



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

DOT Auto Safety Hotline

Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects

1-888-DASH-2-DOT
(1-888-327-4236)

INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 1374

Date Received

2003 MAR 12 PM 2:22
24-FEB-2003

Repository ☐

Reference No.
10009147

OWNER INFORMATION (Type or Print)

Name

Address

City HOLMEN

State WI

Zip Code

Daytime Telephone Number

E-mail Address

Evening Telephone Number

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle?

In the absence of an address to the vehicle manufacturer.

Signature of Owner

Date 3/14/03

17 digit vehicle identification number located at bottom of windshield on driver's side

4T1BF28B1U232305

Make

TOYOTA

Model

AVALON

Model Year

2000-2002

Date Purchased

Jan. 17, 2003

Dealer's Name and Telephone Number LA CROSSE, WI

STEVE LOW'S MIDWEST TOYOTA 54601

Engine:

No. Cylinders - 6

Fuel Type:

GAS

Original Owner

☐

Dealer's City

La Crosse

State

WI

Zip Code

54601

Transmission Type

☐ Antilock Brakes

Powertrain

☐ Cruise Control

Vehicle Component Code

021000 SUSPENSION:FRONT

Multiple Failure: 1

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s)

Failure Mileage

Failure Speed

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM19ABC036)

☐ Original Equipment

☐ Prior Repair

Failure Location:

Tire Component Code

Tire Failure Type

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:

Date Manufactured:

Model No./Name:

Seat Type:

Installation System:

Child Seat Component Code:

Failed Part:

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash

☐ Yes

☒ No

Fire

☐ Yes

☒ No

Number of Persons Injured

Number of Deaths

Reported to Police

N

Narrative Description of Incident(s), Crash(es), and Injury(ies).

Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e., parts repaired or replaced (and if old part is available).

WHEN A LEFT TURN WAS MADE, AND CONSUMER STRAIGHTENED THE WHEEL, THE VEHICLE CONTINUED TO TURN TO THE LEFT. *JB WANDERS FROM SIDE TO SIDE. CHANGES LANES WITHOUT TURNING THE STEERING WHEEL. The farther the distance traveled, the worse it gets.

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974 (Public Law 93-579) This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

Dealer - Midwest Toyota
La Crosse, WI. 54601

History of dealings with Midwest Toyota

Jan. 16, 2003

Ad in La Crosse Tribune for big car sale at the La Crosse Center. Midwest Toyota had a 2002 Toyota AvalonXL, full size, side air bags, CD and cassette, 24,000 miles-price: \$20,899.00

Jan. 17, 2003

Went to Midwest Toyota-Salesman Toby Stauffer said the car was already at the La Crosse Center. Suggested we try driving a new 2003 Avalon. We did. It drove beautifully and was great. Toby had us go to the center to see the car we were interested in. We did. We decided to buy this car. We did not drive it at this time as it was mixed in with a lot of other cars and would be difficult to get it out. I was getting late in the day. Toby had us go back to the showroom with him and do the paperwork. He stated, "this car isn't certified but it has passed all necessary inspections". CAR FACTS, information from the Internet reported no serious problems or accidents found. We gave him a check for \$200.00 deposit.

Jan. 18, 2003

We decided to take another look at the car we had decided to buy, at the Center. We, then, proceeded to Nystrom Toyota, Winona, MN. and Marquette Toyota in Eau Claire, WI. to make sure there wasn't any other car we liked better. We drove a 2001 Avalon in Eau Claire and found it drove beautifully. We felt the 2002 Avalon in La Crosse was indeed what we wanted!

Jan. 20, 2003

Went to pick up the car.

1. Went through the paperwork with Carrie Myhre.

2. Warranty was discussed. We asked why the car was not certified when it was advertised as such? She explained that if we bought the extended power train warranty for \$375.00 they could declare the car as CERTIFIED. We did purchase the \$375.00 warranty. She marked the Bill of Sale "certified". Just before signing the contract, it was disclosed the car had 25,341 miles on it instead of the 24,000 as advertised. My wife questioned Carrie as to this question and she said, "Oh there's more than one of them over there." (meaning, they had taken more than one car this description to the center to sell.) When we asked Dealer Steve Low later about the difference in the mileages, he claimed the salesman had been driving it around. He said he had driven it to Milwaukee himself (approximately 400 miles round trip) included in the figure. We had traded our old car ('92 Chevrolet Caprice) in, so now we were all set to take our newly purchased Avalon home. We had only gone a few miles to a 4-lane highway, when we noticed a problem. The car was moving to the left, thus, changing lanes without even moving the steering wheel. After changing back to the other lane, it wanted to move to the right, after the lane change had been completed. We knew we had to immediately return to the dealer. Service dept. put it into the shop and did some observations. They told us the tires were low and they had flat spots from sitting on the lot. After about a four hour wait, we were again on our way home. The problem was not cured!

Jan. 21, 2003

We returned the car to the dealer and reported the car had the same problem. They said they would rotate the 2 front tires, (we don't know for sure if they did). They also said they did an alignment and found the car to be off a little so they tried to correct it. We asked them to try some different tires on it but they refused. We felt there might be a problem when it came time to rotate the tires if there was a defective one in the bunch. The service manager drove the car and said it went ok. We were still bothered by the fact that we had to purchase a warranty to make the car "certified". We asked to see Steve Low. When he was questioned about it, he inquired if Toby the salesman had told us we would have to buy an extended warranty to certify the car? Toby had not. Steve wanted to know if it would make us happy if he returned the \$375.00 plus tax that we had paid for the warranty. We thought he should, so he did. We headed for home and discovered the problem still was not cured.

Jan. 22-24, 2003

Did not drive car because of bad weather.

Jan. 25, 2003

Went out for the evening and it was apparent our problem was not solved.

Week of Jan. 27th

Returned the car to the dealer. Ask if they had checked the steering, struts, bearings in struts, etc. They said they had checked "all that stuff and drove the car. There didn't seem to be anything wrong with it." We told them we knew there was a problem and left the car with them to work on it for a few days. I said not to call me until it was fixed. During this time, they said they had another alignment done at a place well-known for alignments. They discovered this place had a different reading on the alignment, so they had them correct it. When the service manager called us to say they found the problem, and my wife asked them what had happened, he said, "our alignment rack tied to us. It was off." The service manager rode with us and we drove it around. It seemed to be some better, but it had done that before. We took it home and did not drive it for awhile. Something wasn't right. We were afraid to drive it. We knew we had a serious problem and nobody wanted to make it right, or even listen to us. We felt they thought we were crazy and we had become totally disenchanted with Toyota. Were they all the way, or was it just us that had the problem?

Feb. 13, 2003

Drove to Sparta, WI. to finish our income taxes. On the way home, we found it difficult to keep the car on the road. While changing lanes, it kept wanting to go left or right. I had to continually correct the steering. We knew we had to return the car to the shop. I had to make a business

trip to NY the next day, and would be gone for a week. I told the service dept. to work on the car while I was gone and wanted to see it fixed when I returned.

Feb. 18, 2003

Gary Hansen, service manager, called and talked to my wife. He said they had driven it back and forth from Sparta (about 25 miles I way) and didn't see a problem. Wanted to talk to me (still in NY) and gave her his toll free number so I could call him from NY.

Feb. 19, 2003

I called Gary Hansen. He said if we wanted to find out if the tires were the problem, they would put Michelin tires on if we paid \$255.80. I told him I would decide when I got back.

Feb. 20, 2003

Returned from NY.

Feb. 21, 2003

We went to the dealer. Asked to drive a new 2003 Avalon XLS. We drove this car and there was absolutely no problem with wandering right or left. Returned to dealer. I told salesman our car does not handle like the new one. We felt it was unsafe to drive. Asked if we could return it for credit on a new one. Sean Green, Low's partner appeared and said they would give us all of our money on trade-in profit for them. Told us to drive another XL. We did. It drove like the first one--NOT LIKE OURS! We, again, returned. Sean gave us two offers, which clearly show disclosed profits of over \$1000.00. Sean said he would put our car on the lot and sell it.

We took our car (2002 Avalon XL) to Bill's Automotive, Holmen, WI, our son's workplace. He is a certified mechanic of about 20 years. [redacted] drove it and both he and the boss said it did not drive right. I called Gary Hansen, told him to get those Michelin tires to see if that would help. After all, they kept insisting there was nothing wrong with the steering. I told him I wanted the same tires that were on the new Avalons. He then said they would cost more than what he had told me previously. I refused to do it for that price. He had agreed.

Feb. 22, 2003

Took car to local tire dealer. Put new Kelly summit tires on the car. Also found that Toyota service dept had put 40W in old tires. Put 35W in new tires--drove the car, it rode somewhat smoother but STILL had the problem of wandering from side to side. Tire dealer "Jim" drove the car. Discovered when you turn the steering wheel to the right or the left, and return it to the center, the car will then veer to that direction, crossing into the center lane or onto the shoulder. THIS IS EXACTLY WHAT IT DID WHEN I DROVE IT THE FIRST DAY, AND THEREAFTER.. I purchased this car for my wife. It has a serious safety problem. It is not safe for anyone to drive.

This is definitely a mechanical steering problem. The Toyota dealership is either unable to diagnose the problem or unwilling to admit it. Called Midwest Toyota in La Crosse. Service man on duty said Gary wasn't on duty but he would be in 7:30 Monday morning and he (Gary) would call us. Doug told service man about the trouble with the steering still occurring even after we put different tires on the car.

Feb. 24, Monday

Gary Hansen called back at 12:20 pm. Doug again relayed to him about the steering problem. [redacted] certified mechanic of 20 years, and James Degenhardt of the Degenhardt Tire Co. of West Salem, WI. both had driven the car and said there was definitely something wrong with the steering. Told Gary there were reports on the internet of Toyota owners experiencing problems with shudder, STEERING and brakes on Avalons of that year. We faxed him a copy of the report. Doug told him he was concerned that our neighbor, Thelma Severson (who had an accident in the fall of 2002 running off the road) may have a problem with hers. Gary said he would be in contact with us after he looked into the reports.

Feb. 25

No calls

Feb. 26

[redacted] had appointments at the Mayo Clinic in Rochester, MN, so we drove the car there. (about 70 miles from our home). We noticed that the further we went with the car, the worse the steering problem got. If it were a person, one would say it was drunk, as it moved from side to side and the driver had to continually correct the steering. While at the clinic we had some time in between appointments, so we decided to go to the Rochester Toyota and see what they had to say. We talked to salesman, Lloyd Hyberger about the car. He referred us to the service dept. where we talked with Brad about the problem. He said the mechanic that usually took care of those type of problems was away at school and would not be back until Friday, Feb. 28th. We went back to salesman and he brought in Dan Kooer, one of the managers. He went for a ride in the car with [redacted]. While driving the car on Hwy 52, Dan asked [redacted] if he had to take his hands off the steering wheel to make it act up. [redacted] said no, to just hold the wheel steady. The car took off to the right and back to the left without moving the wheel! Dan said, "I see what you mean!" We took it back to the dealership. They said they would look at it, but they didn't have time that day but we could set a time for next week.

Feb. 27

Called the customer service number at Toyota. I believe the man's name was Teddy. We told him we were really getting getting tired of all these problems. He said we had to go through a lengthy process of filling out some papers, etc. and they had 30 days to act on this. The district supervisor was supposed to have contacted us before this (she had said 3 days) as we had talked to her about a week before this. [redacted] told Teddy this was absolutely ridiculous as we had to postpone the vacation we had planned for, starting the 1st of March. We had been at this for 6 weeks already, giving the dealer every possible chance to make this right, and they were still saying there was nothing wrong with the car.

I asked Teddy who the district supervisor was, and he didn't tell me. In the afternoon, "Noreen" (district supervisor) called us and told us the technician from Toyota would not be coming to La Crosse until the next week, March 7, and we would have to drive this "unsafe car" until then.

We decided at this time, we did not want this car and wanted to get our money back. The owners of Midwest Toyota of La Crosse were both gone on Thursday, the 27th so we would have to wait until Friday the 28th.

Feb. 28

We took the car to the dealership and talked to Sean Green, who said "our policy is not to give money back!" The only way we could get any of our money back, was to buy a different car. He still insisted there was nothing wrong with the car. Sean and one of his mechanics both test drove the car. [REDACTED] watched as they continually corrected the steering to keep the car on the road. The mechanic remarked when it moved from side to side, "it's called memory steer."

Sean Green said to us, "because you are digging in your heels, I will make one final offer to trade in the car for a new 2003 model Avalon." He allowed us only \$19,000.00 to the \$20,882.00 that we had invested in the car. We decided to cut our losses, feeling we could take the car to another dealership for service.

We are bringing this to your attention for 3 reasons.

1. We know this vehicle, VIN# 471BF28B72U232305 is unsafe to be driven on the highway and should NOT be registered in any state before it is repaired.
2. We feel we have been treated very badly and this could be classified as a "lemon car".
3. Because this vehicle was defective from Day 1 and is still under warranty, we feel our money should have been returned to us.

We have heard that Toyota has excellent vehicles and hope our 2003 Avalon XLS will live up to our expectations.

If you have questions concerning these statements, we can be contacted at:

[REDACTED]
[REDACTED]
Holmen, WI

P.S. We will try to take our vacation from March 8-23. We will be available after that.

Note: Mr. Sean Green said "Tom Rastall in the D.O.T. is his friend" so he was not concerned that we would report this to the D.O.T.