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

MAR 10 2004

400 Seventh Street, S.W.
Washington, D.C. 20590

Ms. Carol J. Mathews, MAHSA, RN
16925 Glen Oak Run
Rockville, MD 20855

NVS-213dsy
DP04-003

Dear Ms. Mathews:

This letter acknowledges receipt of your petition dated January 15, 2004, requesting that an investigation be initiated to determine whether model year 2002 – 2003 Lexus ES300 vehicles are defective within the meaning of 49 U.S.C. Chapter 301. You allege that the throttle control system can fail and cause vehicle surge, and that the alleged condition was responsible for a vehicle crash that occurred in your vehicle.

Please be advised that your petition is granted and that the request you have made will be considered under a Preliminary Evaluation, PE04-021. A copy of the opening resume for this investigation is enclosed. You can obtain further information about the investigation by visiting the National Highway Traffic Safety Administration's website at http://www-odi.nhtsa.dot.gov/cars/problems/defect/defectsearch.cfm and entering the Action Number (PE04021) into the Quick Search field. New information will be added to the site as the investigation develops.

If you have or receive any additional information of this subject, we would appreciate receiving it. You will be notified of our findings at the conclusion of the investigation.

Sincerely,

Kathleen C. DeMeter, Director
Office of Defects Investigation
Vehicle Safety

Enclosure

cc:
Steve Chan

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

ODI RESUME

Investigation: PE 04-021
Prompted By: Consumer Complaints, Petition Request DP04-004
Date Opened: 03/03/2004
Principal Investigator: Scott Yon
Subject: Throttle Control System

Manufacturer: Toyota Motor Sales, USA, Inc.
Products: MY 2002 - 2003 Toyota Camry, Camry Solara and Lexus ES300
Population: 1,010,000 (Estimated)

Problem Description: Complainants allege that the throttle control system fails to properly control engine speed resulting in vehicle surge.

FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
Complaints:	37	tbd	37
Crashes/Fires:	30	tbd	30
Injury Incidents:	4	tbd	4
# Injuries:	5	tbd	5
Fatality Incidents:	0	tbd	0
# Fatalities:	0	tbd	0
Other*:	0	tbd	0

*Description Of Other:

Action: A Preliminary Evaluation has been opened.

Engineer: D. Scott Yon DSYon 3/4/04 Date: 03/03/2004
Div. Chief: Jeffrey L. Quandt Date: 03/03/2004
Office Dir.: Kathleen C. DeMeter Date: 03/03/2004

Summary: Crashes noted above varied from minor to significant and may have involved other vehicles and or building structures. One of the noted injuries was serious; it occurred when a pedestrian was struck by a vehicle which allegedly surged forward unexpectedly. The Lexus models were the subject of a Defect Petition, see DP04-003 for further details.

The subject vehicles are manufactured with an electronic throttle control system that uses sensors at the accelerator pedal to indicate pedal position (throttle demand). An electronic control unit (ECU) interprets the signals of the pedal sensors and then controls the position of the throttle valve (TV) in the throttle body (TB). The ECU also monitors the TV's position via sensors in the TB.

Complainants allege that the vehicle may suddenly and unexpectedly surge or accelerate, stating that the condition is generally of short duration when it occurs. Some reports allege the condition has occurred intermittently on multiple occasions. It may occur during slow speed vehicle maneuvers (where the brake pedal is being used to control vehicle speed) and/or after shifting the transmission and/or at higher speeds under cruise control operation. In most cases, the brake system was reportedly functional and could be used to control the vehicle when the condition occurred.

ODI is opening this Preliminary Evaluation to determine the manufacturer failure report counts and to investigate if the throttle control system could be the cause of vehicle surge or unwanted acceleration.

WC 3-4-04