



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

INFORMATION Redacted PURSUANT TO THE FREEDOM OF  
INFORMATION ACT (FOIA), 5 U.S.C . 552(B)(6)

1200 New Jersey Avenue SE.  
Washington, DC 20590

December 5, 2011

The Honorable Kay R. Hagan  
United States Senator  
701 Green Valley Road, Suite 201  
Greensboro, NC 27408

NVS-216 nlm  
Ref. No. 10431094

Dear Senator Hagan:

Thank you for your correspondence on behalf of your constituent, [REDACTED]  
[REDACTED] wrote concerning his model year (MY) 2006 Toyota Corolla.

The National Highway Traffic Safety Administration (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. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect may exist. We cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

Reports from motorists are a very important source of information for us. [REDACTED] indicated that the electronic control module in his MY 2006 Toyota Corolla malfunctioned causing the vehicle to stall. He paid for the repair, but later received a recall notice that addresses defective electronic control modules in MY 2006 Toyota Corolla vehicles. [REDACTED] request for reimbursement was denied by the manufacturer.

The recall [REDACTED] indicates in his letter (NHTSA Safety Recall Campaign No. 10V-384) was announced by Toyota on August 26, 2010. Interim notifications were sent to owners in October 2010. Due to the volume of vehicles involved and parts availability the recall was conducted in phases. Owners in Phase I were notified in November 2010, and owners in Phase II were notified in February 2011. In addition, Toyota notified owners who were recorded as not having the recall completed in July 2011.



ES11-006471

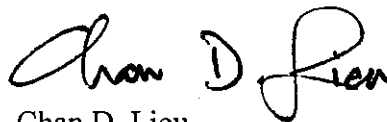
The Honorable Kay R. Hagan

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 1 year prior to the manufacturer's notification. Certain restrictions apply, including the need to submit certain documents to the manufacturer. However, those regulations do 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, towing, 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.

It is unclear from his letter whether [REDACTED] filed his claim for reimbursement in accordance with the instructions from Toyota or whether he submitted any documentation, such as a receipt showing the repair was to the electronic control module, when the repair was made, and for how much. We recommend he follow the instructions in the recall notification letter he received to file a claim with Toyota. He should include a copy of his repair receipt indicating that he paid to have his vehicle's electronic control module repaired. For [REDACTED] information, a brochure explaining the investigation and recall process is enclosed, or he can visit our web site at [www.odi.nhtsa.dot.gov](http://www.odi.nhtsa.dot.gov).

I hope this information is helpful. If you have any questions, please contact me or Ms. Nancy L. Lewis, Associate Administrator for Enforcement, at (202) 366-3217.

Sincerely yours,



Chan D. Lieu  
Director, Governmental Affairs,  
Policy and Strategic Planning

Enclosure

cc: Washington Office