

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE

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February 28, 2008

Mr. Anthony M. Cooke, Chief Counsel
Office of Chief Counsel, NCC-110
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

OFFICE OF CHIEF
COUNSEL

2008 FEB 29 P 1:35

NHTSA
WASHINGTON, DC 20590

Subject: NVS-213dlr; EA07-012
Confidential Business Information

Dear Mr. Cooke:

In accordance with 49 CFR 512.4, enclosed is Toyota's response to NHTSA's January 3, 2008 letter concerning EA07-012, a defect investigation into Land Rover vehicles. The Office of Defects Investigation has requested peer vehicle information from Toyota to aid in their investigation.

Toyota claims that the marked portions and identified pages of "Attachment Response 6c" and "Attachment Response 6e" contain confidential business information. Specifically, within "Attachment Response 6c", there is detailed manufacturing process information for the assembly of components of the vehicle. Toyota considers this information to be proprietary and reflective of the company's significant technological and intellectual investment. Also, it gives insight into the methodology Toyota uses to produce vehicles efficiently, and would not be available to others without similar efforts and experiences. In addition, included in our response and identified as "Attachment Response 6e," are detailed engineering drawings which we believe are protected under the general class determination (1) listed in Appendix B to Part 512.

Release of this confidential material would aid Toyota's competitors in learning details of Toyota's design specifications and production methodologies, closely guarded information in the motor vehicle industry. Disclosure of this information would likely result in competitive harm. Therefore, Toyota requests that this material be treated permanently as confidential. Such information has historically been so recognized by the agency, and confidential treatment has been granted.

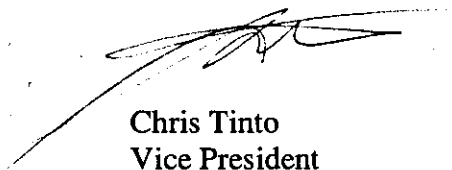
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If this request and supporting affidavit are found to be insufficient to establish Toyota's entitlement to confidential treatment, we ask that, pursuant to 49 CFR 512.19, you afford us the opportunity to supplement this request.

Enclosed you will find three sets of the response documents. Per 49 CFR 512, and noting that only one set of engineering drawings are required to be provided, one set of documents contains the complete response including the confidential information (including engineering drawings), one contains the response with the confidential information removed, and one contains only the confidential information (less engineering drawings). There is no claim that any of the electronic attachments in our response to the Office of Defects Investigation inquiry contain confidential information, and, as such, they have been removed from your copies of the documents.

If you have any questions about these materials, please contact Mr. Chris Santucci at (202) 775-1707.

Sincerely,



Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.

CT:cs

Enclosures

Enclosure 1:

Affidavit in Support of Request for Confidential Treatment

Enclosure 2:

Response to ODI Inquiry –Confidential Information Included, Including Engineering Drawings (Electronic Attachments removed)

Enclosure 3:

Response to ODI Inquiry –Confidential Information Removed (Electronic Attachments removed)

Enclosure 4:

Response to ODI Inquiry –Confidential Information Only, Engineering Drawings Removed (Electronic Attachments removed)

Enclosure 1:

**CERTIFICATE IN SUPPORT OF
REQUEST FOR CONFIDENTIALITY**

I, Chris Tinto, pursuant to the provisions of 49 CFR 512, state as follows:

- (1) I am Chris Tinto, Vice President, Toyota Motor North America, Inc., and I am authorized by Toyota Motor Corporation (Japan) to execute this certificate on its behalf;
- (2) I certify that the information contained in the marked portions and identified drawings of "Attachment Response 6c" and "Attachment Response 6e" of the response to NHTSA's February 28, 2008 letter [NVS-213dlr; EA07-012] is confidential and proprietary data and is being submitted with the claim that it is entitled to confidential treatment under 5 U.S.C. 552(b)(4) (as incorporated by reference in and modified by the statute under which the information is being submitted);
- (3) I hereby request that the information contained in the identified attachments be protected permanently;
- (4) This certification is based on the information provided by the responsible Toyota Motor Corporation and affiliate personnel who have authority in the normal course of business to release the information for which a claim of confidentiality has been made to ascertain whether such information has ever been released outside Toyota Motor Corporation;
- (5) Based upon that information, to the best of my knowledge, information and belief, the information for which Toyota Motor Corporation and their affiliates have claimed confidential treatment has never been released or become available outside Toyota Motor Corporation or their affiliates;
- (6) I make no representations beyond those contained in this certificate and, in particular, I make no representations as to whether this information may become available outside Toyota Motor Corporation and their affiliates because of unauthorized or inadvertent disclosure (except as stated in paragraph 5); and
- (7) I certify under penalty of perjury that the foregoing is true and correct. Executed on this, the 28th day of February 2008.

Executed on this, the 28th day of February 2008.


Chris Tinto
Vice President
TOYOTA MOTOR NORTH AMERICA, INC.