16. Furnish Toyota's assessment of the alleged defect in the subject vehicle, including:
    a. The causal or contributory factor(s);
    b. The risk to motor vehicle safety that it poses;
    c. The adequacy of the warnings provided to the subject component installer regarding the installation of the subject component and the potential hazards that could result; and
    d. The reports included with this inquiry, including for each whether Toyota has determined if the vehicle had improperly installed all-weather mats, and if so whether Toyota has determined who installed the mats incorrectly.

Toyota has reviewed all applicable data available at the time and believes that the allegations of defect are most likely related to the improper installation of the all weather floor mat. The ES350 has an available rubber floor mat option that cannot be used in conjunction with another floor mat at the same time. This is because these floor mats, as with all Toyota, Lexus, and Scion vehicle floor mats, utilize retaining clips in order to prevent the floor mat from sliding forward and interfering with the operation of the foot pedals. The retaining clips are affixed to the vehicle carpet. When a floor mat is placed on top of the vehicle carpet, proper installation requires the retaining clips be used to prevent unwanted movement of the floor mat. If a floor mat is already installed on the carpet, and another floor mat is placed on top of the installed floor mat, the top mat will not be secured by the retaining clips.

Toyota has found vehicles in which more than one floor mat was installed in the driver foot well at the same time. In such instances, it is possible that the top floor mat could move forward and interfere with the accelerator pedal motion. If it were to cause the accelerator pedal to become stuck in a partially depressed position, then the vehicle would accelerate without the operator's input. As with any vehicle in production today, the ES350 service brakes are more than adequate in stopping a vehicle with a stuck throttle pedal. Customers would be aware that something is operating in an unusual manner, and can safely stop and shut off the vehicle, as instructed in their owner's manual.

Instructions in the owner's manual clearly state to secure the floor mat in the driver foot well with the provided retaining clips. In addition, a warning is embossed directly on the floor mats stating to not install the floor mat over an existing floor mat. Toyota does not have the ability to determine who installed the floor mats on any of the vehicles of owners that alleged this issue had occurred. But, in order to prevent future occurrences, regardless of who installed the floor mats incorrectly, Toyota has conducted an owner mailing identifying the proper use and installation of the all weather floor mats. All regional offices, distributors, and the dealer network have also been notified. Toyota has also instructed the Lexus dealership network to assist any consumers if they require any assistance in inspecting the installation condition of their floor mats and/or help in installing a label on the underside of the floor mat for future vehicle owners. In addition, all weather mats will now only be sold with enhancements that clarify the installation instructions.