



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

Mr. Chris Tinto
Vice President
Technical & Regulatory Affairs
Toyota Motor North America, Inc.
601 Thirteenth St., N.W. Suite 910 South
Washington, DC 20005

OCT - 2 2006

Re: Remedy for Toyota Tundra Noncompliance with FMVSS No. 225

Dear Mr. Tinto:

Thank you for your letter of September 20, 2006, proposing a remedy that Toyota Motor North America, Inc. (Toyota) is willing to provide to address noncompliance of certain model year (MY) 2003, 2004, and 2005 Toyota Tundra Access Cab pickup trucks with Federal Motor Vehicle Safety Standard (FMVSS) No. 225, "Child Restraint Anchorage Systems." Because those vehicles are equipped with manual air bag cut-off switches they are also required to have a child restraint anchorage system for the front passenger seat. However, those vehicles lack the lower anchorages in the front passenger seat that are a necessary element of such a child restraint anchorage system.

On behalf of the National Highway Traffic Safety Administration (NHTSA), Associate Administrator for Enforcement Daniel Smith and I expressed to you our concerns about Toyota's previously stated intention to remedy this noncompliance by offering to remove the air bag cut-off switches from these vehicles. We strongly urged Toyota to install lower anchorages rather than remove the cut-off switches.

To address our concerns, Toyota has now proposed, instead of offering to remove the cut-off switches, to make available to all owners and subsequent owners of these vehicles the opportunity to have the two lower anchorages installed in the front passenger seat. We believe that the combination of such lower anchorages in the front passenger seat and the existing tether anchorage in the right rear seating position would constitute a "child restraint anchorage system" within the meaning of S5(c)(2) of FMVSS No. 225. Assuming that Toyota proceeds to make this remedy available to all present and subsequent owners, and absent NHTSA's learning of additional facts not presently before the agency that have a bearing on this matter, NHTSA would not pursue any action with respect to whether this remedy reasonably meets the remedy requirements.



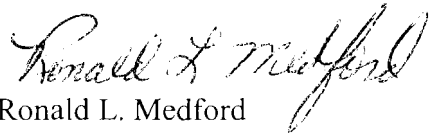
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We understand that there is some likelihood that many owners of these vehicles will not choose to have the lower anchorages installed because they do not intend to install a child restraint system in the front passenger seat. As you have outlined your proposal, owners (including subsequent owners) could still opt for installation of the anchorages at a later date and the label that Toyota will provide for the vehicle will make this option clear to subsequent owners. Under these circumstances, and absent NHTSA's learning of additional facts not presently before the agency that have a bearing on this matter, the agency would not pursue an action with respect to the adequacy of the notice in the event the recall completion level is below average.

We appreciate Toyota's willingness to commit to the remedy Toyota has now proposed. While we recognize that some engineering challenges remain, we anticipate that those challenges will soon be resolved and that Toyota will proceed with this remedy within a reasonable time. We look forward to receiving a draft of Toyota's notification letter to owners in the very near future.

I look forward to Toyota's continued cooperation in addressing motor vehicle safety concerns.

Sincerely,

A handwritten signature in black ink that reads "Ronald L. Medford". The signature is written in a cursive style with a large, prominent initial "R".

Ronald L. Medford
Senior Associate Administrator for
Vehicle Safety