (case # [REDACTED] to discuss the storage issue. It was recommended to find a storage parking lot, in my area and submit estimates for review. I submitted the requested estimates as requested.

On 3/17/17, I received the approved agreement letter from Ms. Amy L, Lexus customer satisfaction department, (case # [REDACTED] on the storage with Hollywood Beach Garage Parking lot. Along with the instructions for reimbursement per month until the remedy under Safety Recall GLG, is available or

until further notice. I faxed and e-mailed the paid receipt and invoice for March 2017 payment and awaiting reimbursement, a month later leading into another month for reimbursement.

I find this recall unreasonable and untimely in replacement of the passenger Air Bag and real doors Bezel covers panels and now accruing storage fees.

The Lexus corporation estimated timeframe for the recall replacement is now September 2017; amounting to 11 months causing depreciation value and now financial hardship and harm by fronting the cost of storage fees.

When you calculate the cost of the rental (loaner) car and storage cost for the extended time period. It would be cost effective to "REPLACE" the car rather than have the car sit and deteriorate.

Please contact me with this reconsideration.

