U.S. Department
of Transportation
**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

JUN 17 2010

**Via Certified Mail and E-mail**

Mr. Chris Tinto, Vice President
Toyota Motor North America, Inc.
601 Thirteenth Street, NW
Suite 910 South
Washington, DC 20005

NVS-215aa
EQ10-002
10V-017

Re: Safety Recall 10V-017/EQ10-002

Dear Mr. Tinto,

In a letter dated January 21, 2010, Toyota Motor North America, Inc. (Toyota) notified the National Highway Traffic Safety Administration (NHTSA) that it had decided certain model year (MY) 2005–2010 Toyota vehicles and certain MY 2009–2010 Pontiac vehicles contain a safety-related defect. Toyota stated that the accelerator pedal assemblies in those vehicles may become hard to depress, slow to return to idle when released, or may remain mechanically stuck in a partially depressed condition, increasing the risk of a vehicle crash. Further, Toyota stated that CTS Corporation (CTS) was the fabricating manufacturer of the defective accelerator pedal assemblies. NHTSA assigned recall number 10V-017 to this matter.

NHTSA's Office of Defects Investigation, Recall Management Division (RMD) is conducting an Equipment Query (EQ) review related to this safety recall. The purpose of this EQ is to determine whether or not other vehicle manufacturers may have purchased or otherwise received from CTS the same or similar accelerator pedal assemblies as Toyota, and to ensure all defective CTS pedals have been recalled as needed. Substantial information has been provided by CTS to RMD regarding these accelerator pedals, but the following questions still remain regarding the thoroughness of recall 10V-017.

In order to ensure that all of the vehicles that might include defective pedals have been recalled and remedied, we require additional information. Accordingly, please provide Toyota's response to the following questions. Please repeat each numbered question verbatim before stating the answer.

1. In a February 5, 2010 information request submission, CTS stated that [redacted] subject components, defined as accelerator pedal assemblies manufactured by CTS containing a friction lever made of PPS or PA46 materials and recalled by Toyota under 10V-017, were sold to Toyota for installation in the Toyota Sienna in calendar year 2009 and 2010. However, the Sienna model is absent from Toyota's 10V-017 recall. Please explain this omission.

2. In the same February 5, 2010 submission, CTS noted that [redacted] subject components were sold to Toyota between calendar years 2004 and 2010. Toyota's 10V-017 recall only includes a total of 2,301,467 vehicles. CTS added that [redacted] accelerator pedals had been returned to CTS, however, a total of 437,406 accelerator pedals are still not accounted for by Toyota's 10V-017 recall. Please explain this discrepancy in full detail with applicable quantities.

This letter is being sent to Toyota pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports. Toyota's failure to respond promptly and fully to this letter could subject Toyota to civil penalties pursuant to 49 U.S.C. § 30165 of up to $6,000 per day, with a maximum of $16,375,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. See 49 CFR 578.6. This includes failing to respond to ODI information requests. It could also lead to an action to compel Toyota to respond.

If your company claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, your company must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Your Company is required to submit two copies of the documents containing asserted confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted. Please remember that the words "CONFIDENTIAL BUSINESS INFORMATION" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 5 U.S.C. § 512.6.

Toyota's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by Toyota. Please refer to EQ10-002 in Toyota's response to this letter. If Toyota finds that it is unable to provide all of the information requested within the time allotted, Toyota must request an extension from me at (202) 366-5210 no later than five business days before the response due date. If Toyota is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Toyota then has available, even if an extension has been granted.

Toyota's written response must be submitted to this office within 10 days of receiving this letter. In your response, please be certain to include a reference to this matter's identification number which is EQ10-002. If you have any questions concerning this information request, please contact Alex Ansley of my staff at (202) 493-0481 or by e-mail at alexander.ansley@dot.gov. Response submission may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

George H. Person
Chief, Recall Management Division
Office of Defects Investigation
Enforcement