

**STATEMENT AND Q&A REGARDING  
NHTSA DEFECT PETITION FOR 2007 MODEL YEAR LEXUS ES350  
AND MODEL YEAR 2002-2003 LEXUS ES300 FOR ALLEGATIONS OF  
UNWANTED OR UNINTENED ACCELERATION**

04/13/09 V3

**Statement:**

The National Highway Traffic Safety Administration (NHTSA) has received a private citizen petition on 2007 model year Lexus ES350 vehicles to open a Preliminary Evaluation (PE) Investigation. The petitioner allegedly experienced an unwanted or uncontrolled acceleration event as described in a complaint filed with the Office of Defect Investigations (ODI). Based upon this request, NHTSA has opened a Defect Petition (DP) to review the petitioner's claim and determine whether it has merit or not. This is not a Preliminary Evaluation (PE) Investigation or a recall.

**Q1: When did NHTSA begin its Defect Petition process?**

A1: NHTSA opened the Defect Petition on April 8, 2009. Lexus has not yet received the NHTSA Defect Petition inquiry letter.

**Q1a: Is this a recall?**

A1a: No. Any private citizen may petition NHTSA to open a Preliminary Evaluation on any vehicle and allegation. The Defect Petition process is NHTSA's formalized procedure to review the private citizen's claim and determine whether it may have merit or not. If NHTSA determines that the claim may have merit, they will open a Preliminary Evaluation.

**Q1b: But this is like a Defect Investigation right?**

A1b: No. Any private citizen may petition NHTSA to open a Preliminary Evaluation on any vehicle and allegation. The Defect Petition process is NHTSA's formalized procedure to review the private citizen's claim and determine whether it may have merit or not. If NHTSA determines that the claim may have merit, they will open a Preliminary Evaluation.

**Q1c: Will this Defect Petition lead to a recall?**

A1c: Any private citizen may petition NHTSA to open a Preliminary Evaluation on any vehicle and allegation. The Defect Petition process is NHTSA's formalized procedure to review the private citizen's claim and determine whether it may have merit or not. If NHTSA determines that the claim may have merit, they will open a Preliminary Evaluation. Therefore, it is premature to comment.

**Q2: What vehicles are involved in the Defect Petition?**

A2: The Opening Resume from NHTSA identifies 2007 model year Lexus ES350 and model years 2002 -2003 Lexus ES300.

**Q3: What prompted NHTSA to open the Defect Petition?**

A3: NHTSA received a defect petition letter from a private citizen alleging unintended acceleration of their 2007 model year Lexus ES350. The purpose of the Defect Petition is to review the petitioner's claim and determine whether the claim has merit or not.

**Q4: What seems to be the source of the problem?**

A4: It is premature to comment. The purpose of the Defect Petition is to review the petitioner's claim and determine whether the claim has merit or not. If NHTSA determines that the claim may have merit, they will open a Preliminary Evaluation.

**Q5: Didn't NHTSA already conduct an investigation on the Lexus ES350 Floor Mat related to allegations of unwanted acceleration?**

A5: Yes. NHTSA previously opened a formal investigation called an Engineering Analysis (EA) to look into these allegations. Lexus fully cooperated with the agency to support their investigation efforts and the EA was closed by NHTSA on 10/11/2007.

**Q5a: When did NHTSA begin its first investigation of the Lexus ES350 Floor Mat?**

A5a: NHTSA opened the Preliminary Evaluation on March 29, 2007. Based upon the information provided by Lexus during the Preliminary Evaluation, additional consumer complaints received by NHTSA and to further investigate the allegations, the agency upgraded the investigation to an Engineering Analysis on August 8, 2007.

**Q5b: What prompted NHTSA to investigate these issues?**

A5b: When the Preliminary Evaluation was opened, NHTSA had initially received five consumer complaints where the All Weather Floor Mat may have interfered with the accelerator pedal operation. Based upon consumer interviews, the agency believed that the accessory All Weather Floor Mat, if not properly installed, may interfere with the accelerator pedal on certain 2007 model year Lexus ES 350 vehicles. Based upon the information provided by Lexus during the Preliminary Evaluation stage, additional consumer complaints received by NHTSA and to further investigate the allegations, the agency upgraded the investigation to the Engineering Analysis stage.

**Q6: Was a recall conducted on Lexus or Toyota vehicles?**

A6: An equipment recall was conducted to replace the All Weather Mat with a newly designed mat, but no recall was done on the vehicles in which these mats were available as optional equipment. If your vehicle does not have the Toyota Camry or Lexus ES 350 All Weather Floor Mat designed for 2007 and early 2008 model year, it is not involved in this recall. However, during our investigation, it was noted that the floor mat interference is possible in any vehicle with any combination of floor mats. Therefore, if you utilize non-Toyota/non-Lexus floor mats, please make sure they are properly secured using the appropriate retention device and do not place them on top of another floor mat.

**Q6a: Were owners of affected vehicles notified of the concern?**

A6a: A mailing was sent to all registered vehicle owners' advising them of the situation and remedy. In order to address NHTSA's potential concerns, owners of the subject All Weather Mats were requested to return their mats to a Lexus or Toyota dealer for exchange of the drivers side mat with a newly designed mat at no charge. In addition, some enhancements were incorporated into the caution statements, both on the All Weather Floor Mat and the packaging.

**Q7: How many Lexus and Toyota vehicles were affected?**

A7: Approximately 24,500 Toyota Camry and 30,500 Lexus ES 350 vehicles are equipped with the All Weather Floor Mats designed for 2007 and early 2008 model year vehicles.

**Q8: What if customers have questions or safety concerns regarding this issue, should they go to their dealer?**

A8: We remain confident in the safety of the Lexus and Toyota 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.