STATEMENT AND Q&A REGARDING
2007 MODEL YEAR LEXUS ES 350
ALL WEATHER FLOOR MAT ACCESSORY
06/20/07

Statement:
On March 29, 2007, the National Highway Traffic Safety Administration ("NHTSA") opened an investigation called a Preliminary Evaluation on certain 2007 model year Lexus ES 350 vehicles. NHTSA is concerned that if the Lexus All Weather Floor Mat is placed on top of the existing Lexus Carpeted Floor Mats, the All Weather Floor Mats would not be secured by the retaining hooks (clips) and may slip forward, possibly interfering with the accelerator pedal. NHTSA has received five consumer complaints where the All Weather Floor Mat may have interfered with the accelerator pedal operation.

A Preliminary Evaluation is an early-stage inquiry to determine if further analysis (an Engineering Analysis) is warranted; this is not a recall. Lexus is currently cooperating fully with the agency in its efforts to investigate the allegations. On June 11, 2007 Lexus submitted the Preliminary Evaluation response to NHTSA.

Q1: When did NHTSA begin its investigation of the reported cases?
A1: NHTSA opened the Preliminary Evaluation on March 29, 2007. Lexus received the Preliminary Evaluation inquiry letter on April 11th, 2007.

Q2: What prompted NHTSA to investigate these issues?
A2: NHTSA received five consumer complaints where the All Weather Floor Mat may have interfered with the accelerator pedal operation. Based upon consumer interviews, the agency believes that the accessory Lexus All Weather Floor Mat, if not properly installed, may interfere with the accelerator pedal on certain 2007 model year Lexus ES 350 vehicles.

Q3: What seems to be the source of the problem?
A3: Both Lexus and NHTSA are in the midst of the investigation. It is premature to comment on the cause until the investigation is completed.

> **Q3a: NHTSA's Opening Resume indicates the caution statement on the Lexus All Weather Floor Mat may not be discernable to consumers. What is the Lexus All Weather Floor Mat and its relationship to this investigation?**
> A3a: The 2007 model year ES 350 vehicle is equipped with the genuine Lexus Carpeted Floor Mats as a factory standard accessory. ***As an option***, consumers may purchase the genuine Lexus All Weather Floor Mats (floor mats constructed from heavy duty rubber). Either the Lexus Carpeted Floor Mat or the All Weather Floor Mat for the driver's seating position must be secured to the vehicle by the retaining hooks which hold the mat in place through special grommet holes in the mat. In some cases, NHTSA found the All Weather Floor Mat installed on top of the existing Lexus Carpeted Floor Mat in the driver's seating position. In these cases, the retaining hooks on the floor would not be long enough to hold both the Lexus Carpeted and All Weather Floor Mats in place.
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> In terms of the relation to this Preliminary Evaluation, Lexus is in the midst of its own investigation. It is premature to comment further until the investigation is completed.

Q3b: What does the caution statement on the Lexus All Weather Floor Mat state?
A3b: The caution on the front Driver's and Passenger's Lexus All Weather Floor Mat states "DO NOT PLACE ON TOP OF EXISITING FLOOR MATS".

Q3c: If Lexus submitted a response to the Preliminary Evaluation, isn't the investigation completed?
A3c: No. A Preliminary Evaluation is an early-stage inquiry to determine if further analysis (an Engineering Analysis) is warranted.

Q4: Are these five complaints the only vehicles you are aware of that have experienced this problem?
A4: Our initial focus is on the five complaints reported by NHTSA. However, during our investigation Lexus discovered 34 additional allegations that may be related to the investigation.

Q5: Did Lexus conduct a recall?
A5: No, Lexus did not conduct a recall. However, in late April, 2007, Lexus mailed a letter to all 2007 Model Year ES 350 owners providing them with a reminder to not use more than one floor mat at a time in the driver's seating position, confirm the floor mat is properly placed and does not slip forward to interfere with the movement of the pedals, and assure the floor mats are properly secured utilizing the retaining hooks as indicated in the owner's manual. To stress this for future owners as well, a bright orange caution label was provided with the owner communication requesting owners to install the label on a specified semi-smooth location on the underside of the Lexus ES350 AWFM. Owners were also informed that should they require assistance in verifying their floor mat installation condition or applying the caution label, dealership associates would be made available to aid them.

Q6: What if customers have questions or safety concerns regarding this issue, should they go to their dealer?
A6: We remain confident in the safety of the Lexus All Weather Floor Mats and our vehicles, but if customers have any concerns at all they should feel free to contact our Lexus Customer Experience Center at 1-800-255-3987.

Q7: Have there been any cases of deaths or injuries?
A7: There are no reported deaths among the five consumer allegations received by NHTSA. However, there were allegations of three crashes among the five complaints where seven injuries were reported. In addition to the consumer allegations received by NHTSA, there is one consumer complaint where a crash was alleged and an injury may have occurred.

Q8: How many ES 350 vehicles has Lexus sold that are being investigated?
A8: There were approximately 98,500 model year 2007 ES 350 vehicles manufactured for sale in the United States.

Q8a: How many ES 350 All Weather Floor Mats has Lexus sold that are being investigated?
A8a: There were approximately 24,000 Lexus All Weather Floor Mats sold for the 2007 model year ES 350 vehicles.

Q9: Didn't NHTSA open several other Defect Investigations regarding the Camry and ES for unintended throttle application or engine surging? Is this new case related to those past investigations?

A9: The one previous formal investigation (Preliminary Evaluation) concerned 2002 – 2003 model year Camry, Camry Solara and ES 300 vehicles. NHTSA opened a Preliminary Evaluation on March 3, 2004 to investigate 12 consumer complaints alleging that the throttle system did not properly control engine speed on 2002 through 2003 model year Toyota Camry, Solara and ES 300 vehicles. NHTSA closed the Preliminary Evaluation on July 22, 2004 because there was no defect trend indicating that an Electronic Throttle Control failure occurred and NHTSA found nothing abnormal in the control pedal configuration of the subject vehicles.

Q10: According to the NHTSA website, there seems to be two other investigations. Doesn't that make three investigations?

A10: NHTSA opened two Defect Petitions in 2005 and 2006. A Defect Petition is the process in which a private citizen or organization can petition the agency to open a Preliminary Evaluation. The Defect Petition process allows the agency to consider the merit of the case and determine whether a formalized Defect Investigation (Preliminary Evaluation) needs to be opened or not. In both the 2005 and 2006 calendar year cases, NHTSA closed the Defect Petition without opening a Preliminary Evaluation.