



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

SEP 19 2005

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

Mr. Jordan Ziprin
400 Prospect Street, Apt. 323
La Jolla, CA 92037-4709

NVS-213day
DP05-002

Dear Mr. Ziprin:

This acknowledges receipt of your letter to the Office of Defects Investigation (ODI) dated August 18, 2005 in which you request to amend the petition you submitted concerning inappropriate vehicle acceleration in model year (MY) 2002 through 2005 Toyota and Lexus vehicles. Your petition to reopen Preliminary Evaluation (PE) 04-021 was assigned Defect Petition number DP05-002 on August 9, 2005. A copy of the opening resume was provided to you. In your amendment letter you note that, based upon your analysis of several Vehicle Owner Questionnaires (VOQs) involving MY 2002 – 2005 Toyota and Lexus models, many inappropriate vehicle accelerations occurred as a result of the application of the brake pedal or as a result of the failure of the brake system in the environment of the electronic throttle control system. You provided details of your analysis and requested that the petition be amended to include defects with respect to interrelated brake and acceleration problems in MY 2002 to 2005 Toyota and Lexus vehicles. Your amendment letter was discussed between you and the ODI investigator conducting DP05-002 via a telephone conversation on September 7, 2005.

In accordance with Title 49 CFR Part 552, "Petitions for Rulemaking, Defects, and Noncompliance Orders," the National Highway Traffic Safety Administration will conduct a review of the amended petition and other pertinent information. Your amendment letter was received by ODI on August 29, 2005. Accordingly, the 120-day time limitation defined under Part 552 will end on December 27, 2005, and ODI will notify you further upon completion of the review.

Sincerely,

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

cc:
Steve Chan



DOT AUTO SAFETY HOTLINE
888-DASH-2-DOT
888-327-4238