



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

May 17, 2012

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

[REDACTED]

Aurora, CO [REDACTED]

NVS-216 nam
Ref. No. 10458358

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2010 Scion XB vehicle. Your letter was received the National Highway Traffic Safety Administration's (NHTSA) 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. 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 trend may exist. We do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

You indicate experiencing problems with the engine stalling in your MY 2010 Scion XB vehicle. You state that while driving the engine will shut off without warning; however, you are able to restart the vehicle. The dealer told you the only thing that can be done is for you continue to drive the vehicle until it stalls again and the computer may produce a diagnostic trouble code. You request that NHTSA assist in providing a resolution or a recommended course of action.

We reviewed our database in an effort to identify whether a safety-related defect trend exists with regard to engine stalling in MY 2010 Scion XB vehicles. At this time there is insufficient evidence to indicate a defect trend that warrants opening a safety defect investigation. However, the information provided has been entered into our database and will be considered with future reports to identify any safety defect trends that may require our attention. For your information, the NHTSA investigation and recall process can be found on our web site at www.nhtsa.gov.

We recommend that you continue to work with Toyota and your Scion dealer to resolve your problem. If you have not done so, you may consider contacting your local Consumer Protection Agency, or the Colorado Office of the Attorney General regarding your problem and your rights under the State lemon law. You may also ask your dealership for a meeting with a Toyota/Scion district manager regarding your problem.

The Federal Trade Commission (FTC) has jurisdiction over non-safety defects, paint, fraud or deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways you can contact the FTC: by toll free telephone at 1-877-FTC-HELP (1-877-382-4357); by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at www.ftccomplaintassistant.gov.

You may consider contacting your local Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve warranty disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. You can visit their web site at www.bbb.org to file a complaint and review eligibility information, or call the BBB Auto Line at, 1-800-955-5100.

Should you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, we would appreciate it if you would complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Auto Safety Hotline at 1-888-327-4236. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained from our web site.

Sincerely yours,



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