

**TOYOTA**  
**TOYOTA MOTOR NORTH AMERICA, INC.**

WASHINGTON OFFICE  
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July 9, 2007

Mr. Thomas Z. Cooper, Chief  
Vehicle Integrity Division (NVS-212, Rm W46-409)  
NHTSA, Office of Defects Investigation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Re: NVS-212pco; PE07-025PIR

Dear Mr. Cooper:

This letter is being sent in response to your May 18, 2007 letter regarding PE07-025, a peer vehicle inquiry. Enclosed you will find the complete 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 5-1" are identified as confidential 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:cs  
Enclosure

*Handwritten:* Tinto  
7/10/07

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NHTSA  
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1. State within the body of the response letter and in an electronic spreadsheet format, by model, model year, the total number of subject peer vehicles Toyota has manufactured for sale or lease in the United States. Separately, for each vehicle manufactured to date by Toyota, state the following:
  - a. Make;
  - b. Model;
  - c. Model Year;
  - d. Vehicle identification number (VIN);
  - e. Date of manufacture (in “yyyy/mm/dd” date format);
  - f. Date warranty coverage commenced (in “yyyy/mm/dd” date format) or “Unsold” if not sold; and
  - g. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

In addition, provide within the body of the response letter, a table containing the subject peer vehicles by model, model year, GVWR, GCWR, and the corresponding hitch rating(s) including the trailer towing capacity and tongue weight (with and without the weight distribution hitch). Describe which of these vehicle towing attributes can be deciphered from within the vehicle’s VIN code. Provide this spreadsheet table also in a file in Microsoft Excel, or a compatible format, entitled “VEHICLE TOW RATINGS.”

Provide a separate population file for each MY of the peer vehicle and within each MY file, a separate population table for each GVWR group in Microsoft Access 2000, or a compatible format, entitled “MY XX PEER VEHICLE PRODUCTION DATA”. If there are multiple tow ratings for the same model year/GVWR vehicle, denote them.

**Response 1**

The number of MY 2002-2003 Toyota Tundra and Sequoia vehicles equipped with an OEM hitch receiver Toyota has manufactured for sale or lease in the United States by model year is as follows:

Model	Model Year	Total
Tundra	2002	34,732
	2003	76,794
	Total	111,526
Sequoia	2002	68,846
	2003	60,218
	Total	129,064

Please note that since Toyota can not identify vehicles to which the towing hitch receiver was installed at the dealer, nor those where the customers installed it themselves, those vehicles are not included in Response 1.

Detailed information of the subject peer vehicles by model, model year, GVWR, GCWR, and the corresponding hitch rating including the trailer towing capacity and tongue weight (with and without the weight distribution hitch) is provided electronically on CD-ROM, in Microsoft Excel 2000 format entitled "VEHICLE TOW RATINGS.xls" stored in the folder "Attachment- Response 1". Also we have described the vehicle towing attributes which can be deciphered from the VIN code in the same Microsoft Excel file described above. In addition, detailed information for each vehicle by MY and GVWR group are provided electronically on CD-ROM, in Microsoft Access 2000 format entitled "MY 2002 PEER VEHICLE PRODUCTION DATA.mdb" and "MY 2003 PEER VEHICLE PRODUCTION DATA.mdb" stored in the folder "Attachment-Response 1".

2. State within the body of the response letter and in an electronic spreadsheet format, a table each showing 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, by MY and by GVWR group:
  - 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 peer vehicle, property damage claims, consumer complaints, or field reports;
  - d. Property damage claims (including own vehicle); and
  - 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 "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). Identify reports that are duplicates of other mfg reports/claims.

Provide the table in Microsoft Excel 2000, or a compatible format, entitled "MANUFACTURER REPORT COUNT."

## **Response 2**

- a. There is one consumer complaint report that may be related to the alleged defect in the subject peer vehicles.
- b. There are no field reports that may relate to the subject condition in the subject peer vehicles.
- c. One incident has been reported where a vehicle crash was alleged (found in the property damage claims). There are no reports alleging that an injury or fatality had occurred.

- d. Toyota has received one property damage claim that may relate to the alleged defect.
- e. There are no third party arbitration proceedings.
- f. There are no lawsuits in which Toyota is defendant.

The total count of the unique incidents for each item by model year and GVWR group, which may relate to the alleged defect in the subject peer vehicles, is provided electronically on CD-ROM in Microsoft Excel 2000 format entitled "MANUFACTURER REPORT COUNT.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 for the subject peer vehicle and each MY by GVWR groups:
  - 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 (in "yyyy/mm/dd" date format);
  - h. Report or claim date (in "yyyy/mm/dd" date format);
  - i. Whether a crash is alleged;
  - j. Whether property damage is alleged;
  - k. Number of alleged injuries, if any;
  - l. Number of alleged fatalities, if any.

Provide a separate complaint table for each model and for each MY of the subject peer vehicle.

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.mdb" stored in the folder "Attachment-Response 3".

4. State within the body of the response letter and in an electronic spreadsheet format, by model, model year and GVWR groups, 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 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's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date (in "dd/mm/yyyy" date format);
- 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 a separate warranty data table for the subject peer vehicles for each MY. Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA".

#### **Response 4**

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, model year and GVWR groups are provided electronically on CD-ROM, in Microsoft Excel 2000 format entitled "Total Count for Claims.xls" stored in the folder "Attachment- Response 4".

The detailed information for each claim is provided electronically on CD-ROM, in Microsoft Access 2000 format entitled "WARRANTY DATA.mdb" stored in the folder "Attachment- Response 4".

5. 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 peer vehicles. State, by make and model year, the terms of the new vehicle warranty coverage (including the OEM hitch receiver) offered by Toyota on the subject peer 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 peer vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

## **Response 5**

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 5" 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 2002-2003 Tundra and Sequoia vehicles from the vehicle's date-of-first-use, whichever occurs first. For accessories purchased after the new vehicle purchase the coverage is 12 months, regardless of mileage, from the date the accessory was installed on the vehicle, or the remainder of any applicable new vehicle warranty, whichever provides greater coverage. Accessories purchased over-the-counter are covered for 12 months from the date of purchase.

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 5".

The number of subject peer vehicles that are covered under each such extended warranty option, by option, model, and model year is provided as "Attachment-Response 5-1" in hard copy only. Please note that "Attachment-Response 5-1" contains trade secret and commercial information, therefore, Toyota believes that this document must be afforded confidential treatment. A request for confidential treatment of this document has been sent to the Office of Chief Counsel. A public version of this document is included with this response.

6. Describe the towing option(s) that are available to the owners for which the hitch receiver is installed as original equipment (OEM) on the vehicle including a description of other towing related accessories included in the package. Provide a copy of the owner manual towing section(s) and other available towing literatures that is provided to an owner of an OEM hitch receiver equipped vehicle and any other material that is available to the owner (on request or purchase) concerning towing limits and guides. If the material differs for GVWR groupings please specify.

## **Response 6**

The following towing options available for the owners of the subject peer vehicles for which the hitch

receiver was installed as original equipment were:

Model	MY	Factory installed towing hitch	Port or dealer installed towing hitch
Tundra	2002	· Towing hitch receiver	· Towing hitch receiver
	2003	· Towing hitch receiver · Alternator (80A--> 130A) · Transmission cooler (water cooler--> water and air cooler)	· Towing hitch receiver
Sequoia*	2002 2003	· Towing hitch receiver	Not available

\*Some 2002-2003 MY Sequoia vehicles had the towing hitch receiver as standard equipment.

In addition, Toyota provides the owners manual for each model and model year of the subject peer vehicles which relate to towing. Those are provided electronically on CD-ROM, in PDF format, stored in the folder "Attachment-Response 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 (June 14, 2007)

Response 2 - 3 : Consumer Complaint (June 11, 2007)  
Field Report (June 7, 2007)

Response 4 : Warranty claims (June 11, 2007)  
Goodwill & Extended warranty claims (June 15, 2007)



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**The Number of vehicles covered under extended warranty**

Model	MY	Gold	Platinum	Powertrain	Total
Tundra	2002				
	2003				
	Total				
Sequoia	2002				
	2003				
	Total				