

Handwritten: 3/27/07

TOYOTA
TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE
601 THIRTEENTH STREET, NW, SUITE 910 SOUTH, WASHINGTON, DC 20005

TEL: (202) 775-1700
FAX: (202) 463-8513

March 23, 2007

Mr. Thomas Z. Cooper
Chief – Vehicle Integrity Division
Office of Defects Investigation
National Highway Traffic Safety Administration
400 Seventh St., SW
Washington, DC 20590

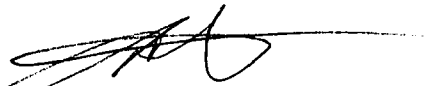
Re: NVS-212mjl; EA06-020

Dear Mr. Cooper:

This letter is being sent in response to your January 22, 2007 letter regarding EA06-020. Per our agreement, Toyota is providing a partial response to your inquiry. The remainder of our response will be submitted on April 6.

Enclosed you will find two copies of this response, including two CD-ROMs that contain all of the attachments being submitted at this time, except "Attachment-Response 9." Toyota considers certain information within "Attachment-Response 9" to be confidential, and has requested confidential treatment for this material from the Office of Chief Counsel. We are including hard copies of this material in redacted format. Should you have any questions about this response, please contact Mr. Chris Santucci of my staff at (202) 775-1707.

Sincerely,



Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.

CT:cs
Enclosure

1. State, by model and model year, the number of the subject vehicles Toyota has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Toyota, state the following:
 - a. Vehicle identification number (VIN);
 - b. Make;
 - c. Model;
 - d. Model Year;
 - e. Date of manufacture;
 - f. Date warranty coverage commenced; and
 - g. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA."

Response 1

The number of MY 2004-2006 Toyota Sienna vehicles equipped with power liftgates Toyota has manufactured for sale or lease in the United States by model year is as follows:

Model	Model Year	Total
Sienna	2004	82,870
	2005	59,548
	2006	53,662
Total		196,080

In addition, detailed information for each vehicle is provided electronically on CD-ROM, in Microsoft Access 2000 format entitled "PRODUCTION DATA(EA06-020).mdb" stored in the folder "Attachment-Response 1".

2. State the number of each of the following, received by Toyota, or of which Toyota is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
 - d. Property damage claims;
 - e. Third-party arbitration proceedings where Toyota is or was a party to the arbitration; and
 - f. Lawsuits, both pending and closed, in which Toyota is or was a defendant or codefendant.

For subparts “a” through “f,” state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items “c” through “f,” provide a summary description of the alleged problem and causal and contributing factors and Toyota’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “e” and “f,” identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Response 2

- a. Using the counting methodology described in your question, there are 134 consumer complaint reports that may relate to the alleged defect in the subject vehicles. Since some customers complained about multiple incidents or same incidents, the total number of unique vehicles in the consumer complaints is 109. This includes 12 vehicles which are duplicated with the NHTSA VOQs attached to the inquiry letter.
- b. There are five field reports that may relate to the alleged defect in the subject vehicles.
- c. There are no reports involving a crash and/or fatality. However in the consumer complaints, 12 incidents have been reported where a minor injury had occurred. In addition, Toyota has received four legal related claims involving a minor injury. Two of those four complaints are duplicated with our consumer complaints and one of those two complaints is also duplicated with the NHTSA VOQ.
- d. There are no property damage claims which may relate to the alleged defect.
- e. There are no third party arbitration proceedings where Toyota is or was a party to the arbitration.
- f. There are two lawsuits that may relate to alleged defect, in which Toyota is or was a defendant or codefendant.

The total count of the unique incidents for each item by model year, which may relate to the alleged defect in the subject vehicles, is provided electronically on CD-ROM in Microsoft Excel 2000 format entitled “Total Number.xls” stored in the folder “Attachment- Response 2”.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
 - a. Toyota's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
 - d. Vehicle's VIN;
 - e. Vehicle's make, model and model year;
 - f. Vehicle's mileage at time of incident;
 - g. Incident date;
 - h. Report or claim date;
 - i. Whether a crash is alleged;
 - j. Whether property damage is alleged;
 - k. Number of alleged injuries, if any; and
 - l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

Response 3

The information for each item (complaint, report, claim, notice, or matter) is provided electronically on CD-ROM, in Microsoft Access 2000 format entitled "REQUEST NUMBER TWO DATA(EA06-020).mdb" stored in the folder "Attachment-Response 3".

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Toyota used for organizing the documents.

Response 4

A list of the consumer complaints, copies of the field reports, and documents related to the legal related claims and lawsuits are all provided electronically on CD-ROM in Microsoft Excel 2000 and PDF format stored in the folder "Attachment-Response 4."

(The list of the consumer complaints is stored in sub-folder "a. consumer complaint." Copies of the field reports are stored in sub-folder "b. Field Report", the documents for the legal related claims are stored in the sub-folder "c. Legal related claims" and the documents for the lawsuits are stored in the sub-folder "f. Lawsuit".)

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Toyota to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Toyota's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;
- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and
- k. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA."

Response 5

The total counts of warranty claims, extended warranty claims and claims for good will services paid by Toyota for the subject vehicles that may relate to the alleged defect by model year are provided electronically on CD-ROM, in Microsoft Excel 2000 format entitled "Total Count for Claims.xls" stored in the folder "Attachment- Response 5".

The detailed information for each claim is provided electronically on CD-ROM, in Microsoft Access 2000 format entitled "WARRANTY DATA(EA06-020).mdb" stored in the folder "Attachment- Response 5".

6. Describe in detail the search criteria used by Toyota to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Toyota on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Toyota offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

Response 6

The search criteria used by Toyota to identify the claims is the following:

Toyota searched the warranty database for those claims that replaced any of the parts identified in Microsoft Excel file entitled "Search Criteria, Operation & Problem Codes.xls" stored in the folder "Attachment-Response 6" on CD-ROM. Toyota then reviewed the claim comments to determine if the claims may be related to the alleged defect. In addition, a list of all labor operations, labor operation descriptions, problem codes and problem code descriptions identified in these warranty claims are also provided in the same Microsoft Excel file described above.

The terms that Toyota offers for new vehicle warranty coverage is 36 months or 36,000 miles on MY 2004-2006 Sienna vehicles from the vehicle's date-of-first-use, whichever occurs first.

There are some extended warranty coverage options that Toyota offered for purchase with the subject vehicles. Detailed information about these options is provided electronically on CD-ROM, in PDF format, entitled "Extended Warranty Option.pdf" stored in the folder "Attachment-Response 6".

Toyota will respond to the number of vehicles that are covered under each such extended warranty option on April 6.

7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that Toyota has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Toyota is planning to issue within the next 120 days.

Response 7

Toyota has issued two service bulletins that may relate to the alleged defect. One of the two service bulletins has been provided in our response to PE06-024 information request). Copies of the service bulletins are provided electronically on CD-ROM in PDF format stored in the folder "Attachment-Response 7".

8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, “actions”) that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Toyota. For each such action, provide the following information:
- a. Action title or identifier;
 - b. The actual or planned start date;
 - c. The actual or expected end date;
 - d. Brief summary of the subject and objective of the action;
 - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action. If an action is not complete, provide a detailed schedule for the work to be done, tentative findings and/or conclusions, and provide an update within 10 days of completion of the action.

Response 8

Toyota will respond to this inquiry on April 6.

9. Describe all modifications or changes made by, or on behalf of, Toyota in the design, material composition, manufacture, quality control, supply, or installation of the subject components, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:
- a. The date or approximate date on which the modification or change was incorporated into vehicle production;
 - b. A detailed description of the modification or change;
 - c. The reason(s) for the modification or change;
 - d. The part numbers (service and engineering) of the original component;
 - e. The part number (service and engineering) of the modified component;
 - f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
 - g. When the modified component was made available as a service component; and
 - h. Whether the modified component can be interchanged with earlier production components.

Also, provide the above information for any modification or change that Toyota is aware of which may be incorporated into vehicle production within the next 120 days.

Response 9

All modifications or changes made by Toyota, or on behalf of Toyota in the design, material composition, manufacture, quality control or installation, which relate to the “subject components” are provided as “Attachment-Response 9”. Please note that some of the information included in “Attachment-Response 9” is confidential, and a request for confidential treatment has been submitted to the Office of Chief Counsel. A public version of “Attachment-Response 9” is included with our response to your office; please see the Office of Chief Counsel for the confidential version of this document.

10. Furnish copies of all engineering specifications and drawings for each item within the scope of your response to Request No. 9. Include any engineering drawings that show the subject components attached to the liftgate and vehicle structure. Also, provide the weight of the liftgate.

Response 10

Toyota will respond to this inquiry on April 6.

11. Produce copies of all documents related to all design and performance specifications, requirements and guidelines for the liftgate struts in the subject vehicles, including but not limited to, strut lifting capacity, design/expected usage cycles and vehicle service years.

Response 11

Toyota will respond to this inquiry on April 6.

12. Produce copies of all documents related to all durability and environmental testing of the liftgate struts in the subject vehicles conducted by Toyota or on its behalf.

Response 12

Toyota will respond to this inquiry on April 6.

13. In the “Attachment-Response 9” (document identified as confidential) of its letter to ODI, dated October 19, 2006, Toyota stated that the reasons for several of the design changes were to “improve operating effort.” Please elaborate on the reasons for those changes and describe how each change (e.g., rod diameter change, bracket shape change, etc.) affect the durability of the liftgate struts and the ability of the subject components to open, close and/or support the liftgate. Also, provide the specifications for the different types of seals mentioned in the above attachment.

Response 13

Toyota will respond to this inquiry on April 6.

14. Describe and furnish the specifications of the controlled (automatic) closing design feature which activates when the struts cannot support the liftgate. Include nominal speed threshold (including tolerances) required to activate automatic closing. Explain whether the controlled (automatic) closing design feature will activate when the struts cannot support the liftgate and the operator manually opens the liftgate to the fully-open position, as well as when the operator manually opens the liftgate to a position less than fully-open. Please provide copies of all documents related to the information requested in this paragraph.

Response 14

Toyota will respond to this inquiry on April 6.

15. Describe and furnish the specifications of the jam protection sensor that senses the speed of the power liftgate motor and reverses the motor operation when it senses a change in motor speed. Describe the motor mechanism and how it detects a change in motor speed and what change of speed is required to activate the sensor. Also, furnish the nominal force (including its tolerances) required to reverse the motor operation by the pinch protection sensor. Please provide copies of all documents related to the information requested in this paragraph.

Response 15

Toyota will respond to this inquiry on April 6.

16. Produce two of each of the following:
 - a. Exemplar samples of each design version of the subject components;
 - b. Field-returned samples of the subject components exhibiting the subject failure mode; and
 - c. Any kits that have been released, or developed, by Toyota for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.

Response 16

- a. Toyota provides samples of two design versions of the liftgate struts. (Toyota has provided samples of three previous design version of the liftgate struts in our response to PE06-024 information request)
- b. Toyota has provided field-returned samples of the liftgate struts exhibiting the subject failure mode (Toyota has identified two failure modes) in our response to PE06-024 information request.
- c. Toyota has not released or developed any kits for use in service repairs to the subject component /assembly which relate, or may relate, to the alleged defect in the subject vehicles.

17. State the number of each component/assembly of the subject components that Toyota has sold that may be used in the subject vehicles by component name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable). Include any kits that have been released, or developed, by Toyota for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.

For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number). Also, identify by make, model and model year, any other vehicles of which Toyota is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

Response 17

The number of subject components that Toyota has sold that may be used in 2004 through 2006 model year Toyota Sienna vehicles equipped with power liftgates by component name, part number, and month/year of sale is provided electronically on CD-ROM, in Microsoft Excel 2000 format entitled "Number of components sold in the US.xls", stored in the folder "Attachment- Response 17". Please note that, as mentioned in the Excel file below, some parts have been used in other models (including 2004 through 2006 model year Toyota Sienna vehicles not equipped with power liftgates) and Toyota's part sales database does not include data on the model and model year of the vehicle in which the sold component is used. Therefore, the sales data includes the number of components sold for use not only in 2004 through 2006 model year Toyota Sienna vehicles equipped with power liftgates but also in the vehicles that contain the identical components installed in production or in service. The lists of other vehicles that contain the identical components are also provided electronically on CD-ROM, in Microsoft Excel 2000 format entitled "Other vehicles using identical parts.xls", stored in the folder "Attachment- Response 17".

The information on the supplier for each component parts number is provided electronically on CD-ROM, in Microsoft Excel 2000 format entitled "Supplier Information.xls", stored in the folder "Attachment-Response 17".

18. Furnish Toyota's assessment of the alleged defect in the subject vehicles, including:

- a. The causal or contributory factor(s);
- b. The failure mechanism(s);
- c. The failure mode(s);
- d. The risk to motor vehicle safety that it poses;
- e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning;
and
- f. The reports included with this inquiry.

Response 18

Toyota will respond to this inquiry on April 6.

* * *

Regarding privileged documents that may be responsive to this information request, Toyota understands that it is acceptable to the Agency at this stage for Toyota to identify categories of privileged documents rather than any specific document within those categories. These categories include (a) communications between outside counsel and employees of Toyota's Law Department, other Toyota employees, or employees of parties represented by Toyota in litigation or claims; (b) communications between employees of Toyota's Law Department and other Toyota employees or employees of parties represented by Toyota in litigation or claims; (c) notes and other work product of outside counsel or employees of Toyota's Law Department, including work product of employees or consultants done for or at the request of outside counsel or Toyota's Law Department. For any privileged documents that are not covered by these categories, if any, Toyota will provide a privilege log identifying any such documents under separate cover. Toyota is not claiming a legal privilege for any documents provided with this response; however, Toyota does not waive the legal privilege or work product protection with respect to other documents that may have been prepared in connection with a specific litigation or claim. In addition, Toyota may assert the attorney client privilege or claim protection under the work-product doctrine for analyses or other documents that may be prepared in connection with litigation or claims in the future.

Toyota understands that NHTSA will protect any private information about persons that is contained in the Attachments to this response, based on privacy policy considerations. Such private information includes data such as names, addresses, phone or fax numbers, email addresses, license plate numbers, driver's license numbers and last 4 digits of the vehicle's VIN.

Data provided in this document is current as of the following dates:

- Response 1 : Production Data (March 1, 2007)
- Response 2 - 4 : Consumer Complaint (February 2, 2007)
 - Field Report (February 15, 2007)
 - Lawsuit (February 14, 2007)
- Response 5 : Warranty Claims (March 1, 2007)
 - Goodwill (February 15, 2007)
 - Extended warranty claims (February 6, 2007)
- Response 7 : Dealer communications (March 20, 2007)
- Response 9 : Modifications/changes (Mid March, 2007)
- Response 17 : Parts sales (February 23, 2007)

CONFIDENTIAL

Modifications/Changes

No	a	b	c	d	e	f	g	h
1	December, 2003			68905-08020	68905-AE010	No	December, 2003	Possible
2	September, 2005			68905-AE010	68905-AE011	No	September, 2005	Impossible (Need to replace set)
				68955-08020	68955-08021			
				68956-08020	68956-08021			
3	October, 2006			68905-AE011	No change	No	October, 2006	Possible
4	December, 2006			68905-AE011	68905-AE012	No	December, 2006	Possible