



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

1200 New Jersey Avenue SE.
Washington, DC 20590

May 4, 2011

[REDACTED]
Earlton, NY [REDACTED]

NVS-216 mec
Ref. No. 10396319

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2006 Toyota Corolla vehicle. The New York Office of the Attorney General forwarded your correspondence to the National Highway Traffic Safety Administration (NHTSA) for a response. It was received by NHTSA's Office of Defects Investigation.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. However, we cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

We appreciate your report. Reports from motorists are a very important source of information for us. In your correspondence, you indicated your daughter crashed her MY 2006 Toyota Corolla because she was unable to avoid another vehicle. When she tried to slow down, the vehicle's brakes locked up and steering became sufficiently heavy. After the crash she tried to move the vehicle out of traffic; however, she found that the engine shut off on its own. The air bags failed to deploy and your daughter received injuries from the seat belt tightening. You feel this crash was caused when the engine stalled due to a defective electronic control module that you previously replaced and is subsequently being recalled under NHTSA Safety Recall Campaign No. 10V-384. In addition, you have made a request to Toyota for reimbursement of the electronic control module repair you paid for prior to the recall and seek the truth into what caused the crash.

Federal regulations require a manufacturer conducting a safety recall of motor vehicles or motor vehicle equipment to reimburse owners who have paid to obtain a remedy for the problem within a reasonable time, which in many instances is one year, prior to the manufacturer's notification. Certain restrictions apply, including the need to submit certain documents to the manufacturer. Owners should follow the instructions in the recall notification letter to file a claim. Owners who feel that their claim was wrongfully denied should pursue the matter with the manufacturer.

In addition, our statute does not require manufacturers to reimburse owners for costs associated with a safety recall (e.g., lost wages while the vehicle is being repaired, car rentals, damage caused by the defect, etc.). Nor does the statute authorize the Federal government to reimburse vehicle owners for any costs associated with safety recalls or assist vehicle owners in obtaining reimbursements for costs associated with an alleged defect.

A number of factors, other than crash severity, can affect whether an air bag will deploy in a given crash; e.g., the angle of impact, the speed of the other vehicle, and the amount of force absorbed by the other vehicle or object that is impacted. Only an expert in crash reconstruction can provide an educated opinion as to whether the air bag in a vehicle should have deployed in a specific crash.

Should you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, you can complete an electronic Vehicle Owner's Questionnaire online at <http://www.nhtsa.dot.gov/ivoq>. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at <http://www.nhtsa.dot.gov/cars/problems>.

Sincerely,

A handwritten signature in black ink, appearing to read "Randy Reid". The signature is fluid and cursive, with the first name "Randy" and last name "Reid" clearly distinguishable.

Randy Reid, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement