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Subject: LTR FM [REDACTED] RE THE DEFECTIVE TRANSMISSION IN HER 2006 TOYOTA AVALON, REPLY TO THE ORLANDO DISTRICT OFFICE

Ack Date: 3/14/2006

Ack By: DONOHUE FOR

CLARK/FTC

Signature: HARRINGTON

Signed For:

Sign Office: DIRECTOR FOR
EXTERNAL AFFAIRS

Cleared Date:

Cleared By:

Cleared For:

File Loc:

XREF File:

Closed Date:

Added By: SHARRIS x62534

Modified By: SHARRIS

Most Recent Comment:

Author:

BILL NELSON
UNITED STATES SENATE

WASHINGTON, DC 20510

Tel: Fax: E-mail:

10154111

2006 MAR 27 PM 8:32

Assigned To	Task	Assign Date	Deadline	Returned Date
NVS-200	REPLY	3/24/2006	4/4/2006	
NVS-010	INFORMATION	3/24/2006		3/24/2006
NIA-110	INFORMATION	3/24/2006		3/24/2006
I10	INFORMATION	3/24/2006		3/24/2006
I20	INFORMATION	3/24/2006		3/24/2006
ODI	REPLY	3/24/2006	3/30/2006	

Amma
3/27/06



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20590

Office of the Secretary

MAR 14 2003

The Honorable Bill Nelson
United States Senate
225 E. Robinson Street, Suite 410
Orlando, FL 32801

Re: FTC Ref. No. 7766220

Dear Senator Nelson:

Thank you for your letter on behalf of your constituent, [REDACTED] concerning her difficulties with her Toyota Avalon. For your information, the Federal Trade Commission has been directed by Congress to act in the interest of all consumers to prevent deceptive or unfair practices and unfair methods of competition, pursuant to the Federal Trade Commission Act, 15 U.S.C. 41 *et seq.* In determining whether to take enforcement or other action in any particular situation, the Commission may consider a number of factors, including the type of violation alleged; the nature and amount of consumer injury at issue and the number of consumers affected; and the likelihood of preventing future unlawful conduct and securing redress or other relief. I would like to emphasize that letters from consumers like you provide valuable information that is frequently used to develop or support Commission enforcement initiatives.

I appreciate learning of your concerns; however, I should note that the jurisdiction of the Commission under the FTC Act does not extend to the situation described. Therefore, I have taken the liberty of forwarding your letter to the National Highway Traffic Safety Administration for review. Again, thank you for your interest in this matter, and please let me know whenever we can be of service.

Sincerely,


Donald S. Clark

Secretary of the Commission

cc: Director, Office of Congressional Affairs
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

RECEIVED SECRETARIAT
2003 MAR 23 P 4 42
TRAFFIC SAFETY ADMIN.



United States Senate
WASHINGTON, DC 20510-0001

*See
7766220*

BILL NELSON
FLORIDA

February 21, 2006

EUROPEAN TRADE COMMISSION
06 MAR -2 PM 2:21
CONG. COURTESY BRANCH

[REDACTED]
Washington, District of Columbia [REDACTED]

Dear [REDACTED]:

Please find enclosed correspondence I received from one of my constituents. It involves an important matter under the jurisdiction of your agency.

Your review and response to the issues raised would be greatly appreciated. Please send your correspondence directly to my office and reference Rachel Smith for our records. I look forward to a response at your earliest convenience and thank you in advance for your assistance with this matter.

Sincerely,

Bill Nelson

BN/mfr

Enclosure

United States Senator Bill Nelson, Landmark Two, 225 East Robinson Street, Suite 410, Orlando, Florida 32801
Telephone: (407) 872-7161 • Toll-Free in Florida Only (888) 671-4091 • Fax: (407) 872-7165
<http://billnelson.senate.gov>

E306-001806

December 31, 2005

Toyota Motor Sales, U.S.A., Inc.
Attn: Consumer Affairs Dept.
19001 South Western Ave.
Dept. WC11
Torrance, CA 90501

Dear Senator Nelson,
Your help in this
matter would be greatly
appreciated

Consumer Affairs Director:

As a long-standing, loyal Toyota devotee, having owned a Toyota Sports Coup, two Corollas, a Celica, a Camry, and an Avalon, I recently purchased another new Avalon XL. Surprisingly and unfortunately, this new Avalon XL has some serious problems and definitely is not up to Toyota's quality standards. My great luck in buying new, problem-free Toyotas finally has run out.

This 2006 Avalon has been returned to the local Toyota dealership five times over a recent six week period, for problems and issues that just keep occurring. Eleven distinct problems have arisen and at one time the car had been in the repair shop nearly as long as it had been out. Two of these problems were serious safety issues dealing with a defective rear seat belt, where my young son sits, and the front passenger air bag sensor, which doesn't turn on at the proper weight as described by the salesman and service technicians.

While some of the problems have been resolved, I am deeply concerned over the continuing and necessary visits to the service department because the car is still not functioning like it should. Regrettably, I've been told that there is nothing else that the dealer can or will do.

Here is the existing, dangerous situation. Initially, when I bought the car, it would hesitate and then surge forward when gently depressing the accelerator pedal. This delay in response problem also occurred in stop and go traffic. The service department reset the car's computer to "dealer default" and this transmission issue improved.

Recently, however, another related and serious problem arose. After two hours of high-speed driving, I exited into local traffic, at which time the engine excessively revved like the transmission was trying to find the lower gear but couldn't. Moments later it suddenly did and the car lurched forward - a very dangerous maneuver. Apparently, the transmission couldn't handle the change in speed or was stuck between gears. This perilous defect now occurs on a regular basis, following any deceleration activity.

The Toyota Customer Service Center was contacted regarding the problems with the car. They referred the matter to the local dealership, who contacted the Southeastern Toyota office with a pre-conceived notion to dismiss the problem as, "that's the way all Avalons drive." It seems that everyone in this ugly 'loop' knows that the transmission is faulty, but are determined that nothing will be done to correct it.

Frustrated, I researched this transmission problem and found that 20% of 2006 Avalon owner respondents to a customer satisfaction survey on Edmunds.com mentioned a transmission issue similar to the one I'm experiencing. Further, the issue is so prevalent that Edmunds.com has forums set-up to discuss defects in the 2005 and 2006 Avalons. This dangerous situation is not unique to only my vehicle; it is common to many other Avalons.

I have test-driven three other 2006 Avalons where the transmissions did not demonstrate the same problem, even though the service manager at the local dealership said that it happens with every Avalon. He followed by stating that my problem is something called "driver's preference" whatever that means.

Neither the mechanical problem nor the flippant comments from the Toyota staff is acceptable behavior. I await your speedy response.

Sincerely,

Tallahassee, FL

CC: Florida Consumer Legal Services, P.C.; Better Business Bureau Northeast Florida Area;
Senator Mel Martinez; Senator Bill Nelson; Central Florida Toyota; Legacy Toyota