

INFORMATION Redacted PURSUANT TO THE FREEDOM OF



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

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

FOR AGENCY USE ONLY 100148

Date Received
28-JUL-2015

Repository
Reference No.
10744308

OWNER INFORMATION (Type or Print)

Name [REDACTED]
Address [REDACTED]
City NISSWA State MN Zip Code [REDACTED]

Daytime Telephone Number [REDACTED] E-mail Address [REDACTED]
Evening Telephone Number [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 [REDACTED]
Make TOYOTA Model HIGHLANDER Model Year 2013
Date Purchased 07/18/2013 Dealer's Name and Telephone Number (original dealer) Koons Tysons Toyota (703) 790-5920 Engine: No: Cylinders 6 Fuel Type: Gas
Original Owner Dealer's City Vienna, VA 22182 State Zip Code
Transmission Type 5 spd auto Antilock Brakes Cruise Control Powertrain 4WD Multiple Failure: Over a dozen Incident Date(s) 25-APR-2014 (first documentation)

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Codes: ENGINE (PWS), 110000 ELECTRICAL SYSTEM, FUEL/PROPULSION SYSTEM (PWS) Failure Mileage 7600 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: DOTMAL9ABC036) 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 0 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).

I PURCHASED THE 2013 HIGHLANDER NEW FROM A DEALER IN VIENNA, VA IN JULY 2013. THE AUTO STARTED A STRING OF ENGINE HESITANCY TO ACCELERATE PROBLEMS AT AROUND 5,000 MILES WHICH WAS REPORTED TO THE DEALER AT THE 5,000 MILE CHECK-UP AND AGAIN AT THE 7,500 MILE CHECKUP. THE SERVICE DEPARTMENT COULD NOT DUPLICATE THE PROBLEM AND GAVE THE ENGINE A CLEAN BILL OF HEALTH. WE MOVED TO MN IN MAY 2014 AND THE HESITANCY OF THE CAR TO MOVE (ACCELERATE) FROM A STOPPED POSITION FOR SEVERAL SECONDS AFTER ENGAGING THE GAS PETAL CONTINUES AND IS INCREASING IN FREQUENCY. THE CAR HAS BEEN TAKEN IN TO THE LOCAL TOYOTA DEALER ON THREE OCCASIONS WITH THE SAME ANSWER THAT THERE IS NO PROBLEM WITH THE CAR. I HAVE BEEN IN TWO NEAR ACCIDENTS WHILE PULLING OUT IN TRAFFIC ON TO A HIGH SPEED DIVIDED HIGHWAY AND CONSIDER THIS A VERY SERIOUS SAFETY ISSUE. IT HAPPENS RANDOMLY, (THREE TIMES THIS PAST WEEK), BUT A PATTERN HAS DEVELOPED - MOST INCIDENTS OCCUR WHILE IDLING AT INTERSECTIONS FOR SOME TIME WAITING FOR TRAFFIC TO CLEAR, TRAFFIC LIGHTS, ETC, AND THEN MAKING A LEFT HAND TURN ONTO THE ROADWAY. THE CAR HAS EXHIBITED THIS BEHAVIOR ONLY A COUPLE TIMES WHILE MAKING A RIGHT HAND TURN FROM A IDLING START. THE SENSATION IS THAT THE ENGINE STALLED AND NO MATTER WHAT IS DONE WITH THE GAS PETAL NOTHING HAPPENS FOR ANYWHERE UP TO 4-5 SECONDS. WITH TRAFFIC MOVING AT 60 MILES AN HOUR AND ONE IS ATTEMPTING TO MERGE INTO TRAFFIC, A FIVE SECOND DELAY BI

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.

DOT Auto Safety Hotline

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

Vehicle Owner's Questionnaire

OWNER INFORMATION: [REDACTED], Nisswa MN
Ref #: 10744308

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(cutoff applicable incident information from page 1)

A FIVE SECOND DELAY BRINGS THE ON-COMING TRAFFIC ALMOST 450 FEET CLOSER TO ONE BEFORE THE CAR STARTS TO MOVE REQUIRING MORE DISTANCE IN TRAFFIC GAPS TO OVERCOME A POTENTIAL STALL IN THE ROADWAY. I HAVE COME ACROSS ANOTHER LOCAL OWNER WITH THE SAME PROBLEM AND NOTE AT LEAST 15 OTHER COMPLAINTS ON THE WEB OF ALMOST THE EXACT CIRCUMSTANCES. WHAT DOES IT TAKE FOR TOYOTA TO RECOGNIZE THIS AS A SAFETY ISSUE?

New Information:

My current local dealer, Lake Country Toyota, Baxter, MN kept the car for two days in August 2015 and could not duplicate the problem. They promised to turn the issue over to the Regional Toyota Rep which has not happen in the past two months. The head mechanic at Lake Country Toyota who had tested the car for the two day period came up with another explanation as to why the car behaves as I described the problem. Since the accelerator pedal no longer has a direct connection to a carburetor to accelerate the car based on the driver's needs, a computer determines whether the car responds to the driver based on the lean or slant of the car, the position of the car (turning, straight ahead, etc), the weather, how much the accelerator pedal is pushed, and so on. In effect, the computer decides whether or not it is prudent for the driver to pull out into traffic while going from an idle position awaiting traffic and immediately accelerate while executing a sharp turn. So, the mechanics advise: "Don't do that anymore".

Is this a safety issue? I believe so when the driver cannot have direct control of the vehicle and expect a response from the vehicle corresponding to the driver's actions. Nowhere, that I can find, does Toyota verbally tell customers or give any sort of written warning in manual or pamphlets that the vehicle they are driving may not response to their commands as expected under varying conditions. Based on the number of complaints I have found for my model Toyota and other Toyota models, hesitation of the vehicle to accelerate on command by the Toyota engines is a company-wide problem and I strongly feel warrants investigation. This is all Toyota software in the computer and is a problem that can be corrected. Why do Toyota engineers believe they are smarter than the driver behind the wheel dealing with the NOW?

ATTACHMENTS:

Three dealer repair invoices stating they cannot duplicate the problem and there is NO problem with the engine.

CUSTOMER #: [REDACTED]



INVOICE

7036 Lake Forest Rd.
Baxter, MN 56425
Service Phone: 218-454-2200
Fax: 218-454-2221
www.lakecountrytoyota.com

PAGE 1

NISSWA, MN
HOME: [REDACTED] CONT: [REDACTED]
BUS: [REDACTED] CELL: [REDACTED]

SERVICE ADVISOR: 6799 KYLE PETERSON

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
SILVER	13	TOYOTA HIGHLANDER	5TDDK3EH0DS [REDACTED]		24858/24858	T5658	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
01JAN14	DD01JAN14		21:00 29MAY15			TEC	29MAY15
R.O. OPENED	READY	OPTIONS:	DLR: [REDACTED]	ENG: 3.5_Liter			
09:51 29MAY15	10:28 29MAY15						

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
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A TOYOTA CARE-CUSTOMER WOULD LIKE US TO PERFORM TOYOTAS 25,000 MILE SERVICE, ROTATE THE TIRES TO THE MOST OPTIMAL POSITION, TOP OFF FLUIDS, LUBE THE CHASSIS, SET THE TIRE PRESSURE, BRAKE INSPECTION, TEST THE BATTERY, FULL VEHICLE INSPECTION AS PER THE MAINT GUIDE

CAUSE: SERVICE COMPLETED

25KSYN 25,000 MILE SYNTHETIC VEHICLE SERVICE - NO COST MAINT

4588 CTEC	31.50	31.50
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B CUSTOMER STATES WHEN AT A STOP SIGN/ STOP LIGHT AND SITS FOR A WHILE THE VEHICLE IS HESITANT TO TAKE OFF.

01 TECHNICIAN COULD NOT DUPLICATE CONCERN AT THIS TIME.

99 CP	0.00	0.00
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,,, CHECKED HISTORY COULD FIND NO FAULT CODES IN VEHICLES HISTORY

**CASH VMC DISC AE CHECK CHG **

THANK YOU FOR YOUR BUSINESS

ALL PARTS NEW ORIGINAL EQUIPMENT, UNLESS OTHERWISE SPECIFIED

Thank you for this opportunity to serve you. It is our aim to perform all the repairs requested on this repair order to your complete satisfaction. If our service was satisfactory tell your friends. If not please tell us immediately.

"Any warranties on the products sold hereby are those made by the manufacturer. The seller LAKE COUNTRY TOYOTA SCION hereby expressly disclaims all warranties, neither express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products."

X _____
CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	31.50
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	31.50
LESS INSURANCE	31.50
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

CUSTOMER #: [REDACTED]

INVOICE

7036 Lake Forest Rd.
Baxter, MN 56425
Service Phone: 218-454-2200
Fax: 218-454-2221
www.lakecountrytoyota.com

NISSWA, MN [REDACTED]
HOME: [REDACTED] CONT: [REDACTED]
BUS: [REDACTED] CELL: [REDACTED]

PAGE 1

SERVICE ADVISOR: 6581 TYLER PETERSON

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
SILVER	13	TOYOTA HIGHLANDER	5TDDK3EH0DS [REDACTED]	[REDACTED]	13550/13550		
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
01JAN14 DD	01JAN14		21:00 19AUG14			TEC	19AUG14
R.O. OPENED	READY	OPTIONS: DLR: [REDACTED] ENG: 3.5 Liter					
10:08 19AUG14	11:31 19AUG14						

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
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A TOYOTA CARE-CUSTOMER WOULD LIKE US TO PERFORM TOYOTAS 15,000 MILE SERVICE, CLEAN CABIN AIR FILTER, ROTATE THE TIRES TO THE MOST OPTIMAL POSITION, TOP OFF FLUIDS, LUBE THE CHASSIS, SET THE TIRE PRESSURE, BRAKE INSPECTION, TEST THE BATTERY, FULL VEHICLE INSPECTION AS PER THE MAINT GUIDE

CAUSE: SERVICE COMPLETED

15KSYN 15,000 MILE SYNTHETIC VEHICL E SERVICE -
NO COST MAINT
6099 SIMONEAU, MAX LIC#: 1
CTEC

45.00 45.00

B CUSTOMER WOULD LIKE US TO PERFORM RECALL EOH CERTAIN 13' HIGHLANDER 2ND ROW LEFT HAND SEAT INBOARD SEAT TRACK SPECIALIZED WASHER REPLACEMENT - AGG44A .5/TECH

CAUSE: VERIFIED VEHICLE PART OF RECALL THROUGH TIS
AGG44A EOH-INSTALL SPECIAL WASHER - LH 2ND ROW SEAT - HIGHLANDER

4521 W

1 71788-0E010 WASHER, FR SEAT BACK

(N/C)
(N/C)

C CUSTOMER STATES THERE IS A HESITATION WHEN TAKING OFF- [PLEASE CHECK AND ADVISSE

01 COULD NOT DUPLICATE

99 CP

0.00 0.00

**CASH VMC DISC AE CHECK CHG **

THANK YOU FOR YOUR BUSINESS

ALL PARTS NEW ORIGINAL EQUIPMENT, UNLESS OTHERWISE SPECIFIED

Thank you for this opportunity to serve you. It is our aim to perform all the repairs requested on this repair order to your complete satisfaction. If our service was satisfactory tell your friends. If not please tell us immediately.

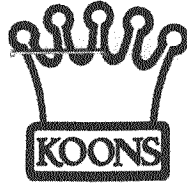
"Any warranties on the products sold hereby are those made by the manufacturer. The seller LAKE COUNTRY TOYOTA SCION hereby expressly disclaims all warranties, neither express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of said products."

X _____
CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	45.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	45.00
LESS INSURANCE	45.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

KOONS TYSONS TOYOTA

8610 LEESBURG PIKE
VIENNA, VA 22182
(703) 847-2020



VISIT OUR WEBSITE
www.koons.com

We won't be satisfied until you are!

Limited Warranty

Parts and labor are warranted for 12 months, unlimited miles.

Adv:	Tag: 7315	License: [REDACTED]	5TDDK3EH0 DS [REDACTED]	Page: 1	Invoice: [REDACTED]	
Invoice to			Driver/Owner Information			
[REDACTED] OAKTON, VA [REDACTED] [REDACTED] [REDACTED] Cell: [REDACTED] Work: ([REDACTED])			[REDACTED] OAKTON, VA [REDACTED] [REDACTED] [REDACTED] Cell: [REDACTED] Work: ([REDACTED])			
For Office Use			Vehicle Information			
Odometer in: 7677 Out: 7685		WAR X I W Prelim		13 TOYOTA HIGHLANDER 4WD LTD 4DR SUV		
			Stock#: [REDACTED]			
Begin: 04/29/14		Done: 04/29/14		Invoiced: 04/30/14 19:37 MO		
Customer Concern						
Concern 51	CUSTOMER STATES HESITATION WHEN ACCELERATION			Operation	Tech Units	Amount
Cause	OPERATING AS DESIGNED			801013	992 1.0	120.41
Correction	PERFORMED ENGINE DIAGNOSTIC AND PERFORM ROAD TEST OK. PERFORMED HEALTH CHECK DURING ROAD TEST AND VEHICLE IS OPERATING AS DESIGNED. Tech 992 RUHSTORFER, TOM					
Summary of Charges for Invoice [REDACTED]			Payment Distribution for Invoice [REDACTED]			
LAB-MECHANICAL		120.41		TOTAL CHARGE		120.41
TOTAL CHARGE		120.41		WARRANTY RECEIVABLE		120.41
CUSTOMER PAY Attention: The following Invoices also exist EXP - EXPRESS MAI INT - INTERNAL If you have any questions - please see FRANK E LEWIS						
Last Page						

PLEASE RETAIN THIS COPY AS YOUR SERVICE RECORD.

I ACKNOWLEDGE RECEIPT OF
MY VEHICLE FROM
KOONS TYSONS TOYOTA X