

INFORMATION Redacted PURSUANT TO THE FREEDOM OF

Form Approved: O.M.B. No. 2127-0008



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

INFORMATION ACT (FOIA) 5 U.S.C. § 552(B)(6)

Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

Form Approved: O.M.B. No. 2127-0008

Date Received
30-DEC-2014
Repository ☐
Reference No.
10669082

OWNER INFORMATION (Type or Print)

Name [REDACTED] Daytime Telephone Number [REDACTED] E-mail Address [REDACTED]
Address [REDACTED] Evening Telephone Number [REDACTED]
City MEMPHIS State TN Zip Code [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
JTKDE167450 [REDACTED]
Make TOYOTA Model SCION TC Model Year 2005
Date Purchased 2/12/05 Dealer's Name and Telephone Number Wholesale Toyota, 901-377-8000 Engine: No: Cylinders 4 Fuel Type: unleaded
Original Owner [X] Dealer's City Memphis State TN Zip Code 38016
Transmission Type automatic [X] Antilock Brakes [X] Cruise Control [X] Powertrain Multiple Failure: Incident Date(s) 28-DEC-2014

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Codes: 980000 UNKNOWN OR OTHER, 160000 STRUCTURE, 162700 STRUCTURE:
BODY: TRUNK LID Failure Mileage 118,000 Failure Speed 0

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make Tire Model (Name or Number) Tire Size (Example P215/65R15)
DOT No. (Example: DOTM19ABC036) ☐ Original Equipment ☐ Prior Repair Failure Location:
Tire Component Code Tire Failure Type:

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make: Date Manufactured: Model No./Name:
Seat Type: Installation System:
Child Seat Component Code: Failed Part:

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 1 Number of Deaths 0 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 2005 TOYOTA SCION TC. WHILE THE TRUNK WAS OPENED, IT FAILED TO REMAIN OPEN AND SLAMMED ONTO THE CONTACT'S BACK. THE CONTACT DID NOT REQUIRE MEDICAL ATTENTION. THE VEHICLE WAS DIAGNOSED WITH A HYDRAULIC LIFT FAILURE. THE SPECIFICS OF WHERE THE VEHICLE WAS DIAGNOSED WERE NOT AVAILABLE. THE VEHICLE WAS NOT REPAIRED. THE MANUFACTURER WAS NOT NOTIFIED OF THE FAILURE. THE VIN AND FAILURE MILEAGE WERE UNAVAILABLE.

The failure mileage was approximately 118,000 mi.
Wholesale Toyota (see above) diagnosed the vehicle (see enclosed paperwork). Also, the manufacturer was notified, Toyota in Torrance, CA. (see attached letter)

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.

Case no. [REDACTED]
Phone no. 800-331-4331 (Case)

Narrative Description of Incident(s), Failure(s), Crash(es), and Injury(ies)

Over the Christmas holidays at the end of December, my Scion TC was parked in my daughter's driveway. I raised the rear hatch all the way up, and leaned into the car to retrieve some gifts. Immediately upon doing so, the rear hatch fell down all the way, striking me on my back and knocking me to the floor of the rear of the car forcefully, so much so that 2 of my children ran over to see if I was injured. Amazingly, I had no injuries or residual soreness.

ATTACH ADDITIONAL SHEETS IF NECESSARY

(see page 2)

U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382

Official Business
Penalty for Private Use \$300

BUSINESS REPLY MAIL

FIRST-CLASS MAIL

PERMIT NO. 1888

WASHINGTON, DC

POSTAGE WILL BE PAID BY ADDRESSEE

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

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



Think your vehicle
has a safety defect?



If so:

Use the enclosed
form to file a report.

or visit:

www.safercar.gov

or call:

Vehicle Safety Hotline
888-327-4236



Vehicle Owner's Questionnaire (VOQ)
U.S. Department of Transportation
National Highway Traffic Safety Administration



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my hatch had been gradually losing its hydraulic lift power over the years, and it had become harder to lift. I had reported this to my dealer, Wolfchase Toyota, in either 2013 or 2014. They told me it would cost several hundred dollars to fix it, so I declined at the time.

Until the Dec. 2014 incident I have described in this report, my rear hatch back had never failed or not held its position when raised. If either of my 3-year-old granddaughters had been under the hatch when it failed, or if my

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head had been under the hatch, a serious injury or even death could have occurred.

Since my incident, my son, who has a 2007 TC has told me his hatchback does not hold its position either, and he consequently no longer opens it.

We both had our rear hatch handles replaced last year under Toyota's service bulletin. The rear hatch is very heavy, and that is why both the handles and the hydraulics

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1 fail over time. This is a
2
3 very common problem
4 which Toyota is very
5 aware of and refuses
6 to address. There needs
7 to be a recall to prevent
8 injuries or deaths
9

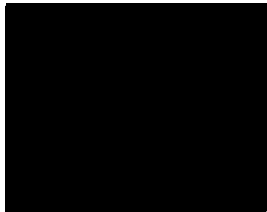
10
11 I took my TC in to
12 Wolfchase Toyota for inspection
13 1-17-15. They failed to
14 accurately document my
15 report of the hatch falling
16 on me, and instead wrote
17 in Item 2 that the "hatch
18 shocks were hard to open"
19 and "customer declined
20 repair." I declined because
21 of the prohibitive cost they
22
23
24

(See page 5)

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quoted me, and have elected
to stop opening the hatch,
like my son has done, and
therefore, maintaining my
safety, until Toyota or
my dealer, Wolchase, repair
the lift at no charge.

thank you for your help
in making Toyota do the
right thing with an
otherwise awesome car.



TOYOTA

Sandee Estrada
Direct Phone (310) 468-3100
Fax (310) 381-6000

Toyota Motor Sales, U.S.A., Inc.
19001 South Western Avenue
Torrance, CA 90501
310 468-4000

January 15, 2015

[REDACTED]

Memphis, TN [REDACTED]

RE: Date of Loss: December 24, 2014
 Vehicle: 2005 Scion tC
 VIN: JTKDE167450 [REDACTED]

Dear [REDACTED]

Thank you for contacting Scion's Customer Experience Center in regards to the incident that you reported on December 30, 2014.

You stated that the rear hatch of your vehicle hit you on the back and knocked you into the back of the vehicle.

Based on the information provided, the dealer advised you last year that the rear hatch struts needed to be replaced, but the repair was declined. The rear hatch struts can wear out over time and need to be replaced as part of the maintenance of the vehicle. Our inspection found no evidence of a manufacturing or design defect in your vehicle. Therefore, we are unable to honor your claim.

We are very sorry to hear about this unfortunate incident and we do appreciate the opportunity to address your concerns.

Sincerely,



Sandee Estrada
Legal Claims Administrator
Toyota Motor Sales, USA, Inc.



2201 N. Germantown Pkwy.
Memphis, TN 38018
(901) 377-8000

SERVICE HOURS

M-F 7:00 - 6:00
Sat. 7:00 - 5:00

PARTS DEPT.

M-F 7:00 - 6:00
Sat. 8:00 - 5:00

VISIT OUR WEBSITE: www.wolfchasetoyota.com

CUSTOMER NO.	ADVISOR SONNY TARAR	6321	TAG NO. 8404	INVOICE DATE 01/17/15
	LABOR RATE	LICENSE NO.	MILEAGE 119,143	COLOR FLINT/
MEMPHIS, TN	YEAR/MAKE/MODEL 05/TOYOTA/SCION/2 DOOR	DELIVERY DATE 02/12/05	DELIVERY MILES 278	
	VEHICLE ID NO. JTKDE167450	SELLING DEALER NO. 100	PRODUCTION DATE	
	F.T.E. NO.	P.O. NO.	R.O. DATE 01/17/15	
COMMENTS				

LABOR & PARTS
J# 1 10TOZ07 4 CYL TUNE UP TECH(S):6686 115.00
CUSTOMER REQUESTS 4 CYLINDER TUNE-UP
PERFORMED TUNE UP

PARTS	QTY	FP-NUMBER	DESCRIPTION	LIST PRICE	UNIT PRICE	PRICE
JOB # 1	4	90080-91180	PLUG, SPARK	15.00	15.00	60.00
JOB # 1 TOTAL PARTS						60.00
JOB # 1 TOTAL LABOR & PARTS						175.00

J# 2 61TOZ01 EXT TRIM CONCERN TECH(S):6686 0.00
C/S REAR HATCH SHOCKS HARD TO OPEN.
CUSTOMER DECLINED REPAIR

PARTS	QTY	FP-NUMBER	DESCRIPTION	LIST PRICE	UNIT PRICE	PRICE
JOB # 2 TOTAL PARTS						0.00
JOB # 2 TOTAL LABOR & PARTS						0.00

J# 3 46TOZ01 WHEEL/TIRE CONCERN TECH(S):6686 0.00
SHAKES WHEN DRIVING
TEST DROVE VEHICLE SEEM TO BE FINE AT THIS TIME
NOTICE CURB DAMAGE TO THE FRONT WHEEL AND TIRES
CANT DUPLICATE CONCERN

PARTS	QTY	FP-NUMBER	DESCRIPTION	LIST PRICE	UNIT PRICE	PRICE
JOB # 3 TOTAL PARTS						0.00
JOB # 3 TOTAL LABOR & PARTS						0.00

J# 4 60TOZ12 VISORS TECH(S):6686 0.00
C/S DRIVER SIDE VISOR INOP
CUSTOMER DECLINED REPAIR AT THIS TIME.

PARTS	QTY	FP-NUMBER	DESCRIPTION	LIST PRICE	UNIT PRICE	PRICE
JOB # 4 TOTAL PARTS						0.00
JOB # 4 TOTAL LABOR & PARTS						0.00

J# 5 11TOZ01 ENGINE CONCERN TECH(S):6686 INTERNAL
C/S LOUD NOISE WITH COLD START UPS.
LET VEHICLE SIT AND STARTED COULD NOT HEAR ANYTHING
CANT DUPLICATE CONCERN

PARTS	QTY	FP-NUMBER	DESCRIPTION	LIST PRICE	UNIT PRICE	PRICE
JOB # 5 TOTAL PARTS						0.00
JOB # 5 TOTAL LABOR & PARTS						0.00

MISC	CODE	DESCRIPTION	CONTROL NO
JOB # 1	LPD15	15% LABOR DISCOUNT	-17.25
JOB # 1	PDP15	15% PARTS DISCOUNT	-9.00
JOB # 1	IC	INTERNAL COUPONS	-15.00

DISCLAIMER OF WARRANTIES

"All expressed warranties, if any, by a manufacturer or supplier are theirs, not the dealers, unless otherwise provided in writing and furnished to the buyer by the dealer. Tennessee's implied warranty law may give the buyer additional rights."

NOT RESPONSIBLE FOR LOSS OR DAMAGE TO CARS OR ARTICLES LEFT IN CARS IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE BEYOND OUR CONTROL

ENVIRONMENTAL COMPLIANCE CHARGE

Maintaining and repairing your car inevitably involves the use of chemicals and generation of wastes (solvents, oils, caustics, lead, asbestos, etc.) that must be stored, managed and disposed of in strict compliance with federal, state and local environmental regulations. We support these regulations and also believe our customers do too because they help ensure a safer, healthier environment for everyone. Complying with these regulations increases the cost of service. Ordinarily, increased costs simply result in an increased hourly labor charge. This dealership has decided in lieu of raising its labor rate, to list a compliance charge on appropriate service bills because we believe our customers would be interested to know they are helping to pay for a cleaner environment.

WOLFCHASE
TOYOTA



LZR-SER-INV ITEM #7400



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[REDACTED]	LABOR RATE	LICENSE NO.	MILEAGE 119,143	COLOR FLINT/	STOCK NO.
MEMPHIS, TN [REDACTED]	YEAR / MAKE / MODEL 05/TOYOTA/SCION/2 DOOR	DELIVERY DATE 02/12/05		DELIVERY MILES 278	
	VEHICLE ID NO. J T K D E 1 6 7 4 5 0	SELLING DEALER NO. 100		PRODUCTION DATE	
	F.T.E. NO.	P.O. NO.	R.O. DATE 01/17/15		
COMMENTS					

TOTAL - MISC -41.25

COMMENTS-----
REAR HATCH IS BROKEN/SPRINGS ARE BROKEN AND WIPER BLADES ARE MAKING
A NOISE/VISOR IS FLOPPY AS WELL
DELETED OPERATION(S)-----
11T0Z04 FLUID LEAK-ENGINE

TOTALS-----

* [] CASH [] CHECK CK NO. [] *
* *
* [] VISA [] MASTERCARD [] DISCOVER *
* *
* [] AMER XPRESS [] OTHER [] CHARGE *

TOTAL LABOR.... 115.00
TOTAL PARTS.... 60.00
TOTAL SUBLET... 0.00
TOTAL G.O.G.... 0.00
TOTAL MISC CHG. 0.00
TOTAL MISC DISC -41.25
TOTAL TAX..... 13.77

TOTAL INVOICE \$ 147.52

THANK YOU FOR YOUR BUSINESS! WE HOPE YOUR SERVICE EXPERIENCE
HAS BEEN EXCELLENT. YOU MAY RECEIVE A SURVEY FROM TOYOTA BY
E-MAIL. IF YOU CANNOT MARK US WITH AN EXCELLENT RATING
PLEASE CALL JERRY BECKER - SERVICE MANAGER TO HELP WITH
YOUR NEEDS.

OUR SURVEY REFLECTS YOUR CURRENT VISIT AND HOW WELL WE
TREATED YOU. WE WANT TO HAVE YOU COMPLETELY SATISFIED WITH
YOUR SERVICE EXPERIENCE.

CUSTOMER SIGNATURE

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