

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE

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February 28, 2008

Mr. Jeffrey Quandt, Chief
Vehicle Control Division (NVS-213, Rm W48-312)
NHTSA, Office of Defects Investigation
1200 New Jersey Avenue, SE
Washington, DC 20590

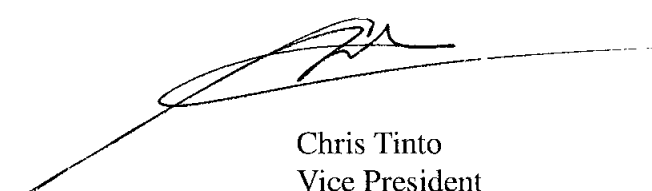
Re: NVS-213dlr; EA07-012

Dear Mr. Quandt:

This letter is being sent in response to your January 3, 2008 letter regarding EA07-012, an investigation into Land Rover vehicles for which you have requested peer vehicle information. Enclosed you will find Toyota's response and a CD-ROM with the attachments. Two copies of these materials are being provided for your convenience.

Please note that portions of "Attachment Response 6c" and "Attachment Response 6e" are identified as confidential business information and a request for confidential treatment has been made to the Office of Chief Counsel. Copies of the attachments with all confidential information removed are included in hard copy with this response. Copies of the attachments with the confidential information included have been sent to the Office of Chief Counsel. 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:es
Enclosure

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3/3/08

1. State, by model and model year, the number of subject peer vehicles Toyota has manufactured for sale or lease in the United States. Separately, for each subject peer vehicle manufactured to date by Toyota, state the following:

- a. Vehicle identification number (VIN);
- b. Model
- c. Model Year;
- d. Date of manufacture;
- e. Date warranty coverage commenced; and
- f. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide this information in Microsoft Access 2003, or a compatible format, entitled "EA07-012 TOYOTA PRODUCTION DATA."

Response 1

The number of MY 2003-2005 Toyota Land Cruiser and Lexus LX470 manufactured for sale or lease in the United States by model and model year as follows:

	2003	2004	2005	TOTAL
LAND CRUISER	6779	7139	4424	18342
LX470	8491	9551	7784	25826
TOTAL	15270	16690	12208	44168

In addition, the detail information "a" through "f" is provided electronically on CD-ROM in Microsoft Access 2003 format entitled "EA07-012 TOYOTA PRODUCTION DATA.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 subject condition in the subject peer 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. Reports involving a fire, 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;
- e. Property damage claims; and

- f. Third-party arbitration proceedings where Toyota is or was a party to the arbitration; and
- g. Lawsuits, both pending and closed, in which Toyota is or was a defendant or codefendant.

For subparts "a" through "d" 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 "g", 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 "f" and "g," 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 is 1 consumer complaint report that may relate to the subject condition in the subject peer vehicles.
 - b. There are no field reports that may relate to the subject condition in the subject peer vehicles.
 - c. There are no reports alleging that a crash, injury, or fatality had occurred.
 - d. Toyota has not received any reports involving a fire that may relate to the subject condition.
 - e. There are no property damage claims that may relate to the subject condition in the subject peer vehicles.
 - f. There are no third-party arbitration proceedings where Toyota is or was a party to the arbitration.
 - g. There are no lawsuits that may relate to the subject condition, in which Toyota is or was a defendant or codefendant.
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 a fire is alleged;
 - k. Whether property damage is alleged;

- l. Number of alleged injuries, if any; and
- m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2003, or a compatible format, entitled "EA07-012 TOYOTA REQUEST NUMBER TWO DATA."

Produce copies of all documents related to each of items "c" through "e" within the scope of Request No. 2. Organize the documents separately by category (i.e., crash/injury/fatality reports, property damage claims, etc.) and describe the method Toyota used for organizing the documents.

Response 3

The information "a" through "m" for each item (complaint, report, claim, notice, or matter) is provided electronically on CD-ROM, in Microsoft Access 2003 format entitled "EA07-012 TOYOTA REQUEST NUMBER TWO DATA.mdb" stored in the folder "Attachment-Response 3".

- 4. 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 subject condition in the subject peer 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 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 2003, or a compatible format, entitled "EA07-012 TOYOTA WARRANTY DATA."

Describe in detail the search criteria used by TOYOTA to identify the claims identified in

response to Request No. 4, 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 subject condition in the subject vehicles in Microsoft Access 2003, or a compatible format. 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).

Produce copies of all service, warranty, and other documents that relate to, or, the subject condition in the subject peer 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 4

Toyota has received a total of 25 warranty claims that may relate to the subject condition in the subject peer vehicles. There are no goodwill or extended warranty claims that have been paid by Toyota to date that relate to, or may relate to, the subject condition in the subject peer vehicles.

The detailed information "a" through "k" for each warranty claims is provided electronically on CD-ROM, in Microsoft Access 2003 format entitled "EA07- 012 TOYOTA WARRANTY DATA.mdb" stored in the folder "Attachment-Response 4".

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 Access 2003 file entitled "Search Criteria, Operation & Problem Codes.mdb" stored in the folder "Attachment-Response 4" on CD-ROM. Toyota then reviewed the claim comments to determine if the claims may be related to the subject condition. 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 Access 2003 file described above.

The terms that Toyota offers for new vehicle warranty coverage is 60 months or 60,000 miles on MY 2003-2005 Toyota Land Cruiser vehicles and is 72 months or 70,000 miles on MY 2003-2005 Lexus LX470 vehicles from the vehicle's date-of-first-use, whichever occurs first.

Toyota has not issued any service or technical bulletins, or other communications to dealers, regional or zone offices, field purchasers, or other entities that relate to, or may relate to, the subject condition in the subject peer vehicles.

5. 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 subject condition in the subject peer 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 number (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.

Response 5

There are no 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 subject condition in the subject peer vehicles.

6. Provide the following information:
- a. Briefly describe how the four-wheel (or all-wheel) drive system(s) functions in the subject vehicles including the major components and their locations on the vehicle(s). If more than one system is available (e.g., part-time four-wheel drive, full-time four-wheel drive or all-wheel drive) briefly describe each system and the differences in functionality.
 - b. Copies of all engineering standards, design guides, or similar documents that relate in any way to the alignment of the front driveshaft to the front differential.
 - c. Copies of all assembly plant process instructions detailing the assembly process connecting the front driveshaft with the front differential
 - d. Copies of all engineering standards, design guides or similar documents that relate to the use of a "universal joint" or "flex coupling" design in the front driveshaft.
 - e. Copies of exemplary engineering drawings individually showing the front driveshaft and the front differential as separate parts, as assembled together, and as located within the vehicle.
 - f. State whether a spline failure (or joint failure) at the interface of the front driveshaft and the front differential in the subject peer vehicles can result in total vehicle immobilization (i.e. no power to the front and rear wheels).

Response 6

- a. All 2003-2005 MY Toyota Land Cruiser and Lexus LX470 vehicles are equipped with a full-time four-wheel drive system. The motive energy, as generated from the engine, transmits to the front and rear wheels through the automatic transmission, the transfer case, the front and rear driveshafts, and the front and rear differentials allowing the vehicle to move about. A picture, which shows the major components on the vehicles, and the pages of the New Car Feature book including descriptions of the each major component in the subject vehicle are attached electronically on CD-ROM, in PDF format, stored in the folder "Attachment-Response 6a."
- b. There are no engineering standards, design guides, or similar documents that relate in any way to the alignment of the front driveshaft to the front differential. All subject peer vehicles are required to have a universal joint on both ends of front driveshaft, automatically compensating for the alignment.
- c. The copies of assembly plant process instructions detailing the assembly process connecting the front driveshaft with the front differential are provided as "Attachment-Response 6c" in hard copy. Please note that the assembly plant process instructions submitted in this response are confidential, and a request for confidential treatment has been submitted to the Office of Chief Counsel.
- d. Toyota does utilize a design concept to adopt a universal joint on both ends of the front driveshaft for all subject peer vehicles, but does not have any engineering standards, design guides or similar documents that specifically express the usage of a "universal joint" or "flex coupling" design in the front driveshaft.
- e. Toyota provides engineering drawings for the front driveshaft and the front differential as separate parts in this response as Attachment-Response 6e. Please note that the engineering drawings submitted in this response are confidential, and a request for confidential treatment has been submitted to the Office of Chief Counsel. There are no engineering drawings showing the components as assembled together or as located within the vehicle. Therefore the drawing that we created for this response for the front driveshaft and the front differential is provided electronically on CD-ROM, in PDF format, stored in the folder "Attachment-Response 6e."
- f. There may be a possibility that total vehicle immobilization occurs in the case of a joint failure at the interface of the front driveshaft and the front differential. If the motive energy from the engine does not transmit to the front wheels, the transfer case, which integrates a center differential with a differential lock mechanism, works and only the front driveshaft runs idle. As a result, the motive energy does not transmit to the rear wheels. However, the vehicle can be moved with the rear wheels due to the connection between the front and rear driveshaft if the center differential lock is switched on.

* * *

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 - January 24, 2008
Response 2 - 3 : Consumer Complaint - January 29, 2008
Field Report - January 18, 2008
Lawsuit - January 24, 2008
Response 4 : Warranty Claims - January 18, 2008
Goodwill - January 28, 2008
Extended warranty claims - January 29, 2008
Response 5 : Modifications/changes - January 25, 2008