

CL-11512608-2000



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



May 12, 2023

[REDACTED]
Plano, TX [REDACTED]

NEF-109 br
Ref. No. 11512608

Dear [REDACTED]:

Thank you for the letter about your model year (MY) 2012 Toyota Camry vehicle. Your letter was forwarded to the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. I am pleased to respond.

NHTSA is the Federal agency responsible for improving safety on our Nation's roadways. We are authorized to order manufacturers to recall and repair vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects, such as in their design, construction, or performance. Among other activities, we also monitor the completion rates and adequacy of manufacturers' recall campaigns.

We appreciate the report you provided. Reports from motorists are a very important source of information for us. We are aware of Toyota's warranty enhancement program (Bulletin No. ZE5). Certain MY 2012 through MY 2014 Toyota Camry vehicles may exhibit a brief intermittent shudder during torque converter lock up. This shudder may be observed while driving under light throttle conditions between approximately 25 – 50 mph. As you know, this warranty enhancement covers the condition described above for a period of 8 years or 150,000 miles, whichever occurs first, from the date the vehicle was originally placed in service, regardless of ownership.

Please note that the warranty enhancement program at issue was initiated by Toyota and is not a safety recall. The issuance of a special coverage adjustment, service campaign or extended warranty by a manufacturer does not necessarily mean that a vehicle contains a safety-related defect in accordance with our statute, the National Traffic and Motor Vehicle Safety Act. Manufacturers may issue these types of actions at their discretion to address a known problem unrelated to motor vehicle safety and to restore customer satisfaction. NHTSA continuously monitors manufacturer policy adjustments to identify any such campaigns and programs that may involve safety issues for which a recall is necessary. However, NHTSA does not otherwise regulate a manufacturer's service campaigns and warranty enhancement programs. Thus, the manufacturer remains responsible for all aspects of such programs, including the nature and scope of the repair, the vehicles and model years at issue, and all associated campaign timing and owner notifications.

We entered your information into the agency's database. It will be used with other reports to identify any safety defect trends that may require our attention. You can learn more about NHTSA's investigation and recall process on our website at https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/mvdefectsandrecalls_808795.pdf.

We encourage you to continue working with Toyota and your dealer to explore an amicable resolution to your problem. You may consider contacting your local Consumer Protection Agency or the Texas Attorney General's Office regarding your problem and rights under the State laws. You may also ask your dealership for a meeting with a Toyota district manager regarding your problem. In addition, the Federal Trade Commission (FTC) regulates and investigates unfair, deceptive or fraudulent practices in the marketplace. Therefore, if you believe this issue potentially relates to such a practice, you may contact the FTC to discuss the matter. There are three ways to contact the FTC: by toll free telephone at 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.

Finally, 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 website at www.bbb.org to file a complaint and review eligibility information or call the BBB Auto Line at 800-955-5100.

If you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, please complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Vehicle Safety Hotline at 888-327-4236. Also, you may review owners' complaints, safety recalls, manufacturers' service bulletins, etc., on our website.

Sincerely,



Randy Reid, Chief
Consumer Engagement Division
Office of Defects Investigation
Enforcement

From

Plano, TX

Ref: Ref No: 11512608

Dear

First Thank you for responding to my written request. I am saddened to hear the response from you that it really fails to address the core of the subject at hand.

As your letter indicates acknowledges the potential lock up of the torque converter which can cause a safety issue to the consumer. Also is evident from the limited warranty enhancement program (Bulletin no ZE5), over 1.5 million vehicles are impacted based on self-reporting from Toyota.

The main question that is never answered is, **why did NHTSA did not require Toyota to do a recall instead of this warranty enhancement?** Why is this burden pushed to the consumer with a ticking issue and a putting a timeline to honor the replacement? If this is a design defect as is evident from it, why is this not a total recall?

This is a brand new design introduced by Toyota in its transmission in MY 2012. **So with this defect, what investigation has NHTSA conducted and what was its outcome on this issue?** If no investigation is done even with over 1.5 million vehicles impacted, then why not?

Please help provide some insight into your department's analysis of this safety issue.

BTW: Please note that URL you indicated for FTC in the letter does not exist. Please have it checked.

Respectfully

Plano, TX

NORTH TEXAS TX P&DC
DALLAS TX 750

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ATTN: CONSUMER ENGAGEMENT DIV

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