



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



May 18, 2022

[REDACTED]
[REDACTED]
[REDACTED]
South Amboy, NJ [REDACTED]

NEF-109 tgd
Ref. No. 11459166

Dear [REDACTED]:

Thank you for the letter about your model year (MY) 2009 Lexus RX 350 vehicle. Your letter was forwarded to National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. I am pleased to respond.

NHTSA is the Federal agency responsible for improving safety on our Nation's roadways. We are authorized to order manufacturers to recall and repair vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects, such as in their design, construction, or performance. Among other activities, we also monitor the completion rates and adequacy of manufacturers' recall campaigns.

We appreciate the report you provided. We are aware of Lexus Warranty Enhancement Program ZLD that addresses a problem with cracked, melting, and sticky dashboard material in certain Lexus vehicles. This program began in December 2014 and expired on May 31, 2017. Please note that the issuance of a warranty enhancement program by a manufacturer does not necessarily mean that a vehicle contains a safety-related defect in accordance with our statute, the National Traffic and Motor Vehicle Safety Act. Manufacturers may issue these types of actions at their discretion to address a known problem unrelated to motor vehicle safety and to restore customer satisfaction. NHTSA continuously monitors manufacturer warranty extensions to identify any such campaigns and programs that may involve safety issues for which a recall is necessary. However, NHTSA does not otherwise regulate a manufacturer's warranty extension program. Thus, the manufacturer remains responsible for all aspects of warranty enhancement programs including the notifications, nature and scope of the repair and the vehicle make, model and years at issue.

We reviewed our database to identify whether a cracked, melting, and sticky dashboard may cause a problem with the deployment and safe operation of the air bag in MY 2009 Lexus RX 350 vehicles. At this time, NHTSA has not identified sufficient evidence to open a safety defect investigation or to initiate a recall. However, we entered your information into NHTSA's database, where it will be used with other reports to identify any safety defect trends that may require our attention. You can learn more about NHTSA's investigation and recall process on our website at https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/mvdefectsandrecalls_808795.pdf.

We encourage you to continue to work with Lexus and your dealer to explore the potential for an amicable resolution to your problem. You may ask your dealership for a meeting with a Lexus district manager regarding your problem. You may also consider contacting your local Consumer

Protection Agency or your state Attorney General's Office regarding your problem and rights under state law. In addition, the Federal Trade Commission (FTC) regulates and investigates warranty and dealership problems, reimbursement matters, and fair-trade practices. Therefore, if you believe this issue potentially relates to such a practice, you may contact the FTC to discuss the matter. There are three ways to contact the FTC: by toll free telephone at 877-382-4357; by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at www.ftccomplaintassistant.gov.

Finally, you may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve warranty disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. You can visit their website at www.bbb.org to file a complaint and review eligibility information or call the BBB Auto Line at 800-955-5100.

If you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, please complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Vehicle Safety Hotline at 888-327-4236. Also, owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be reviewed on our website.

Sincerely,

A handwritten signature in cursive script that reads "Randy Reid".

Randy Reid, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement