

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

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December 4, 2009

Mr. Scott Yon, Chief
Vehicle Integrity Division (NVS-213, Rm W48-314)
NHTSA, Office of Defects Investigation
1200 New Jersey Avenue, SE
Washington, DC 20590


Re: NVS-212jfa; PE09-049

Dear Mr. Yon:

This letter is being sent in response to your October 9, 2009 letter regarding PE09-049. Enclosed you will find two copies of this response. As we had requested in our November 20 email, enclosed please find the responses to Questions 1 through 6 of your inquiry.

Should you have any questions about this response, please contact me at (202) 775-1707.

Sincerely,



Chris Santucci
Assistant Manager
Technical and Regulatory Affairs
TOYOTA MOTOR NORTH AMERICA, INC.

Jay
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OFFICE OF DEFECTS &
INVESTIGATIONS

1. State the number of subject 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. Vehicle identification number (VIN);
 - b. Model Year;
 - c. Date of manufacture;
 - d. Date warranty coverage commenced; and
 - e. 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 2000-2006 Toyota Tundra vehicles manufactured for sale or lease in the United States by model year is as follows:

2000MY	2001MY	2002MY	2003MY	2004MY	2005MY	2006MY	Total
126,031	92,749	110,384	113,197	106,461	114,776	168,597	832,195

In addition, the detailed information responsive to "a" through "h" is provided electronically on CD-ROM in Microsoft Access 2000 format entitled "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 alleged defect in the subject vehicles:
 - a. Consumer complaints;
 - 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 the alleged defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
 - d. Third-party arbitration proceedings where Toyota is or was a party to the arbitration; and,
 - e. Lawsuits, both pending and closed, in which Toyota is or was a defendant or codefendant.

For subparts "a" through "e" state the total number of each item (e.g., consumer complaints, reports from retailers, etc.) separately. Multiple incidents involving the same vehicles 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 item "c" 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 "d" and "e," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document or other document initiating the action was filed.

Response 2

Using the methodology described in your question above, the number of reports which relate to, or may relate to, the alleged defect on the subject vehicles are provided electronically on CD-ROM in Microsoft Excel 2000 format entitled "Total Count for Reports.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, report from retailer, etc.);
 - c. Vehicle owner's name, address, and telephone number;
 - d. Vehicle identification number (VIN);
 - e. Model year;
 - f. Vehicle date of manufacture;
 - g. Incident date;
 - h. Report or claim date;
 - i. Number of alleged fires;
 - j. Number of alleged injuries; and,
 - k. Number of alleged fatalities.

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

Response 3

The information "a" through "k" for each item (complaint, report, claim, notice, or matter) is provided electronically on CD-ROM in Microsoft Excel 2000 format entitled "REQUEST NUMBER TWO DATA.xls" 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, reports from retailers, etc.) and describe the method Toyota used for organizing the documents.

Response 4

Lists of the consumer complaints, the copies of the field reports, and the documents related to the legal related claims are all provided electronically on CD-ROM in Microsoft Excel 2000, or PDF format stored in the folder "Attachment-Response 4." (The list of consumer complaints is stored in the sub-folder "Consumer Complaint." The copies of the field reports are stored in sub-folder "Field Report." The copies of the documents for the legal related claims are stored in the sub-folder "Legal Related Claims.

5. State a total count for all of the following categories of claims, collectively, that have been paid by Toyota 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; 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's name and telephone number;
- c. Vehicle identification number (VIN);
- d. Model Year;
- e. Vehicle date of manufacture;
- f. Repair date;
- g. Repairing facility's name, telephone number, city and state or ZIP code;
- h. Labor operation number;
- i. Problem code;
- j. Replacement part number(s) and description(s);
- k. Concern stated by customer; and,
- l. Comment, if any, by the technician or person(s) making the repair, and/or the person(s) processing the claim that relate to the claim and/or repair.

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

Response 5

The total count of warranty claims, extended warranty claims and claims for good will services paid by Toyota for the subject vehicles that relate to the subject components 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 also provided electronically on CD-ROM in Microsoft Excel 2000 format entitled "Warranty Data.xls" 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 the terms of the new vehicle warranty coverage offered by Toyota on the subject vehicles (i.e., the number of months for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) related to the alleged defect 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. " At this time, there are no warranty claims paid by Toyota except one good will service.

The terms that Toyota offers for new vehicle warranty coverage on MY 2000-2006 Tundra vehicles including the subject components is 36 months or 36,000 miles 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." At this time, there are no extended warranty claims paid by Toyota.

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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.