



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, DC 20590

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

November 12, 2013

[REDACTED]  
Erwin, NC [REDACTED]

NVS-216 nlm  
Ref. No. 10514203

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2008 and MY 2006 Toyota Corolla vehicles. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair motor 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 do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

You indicate two years ago you received recall notices (NHTSA Safety Recall Campaign No. 10V-384) for your MY 2006 and MY 2008 Toyota Corolla vehicles. The recall addresses a stalling condition caused by an improperly manufactured engine control module (ECM). Your dealer replaced the ECM in your MY 2006 Toyota Corolla based on the ECM serial number and your MY 2008 Toyota Corolla's ECM did not require replacement. On April 26, 2013, the MY 2008 Toyota Corolla stalled on your wife and son. She was able to restart the vehicle but the check engine light remained on. You took the vehicle to your dealer and they determined that the ECM failed. However, you discovered the recall repair information for your vehicles from 2 years ago was incorrect and had been crossed stating that the ECM was replaced in your MY 2008 Toyota Corolla. Due to a scheduling issue another dealer replaced the ECM. In addition, the part had to be ordered which required you to incur a rental car expense. You feel the ECM in your MY 2008 Toyota Corolla should have been replaced 2 years ago during the recall repair; therefore, you request reimbursement for the rental car expense.

Your recall notification states that dealers are instructed to inspect the part number and lot number located on the ECM. If the ECM is found to be one that requires replacement the dealer will do so free of charge as they did with your MY 2006 Toyota Corolla. However, according to the repair orders you provided, the dealer determined the part number and lot number of the ECM in your MY 2008 Toyota Corolla did not require replacement.

We sympathize with you; however, our statute does not require manufacturers to reimburse owners for additional 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 additional costs associated with safety recalls or assist vehicle owners in obtaining reimbursements for additional costs associated with an alleged defect. We recommend that you continue to work with Toyota and the dealer to pursue your reimbursement request.

If you have not done so, you may consider contacting your local Consumer Protection Agency or the North Carolina Office of the Attorney General regarding your problem and rights under the State law. You may also ask your dealership for a meeting with a Toyota district manager regarding your problem. In addition, the Federal Trade Commission (FTC) has jurisdiction over warranty, remuneration matters, and fair trade practices. There are three ways to 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](http://www.ftccomplaintassistant.gov).

You may also consider contacting the 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](http://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, you can complete an electronic Vehicle Owner's Questionnaire online at [www.nhtsa.gov](http://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 on our website.

Sincerely,



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