

CL-10390135-3672

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 100148	
U.S. Department of Transportation National Highway Traffic Safety Administration				Date Received 14-MAR-2011 JUN 09 2011	Repository ☐ Reference No. 10390135
				Daytime Telephone Number [REDACTED]	
OWNER INFORMATION (Type or Print)					
Name [REDACTED]		City OMAHA		State NE	Zip Code [REDACTED]
Address [REDACTED]		Evening Telephone Number [REDACTED]		[REDACTED]	
The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).					
VEHICLE INFORMATION					
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side 4T1BK36B46U [REDACTED]			Make TOYOTA	Model AVALON	Model Year 2006
Date Purchased 7-10-06	Dealer's Name and Telephone Number ERNST Toyota - Jeep 402-562-8698			Engine: No: Cylinders V6	Fuel Type: gasoline
Original Owner ☒	Dealer's City Columbus	State Ne.	Zip Code 68601		
Transmission Type ☒ Antilock Brakes ☒ Cruise Control	Powertrain [REDACTED]	Multiple Failure: [REDACTED]		Incident Date(s) 18-NOV-2006	
FAILED COMPONENT(S)/PART(S) INFORMATION					
Vehicle Component Code: 025000 ELECTRONIC STABILITY CONTROL				Failure Mileage 1200	Failure Speed 0
ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE					
Tire Make [REDACTED]	Tire Model (Name or Number) [REDACTED]		Tire Size (Example P215/65R15) [REDACTED]		
DOT No. (Example: DOTM19ABC036) [REDACTED]	☐ Original Equipment ☐ Prior Repair		Failure Location: [REDACTED]		
Tire Component Code [REDACTED]			Tire Failure Type: [REDACTED]		
ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE					
Make: [REDACTED]		Date Manufactured: [REDACTED]		Model No./Name: [REDACTED]	
Seat Type: [REDACTED]		Installation System: [REDACTED]			
Child Seat Component Code: [REDACTED]		Failed Part: [REDACTED]			
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 none	Number of Deaths none	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).					
TL* THE CONTACT OWNS A 2006 TOYOTA AVALON. THE CONTACT STATED THE ELECTRONIC STABILITY CONTROL GOES OUT ON HILLS AND LEAVES THE VEHICLE STRANDED. THE CONTACT STATED IT SHUTS THE VEHICLE DOWN AND THEY HAVE TO BACK DOWN AND AVOID HILLS WHEN DRIVING THE VEHICLE. THE CONTACT STATES THIS ONLY HAPPENS WHEN THE VEHICLE HAS TO BE STOPPED WHEN GOING UP A HILL. THE ENGINE WILL RUN FINE WHEN PLACED IN NEUTRAL OR REVERSE, BUT THE ENGINE SHUTS DOWN WHEN IN DRIVE. THE DEALER STATED THIS IS A FEATURE OF THE VEHICLE AND THERE IS NO REPAIR FOR THE FAILURE. THE FAILURE MILEAGE WAS 1,200 AND THE CURRENT MILEAGE WAS 25,900.					
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.					

My 2006 Avalon was purchased in Columbus, Nebraska but warranty, recall and service work is done by PERFORMANCE TOYOTA/SCION located at 7204 South 124th Circle, Lavista, Nebraska. Phone #402-731-2000

The problem I have with my vehicle is that I cannot navigate slippery roads because when the system detects slippage I completely lose acceleration and am unable to move.

Example: I was driving upgrade on a four lane street in rush-hour traffic during a heavy snow-fall. Traffic ahead of me stopped for a traffic light. When the traffic began to move I tried to accelerate but could not move. I placed the shift lever in the "park" position and was then able to accelerate the engine but when I put the vehicle in the drive position, I had no acceleration again. I had to back down the incline against the traffic flow and take a different route with fewer hills and less traffic.

Example: I returned to my home after a period of freezing rain. Streets had been sanded and I could drive without difficulty. When I turned into my ice covered driveway, which has a slight incline, I was unable to move because of the loss of acceleration.

Example: On February 4, 2011 I attended the funeral of my brother. Traffic was moving slowly through the cemetery where the surface was slippery from ice and packed snow and going up an incline. Traffic ahead of me stopped for a moment. When the traffic began to move forward again, I was unable to move forward because of the loss of acceleration.

If I were to stop on an incline covered with sheer ice and then tried to move I would have absolutely no acceleration. No matter how slippery the surface might be, I could not even slightly spin my tires due to a complete loss of acceleration.

The examples listed above are just a few of the times I have encountered loss of acceleration.

On several occasions I mentioned my problem to representatives at PERFORMANCE TOYOTA and each time I get the response that this is just how the system works and nothing can be done about it. These folks acknowledge that they have had complaints from other Avalon owners as well as Camry owners.

On March 14, 2011, I called Toyota Motor Company at 1-800-331-4331, case #110304-2226, and talked to Peter. Although polite, I got the distinct impression that he was not very interested in my problem. His first response was that my tires must have excessive wear. When informed that I have difficulty when the tires are new, he indicated that my tires must not be properly inflated. No way was he about to concede that I may have a mechanical problem but did indicate he would report my complaint to Toyota engineers. Although Peter claimed he had not heard of problem like mine involving an Avalon, he indicated Toyota had some reports of a similar problems with the Prius model.

Peter proceeded to tell me that he was from Minnesota, has family in Minnesota and some of them drive Avalons and have no problems. Quite frankly, I don't give a rat's tail about his family, where they live or what kind of car they drive. I know I have a mechanical problem that is darn irritating and can't get any satisfactory response from anyone.

[REDACTED]
Omaha, Ne. [REDACTED]

Odometer reading as of
4-14-11, 26,209 miles

NEBRASKA PURCHASE CONTRACT

006763



COMPANY OR
FIRM NAME
ADDRESS
CITY

ERNST
TOYOTA - JEEP

2112 23rd St. 402-562-TOYT (8698)
Columbus, NE 68601 1-877-656-1939

BUYER

ADDRESS

CITY OMAHA

COUNTY DOUGLAS

HOME PHONE

WORK PHONE

STATE AND
ZIP CODE NE

S.S.#

SALESPERSON MICHAEL R EMERSON

MAKE	MODEL	NEW/USED	(SERIAL OR MOTOR NO.)	DATE
TOYOTA	AVALON	NEW	4T1BK36B46U	07/10/06
YEAR	COLOR	TYPE	MILEAGE	STOCK NO.
2006	TITANIUM	4 DR LTD S	273	T1694
				APPROX. DELIVERY DATE
				07/10/2006

ADDITIONAL EQUIPMENT-OPTIONS OR WORK TO BE DONE

CASH PRICE OF VEHICLE	\$ 35394.00
FREIGHT	N/A
COLOR & TRIM TITANIUM /GRAPHITE L	N/A
ACCESSORIES	N/A

CASH PRICE OF VEHICLE	35394.00
TOTAL CASH DELIVERED PRICE	35394.00
TRADE ALLOWANCE (A)	11882.00
TRADE ALLOWANCE (B)	N/A
DIFFERENCE	23512.00
BALANCE OWED ON TRADE	N/A
PARTIAL PAYMENT	23512.00
CASH ON DELIVERY	N/A
UNPAID BALANCE	N/A

NHTSA Ref. #10390135

CREDIT DESIRED- YES ☐ NO ☒ XX
INSURANCE DESIRED- YES ☐ NO ☒ XX

(See contract conditions on reverse side)

RECORD OF TRADE-IN (A)

MAKE & YEAR	TYPE	MODEL	COLOR
2001 BUICK	4 DOO	LESAB	SILVE
MILEAGE	SERIAL NO.		
48989	1G4HR54K11U		

RECORD OF TRADE-IN (B)

MAKE & YEAR	TYPE	MODEL	COLOR
MILEAGE	SERIAL NO.		

BUYER'S CERTIFICATION

I hereby certify that:

(1) The face and reverse sides of this contract set forth all of the terms and conditions of the contract; there are no other contracts or provisions, oral or written, supplementary or in addition to the provisions expressly set forth in this contract; AND

(2) I have read the terms and conditions of this contract and have received a true copy thereof; AND

(3) I guarantee that the title of my trade-in vehicle(s) is not a salvage title and the vehicle never has had a salvage title nor has my trade-in vehicle ever had a title which contained a notation of any problem or damage. I also guarantee that neither the emissions or safety restraint system has been altered or removed. If any of this is not accurate, the selling dealer may elect to void this sale and/or elect to collect damages (including but not limited to dealer's expenses and lost profits) from me for the difference in value had my title not been salvage or indicating a previous problem or damage.

(4) I guarantee that all safety equipment and all emission control equipment are in good working condition and if not, I will pay to repair or replace this equipment including airbags and seat belts if any are not working or missing.

Notice to Buyer: Do not sign this instrument before you read it, or, if it contains blank spaces. You are entitled to a copy of the instrument you sign. Buyer states that the amounts shown on this instrument were quoted to buyer before buyer's agreement to the sale.

CUSTOMER NOTE THAT THE VEHICLE IS BEING SOLD "AS IS" BY THE SELLING DEALER. SHOULD THE MANUFACTURER'S WARRANTY APPLY TO THIS VEHICLE, IT IS DIRECTLY OFFERED BY THE MANUFACTURER TO THE CUSTOMER. THE SELLING DEALER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESSED OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THIS VEHICLE. BUYER SHALL NOT BE ENTITLED TO RECOVER FROM THE SELLING DEALER ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFITS, OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES. THIS DISCLAIMER AS TO IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE DOES NOT APPLY IF A SERVICE CONTRACT IS SOLD WITHIN 90 DAYS OF THE VEHICLE'S DATE OF SALE IN WHICH THE DEALER IS LEGALLY LIABLE UNDER THE SERVICE CONTRACT.

Notice to Buyer 1.) That the annual percentage rate (APR) for the installment sale of an automobile may be negotiated with the dealership; and
2.) That the dealership may receive some portion of the finance charge or receive other compensation for providing the financing; and
3.) That the dealership may receive compensation for other products and/or services if included in this transaction. Such products and services may include insurance products, service contracts, warranties, Gap coverage, service or transfer fees, finance charges, and other products or services in accordance with the contract.

CONTRACTUAL DISCLOSURE STATEMENT: (USED VEHICLE ONLY)

The information you see on the window form for this vehicle is part of this contract. Information on the window form overrides any contrary provisions in the contract of sale. The term "window form" refers only to the F.T.C. used car "Buyers Guide", if one is present, and not to any other form or sign that might be in any window.

X

(Co-Buyer's Signature)

ACCEPTED BY: X

(Seller of the authorized representative)



DESCRIPTION: **AVALON**
4-DR LTD SEDAN

YEAR/MODEL: 2006/3554C

COLOR: TITANIUM MET/LB16

VIN: **4T1BK36B46U** (01D4/16)

PORT/PLANT: Georgetown, KY/TMMK

The New Vehicle Limited Warranty provides 36-month/36,000-mile comprehensive coverage, 5-year/60,000-mile powertrain coverage, plus 5-year body panel corrosion perforation warranty. See Owner's Warranty Information booklet for details. An extended service contract may be available for the vehicle. Ask dealer for details.

Manufacturer's suggested retail price includes manufacturer's recommended pre-delivery service. Gasoline, license and title fees, applicable federal, state and local taxes and dealer and distributor installed options and accessories are not included in the manufacturer's suggested retail price.

MANUFACTURER'S

FE 50 State Emiss
 VS Vehicle Stabilit
 Traction Contr
 Brake Assist (E
 CF. Carpet Floor M

STANDARD EQUIPMENT**MECHANICAL AND PERFORMANCE**

- 3.5L 288HP DOHC 24V w/ Dual VVT-i Engine
- 5-Speed ECT-i A/T w/ Sequential Shift
- 17" Alloy Wheels w/ P215/55 R17 Tires

SAFETY

- Driver Front Airbag & Front Passenger Airbag with the Advanced Airbag System
- Dr & Fr Pass Seat-Mounted Side Airbags
- Front and Rear Side Curtain Airbags
- Driver's Knee Airbag
- 4 Wheel ABS w/ Electronic Brakeforce Distribution (EBD)
- HID Headlights w/ Auto On/Off
- Daytime Running Lights & Fog Lamps
- Internal Trunk Release Handle
- Full Size Alloy Spare Tire
- Anti-Theft System

EXTERIOR

- Power Moonroof w/ Sliding Sunshade
- Rain-Sensing Windshield Wipers
- Dual Rear Exhaust
- Memory Outside Mirrors w/ Puddle Lamps,

LED Turn Signal Indicators, Heated and Auto-Dimming Feature

COMFORT AND CONVENIENCE

- Smart Key System
- JBL Synthesis Audio System 6-Disc In-Dash Changer w/ 12 Speakers (360 Watts)
- Perforated Leather-Trimmed Seats w/ Pwr Driver's Memory Seat and Power Lumbar
- Dr & Fr Pass Heated and Ventilated Seats
- Power Driver's Seat Cushion Extension
- Power Passenger Seat
- Rear Reclining Seats
- Power Rear Sunshade
- Tilt/Telescopic Steering Wheel w/ Audio and Climate Controls
- Cruise Control
- Dual Zone Auto Climate Control w/ Air Filtration
- Multi-Function Info Display
- Wood Grained and Leather Trimmed Shift Knob & Steering Wheel
- ***Full Tank of Gas***

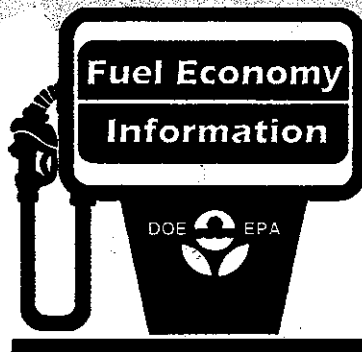
Compare this vehicle to others in the **FREE FUEL ECONOMY GUIDE** available at the dealer.

CITY MPG

22

HIGHWAY MPG

31



Actual Mileage will vary with options, driving conditions, driving habits and vehicle's condition. Results reported to EPA indicate that the majority of vehicles with these estimates will achieve between

18 and 26 mpg in the city and between
 26 and 36 mpg on the highway.

2006 AVALON
 3.5 LITER DISP., V-6 CYL.,
 24V DOHC, VVT-i, SFI ENG.
 5-SPEED ECT-i AUTOMATIC
 TRANSMISSION.

Estimated Annual Fuel Cost:

\$1,320

For Comparison Shopping,
 all vehicles classified as

LARGE

have been issued
 mileage ratings
 ranging from

10 to 24 mpg city
 and
 14 to 34 mpg
 highway.

TOTAL

Dealer Name / Address:
ROGER SMITH & S
7301 STATE AVENUE
KANSAS CITY



Omaha, NE



FIRST CLASS

US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NVS-210
1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382

