

August 7, 2018

By Certified Mail and Email

Heidi King, Deputy Administrator  
U.S. Department of Transportation  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Re: Petition for Investigation - Frame Corrosion on Toyota 4Runner

Dear Ms. King:

I am making a formal request for NHTSA to perform a high-priority investigation of Toyota 4Runners from 2002 to 2006. NHTSA's online complaint database indicates there are more than 272 complaints of premature and excessive frame corrosion. In the case of my 2005 4Runner, we were traveling on a two-lane highway when, without warning, the suspension/steering system separated from the frame due to excessive frame corrosion. It was difficult to prevent the vehicle from veering into oncoming traffic. Having just passed many semi's traveling in the opposite direction, we could easily envision how we all could have been killed in a head-on collision. Our vehicle has only 76,117 miles and, other than the corroded undercarriage, is in perfect condition (mechanical, interior and exterior).

Excessive frame corrosion is a very well-known problem for Toyota trucks built on a frame from this time period. Just last year, Toyota settled a class-action lawsuit involving approximately 1.5 million Tacoma, Tundra and Sequoia trucks also built on a frame<sup>1</sup>. Toyota agreed to inspect and replace the frames at an estimated cost of \$3.4 billion. This confirms frame corrosion is a problem well-known to Toyota and the public.

Toyota has been fighting very aggressively to avoid additional warranty cost exposure by not addressing the issue with 4Runners which were not included in the class-action lawsuit simply because there were insufficient complaints known to the counsel representing the class at the time it was formed.

Toyota is well aware of the frame corrosion defect with the 4Runner. They have many complaints from customers which is confirmed by customer statements on NHTSA's complaint database. This NHTSA complaint database contains more complaints of excessive frame corrosion than any other defect as indicated in the following Pareto chart.

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<sup>1</sup> [www.toyotaframesettlement.com](http://www.toyotaframesettlement.com)



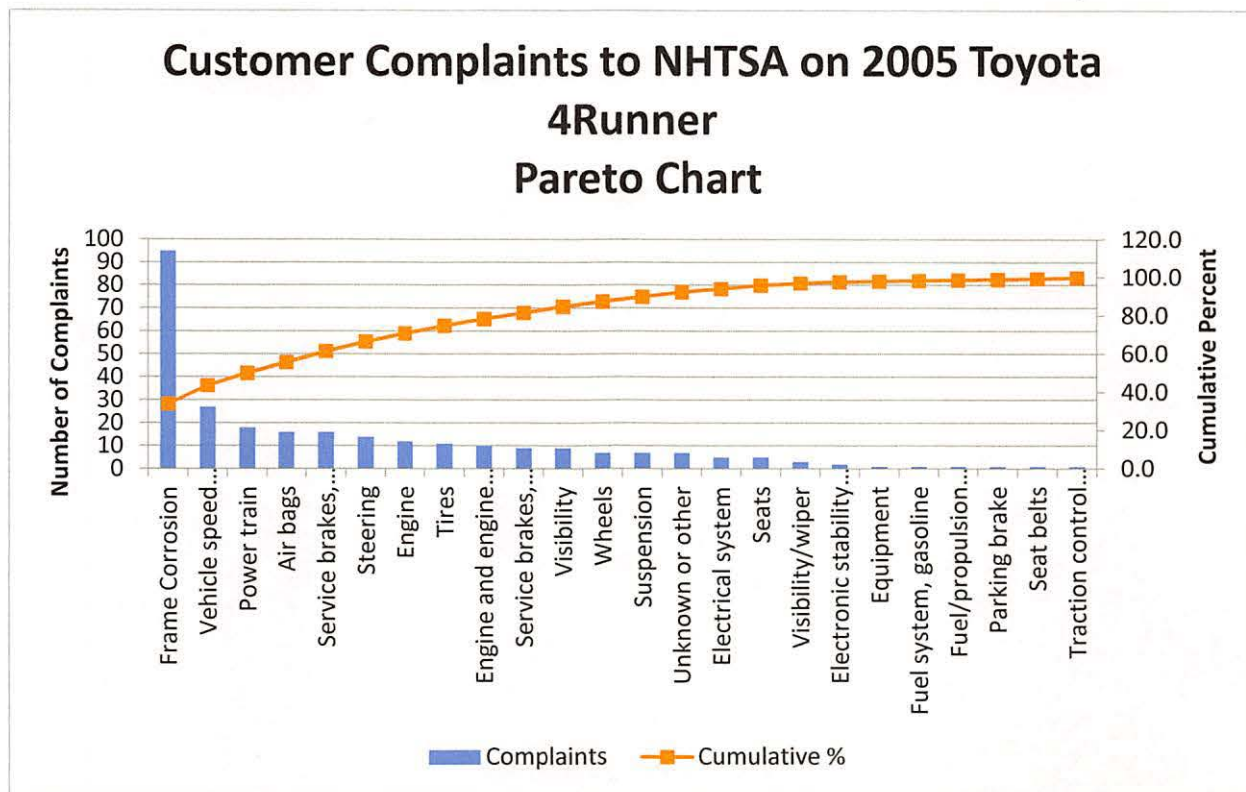


Figure 1 - "Frame Corrosion" includes "structure" and "suspension" complaints that involve frame corrosion

It is my understanding that automobile manufacturers have a legal obligation to disclose serious safety defects when they are first discovered. Toyota appears to be concealing this potentially fatal defect as they did with the unattended acceleration defect for which criminal charges were brought and a record fine of \$1.2 billion was assessed.

I filed a complaint with NHSTA (ID #11098055) immediately following the frame failure on my vehicle. I have also contacted NHTSA management officials requesting information about a whether an investigation has been conducted on this defect. Yesterday, in a telephone conversation with John on your Hot Line, I learned that no investigation has been conducted.

Speaking from my recent personal experience on how serious the fatal accident potential is due to premature and excessive frame corrosion, I am requesting that NHTSA Office of Defect Investigation immediately initiate an investigation.

Please let me know of your decision on this in the near future.

Sincerely,

*Gary Weinreich*

Gary Weinreich

EXECUTIVE SECRETARIAT  
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Figure 2 - This photo shows where the steering/suspension system separated from the frame while driving at highway speed.



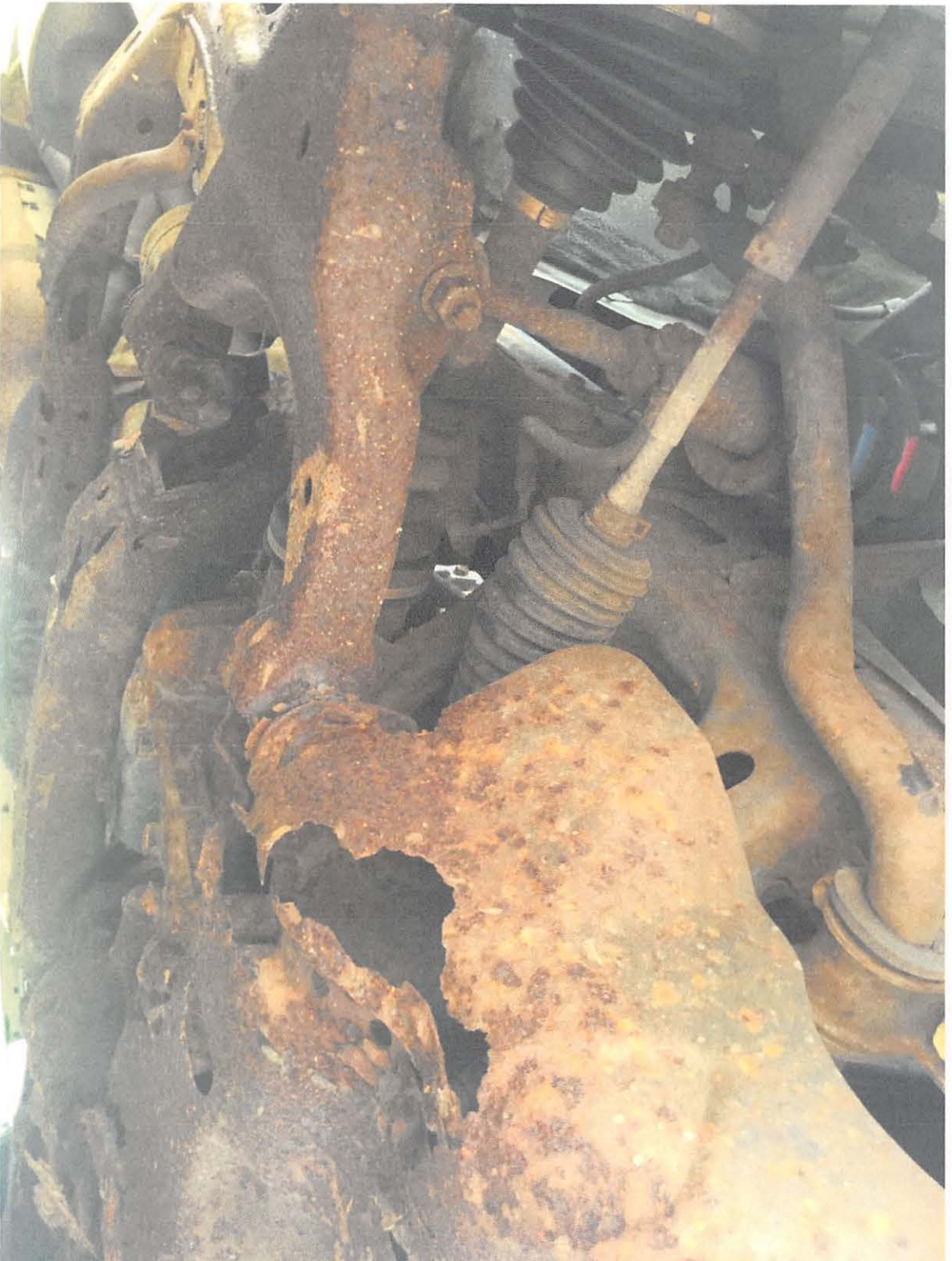


Figure 2 - The frame corrosion is severe and extensive





Figure 3 - The steel in the frame could have been properly protected by Toyota. Notice the condition of the original muffler. Absent effective corrosion protection, the frame is clearly not roadworthy.





Figure 4 - This vehicle has never been operated in northern states where road salt is applied.



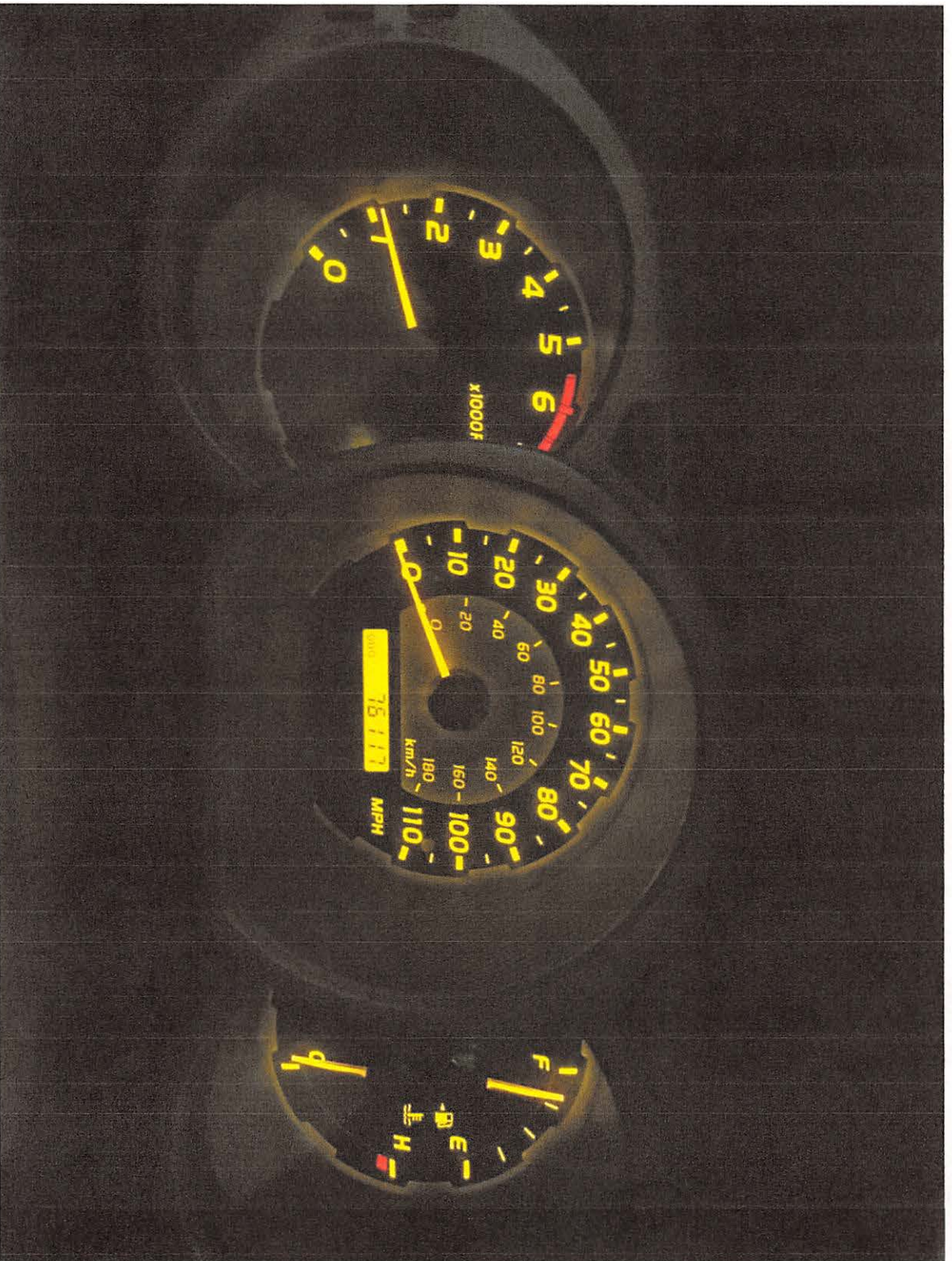


Figure 5 - The mileage and body condition gives owners no idea their vehicle could crash due to frame failure





Figure 6 - The vehicle has 76,000 miles and is otherwise in excellent condition with no external sign that a severe safety problem exists with the undercarriage