

DEPARTMENT OF MOTOR VEHICLES

INVESTIGATIONS DIVISION

860 Hillview Ct., Suite 100

Milpitas, CA 95035-4566

(408) 942-2952 / (408) 942-2945 FAX

CL-11080548-9703



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

March 7, 2018

Supervisor/Manager
NHTSA
1200 New Jersey, SE West Building,
Washington DC, 20590

RE: # [REDACTED]
2017 Lexus RX450H
Brakes not functioning as designed

MAR 14 2018

Dear Supervisor/Manager:

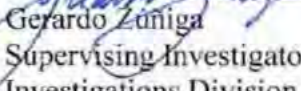
I am writing this letter in regards to a complaint filed against the Lexus manufacturer regarding the brake system creating a big safety issue. The complaint is attached.

The California Department of Motor Vehicles (DMV) has jurisdiction over new and used car dealers and salespersons licensed through the department's Occupational Licensing Division. The DMV enforces the laws and regulations applicable to these licensees and investigates complaint allegations for potential violations in relation to their licensed activity.

I understand that this type of cases falls under your jurisdiction. I am forwarding this complaint for your review and handling.

If you have any question regarding this letter, please contact this office at (408) 942 - 2952.

Sincerely,


Gerardo Zuniga
Supervising Investigator I
Investigations Division

cc: File



RECORD OF COMPLAINT FORM

READ THE ATTACHED BROCHURE BEFORE COMPLETING YOUR COMPLAINT. NOT ALL COMPLAINTS ARE INVESTIGATED.

Instructions: Type or print the following information for the person filing the complaint and the Business/Seller the complaint is against.

Section 1 - (Complainant) (Buyer/Seller/Leaseholder)

NAME (FIRST, MIDDLE INITIAL(S), LAST) [REDACTED]

APT. NUMBER [REDACTED] DRIVER LICENSE OR IDENTIFICATION NUMBER [REDACTED]

CITY STATE ZIP CODE

PALO ALTO CA [REDACTED]

EVENING TELEPHONE NUMBER () [REDACTED]

DATE Feb. 28, 2018

Signature: X [REDACTED]

Section 2 - (Business/Seller) (Buyer/Seller/Leaseholder)

NAME (FIRST, MIDDLE INITIAL(S), LAST) LEXUS

STREET OR P. O. BOX TELEPHONE NUMBER

6565 Headquarters Dr. ()

CITY STATE ZIP CODE

Plano TX 75024

DID YOU SEND A PREVIOUS COMPLAINT TO DMV AGAINST THIS BUSINESS/SELLER? IF YES, WHEN?

No

May we show a copy of your complaint to the business/seller? Yes No

If the transaction occurred at a location different than the business address above, please list it here.

STREET OR P.O. BOX CITY STATE ZIP CODE

Section 3 - (Vehicle Information)

Type the license plate number and vehicle identification number as they are shown on the contract between the buyer and seller. Enter the purchase date (same as when the contract was signed)

YEAR	MAKE	MODEL	LIC. NO.	STATE
2017	LEXUS	2017 RX450H	[REDACTED]	CA
VEHICLE IDENTIFICATION NUMBER (VIN)			PURCHASE DATE	
2T2BGMC A3HC [REDACTED]			July 14 2017	

On Nov. 12, 2017, ^{around} 1:40 pm, I drove with my [REDACTED] son, coming back from church. The moment I turned into my house drive way. The car lost brake. The whole distance about 15ft. To avoid to crash to my garage door, I turned left ~~to~~ and let go brake. Hope ICS kick in, which is auto stop when sensors object.

At the time, no ~~thing~~ ^{SEE OTHER SIDE FOR ADDITIONAL SPACE AND INFORMATION} showing on the screen. The car hit the brick wall and stop. The air bag is not inflated.

Ronald I. Inton
Toyota Motor North America, Inc.
6565 Headquarters Drive
Plano, TX 75024

RE: 2017 Lexus RX450H VIN: 2T2BGMCA3H0 [REDACTED]

Dear Mr. Inton:

Thank you for your reply of February 8, 2018. However, you forgot to attach the copy of the EDR report. Please resent. I eagerly waiting for your detailed response to my questions:

Based on the EDR:

- Was the EDR fully working at the time of the impact?
- What is the exact time of the impact?
- What was the speed of the car at impact?
- Is there any indication of a sudden increase in speed during the minute just prior to the impact?
- What are the exact times of the 6 most recent braking actions just prior to this impact?
- Is there any indication of pumping the brakes(i.e. Stepping on and off the brake in quick succession)?
- Were all components of the electrical system working at the time of impact and during the minute just prior to the impact? If not, what specifically was not working, and could this have impacted the braking system?
- Specify the impact of malfunction of equipped safety features to the braking system.
- Is it possible for the braking system to malfunction if the electrical system is not fully working?

Also, could you let me know if there have been any other similar incidents reported in the past 5 years with this model car.

I appreciate your answering these highly relevant questions, so we can hopefully avoid the necessity for further action.

If possible, I would like to have our correspondence through email. It's clearer and easier to keep up the records for both of us. My email: [REDACTED]

Sincerely,

[REDACTED]

TOYOTA

Ronald L. Inton
Direct Phone (469)292-6504

Toyota Motor North America, Inc.
6565 Headquarters Drive
Plano, TX 75024

February 8, 2018

[REDACTED]
Palo Alto, CA [REDACTED]

RE: Date of Loss:
Vehicle:
VIN:

November 27, 2017
2017 Lexus RX 450H
2T2BGMCA3HC [REDACTED]

Nov. 12, 2017

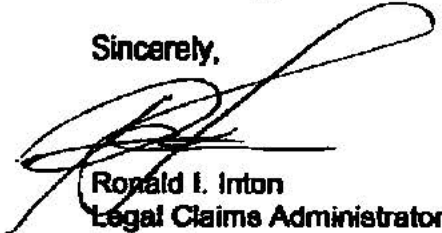
Dear [REDACTED]

We are in receipt of your letter dated January 21, 2018 in relation to the above-referenced incident.

Since you had several questions regarding the information on the EDR readout, I have printed and enclosed a copy of the EDR for your review and records. Please allow us to reiterate that there was no defect found when the brake system was inspected and that EDR readout indicated that the brakes were not applied prior to the recorded impact.

We appreciate the opportunity to address your concerns.

Sincerely,


Ronald L. Inton
Legal Claims Administrator
Toyota Motor North America, Inc.

January 21, 2018

Ronald I. Inton
Toyota Motor North America, Inc.
6565 Headquarters Drive
Plano, TX 75024

RE: 2017 Lexus RX450H VIN: 2T2BGMCA3HC [REDACTED]

Dear Mr. Inton:

Thank you for your mail of January 11, 2018, but the information was very puzzling and inconclusive.

Based on the EDR:

- Was the EDR fully working at the time of the impact?
- What is the exact time of the impact?
- What was the speed of the car at impact?
- Is there any indication of a sudden increase in speed during the minute just prior to the impact?
- What are the exact times of the 6 most recent braking actions just prior to this impact?
- Is there any indication of pumping the brakes(i.e. Stepping on and off the brake in quick succession)?
- Were all components of the electrical system working at the time of impact and during the minute just prior to the impact? If not, what specifically was not working, and could this have impacted the braking system?
- Specify the impact of malfunction of equipped safety features to the braking system.
- Is it possible for the braking system to malfunction if the electrical system is not fully working?

Also, could you let me know if there have been any other similar incidents reported in the past 5 years with this model car. I appreciate your answering these highly relevant questions, so we can hopefully avoid the necessity for further action.

Sincerely,

[REDACTED]

TOYOTA

Ronald L. Inton
Direct Phone (469)292-6504

Toyota Motor North America, Inc.
6565 Headquarters Drive
Plano, TX 75024

January 11, 2018

[REDACTED]
Palo Alto, CA [REDACTED]

RE: Date of Loss: November 27, 2017
Vehicle: 2017 Lexus RX 450H
VIN: 2T2BGMCA3HC [REDACTED]

Nov. 12, 2017

Dear [REDACTED]

Thank you for contacting Lexus Customer Satisfaction in regards to the above-referenced incident. You reported that while driving the 2017 Lexus RX 450H, the brakes and the brake assist did not function as expected resulting in the vehicle colliding with the side of the garage.

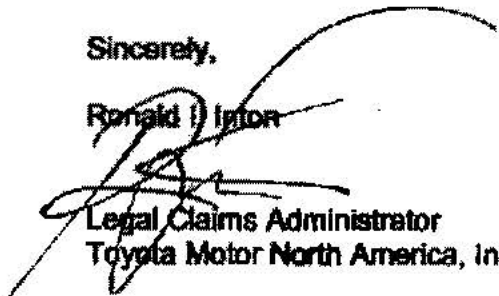
In response to your concern, Toyota Motor North America, Inc. (TMNA) assigned a Field Technical Specialist (FTS) to perform an inspection and the readout of the Event Data Recorder (EDR) of your vehicle. The vehicle was inspected at Lexus of Serramonte in Colma, California on December 13, 2017.

When the brake system was inspected, the brake pad friction materials were found to meet minimum specification in thickness. The brake system components were found to be in good working condition. There were no leaks found to the master cylinder, ABS actuator, brake lines and brake hoses. There were no defects found with the brake system. The EDR readout indicated that the brakes were not applied prior to the recorded impact.

Our inspection found no evidence that this incident was the result of a defect in your vehicle. We are very sorry to hear about this unfortunate incident and we do appreciate the opportunity to address your concerns.

Sincerely,

Ronald L. Inton


Legal Claims Administrator
Toyota Motor North America, Inc.



State of California
 DMV Investigation Division
 860 Hillview Ct., Ste 100
 Milpitas, CA 95035

NEOPOST

03/08/2018

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 Washington DC, 20590
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 Brakes not

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