

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE

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November 12, 2008

Mr. Daniel C. Smith
Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

**08V-181
REVISED**

Re: 2008 MY Toyota Highlander Rear Seat #2 Seat Belts (FMVSS 208)
Part 573, Revised Noncompliance Information Report

Dear Mr. Smith:

In accordance with the requirements of the National Traffic and Motor Vehicle Safety Act of 1966 and 49 CFR Part 573, on behalf of Toyota Motor Corporation ["TMC"], this letter revises the April 18, 2008 Noncompliance Information Report submitted to your office concerning certain 2008 model year Toyota Highlander vehicles manufactured with rear seat belts in the third row that do not comply with FMVSS 208.

Should you have any questions about this report, please contact Mr. Chris Santucci at (202) 775-1707.

Sincerely,

TOYOTA MOTOR NORTH AMERICA, INC.



Chris Tinto
Vice President
Technical & Regulatory Affairs

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Attachment

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DEFECTS INVESTIGATION
RECALL MGMT DIV.

NONCOMPLIANCE INFORMATION REPORT

1. Vehicle Manufacturer Name:

Toyota Motor Corporation ["TMC"]
1, Toyota-cho, Toyota-city,
Aichi-ken, 471-8571 Japan

Affiliated U.S. Sales Company:

Toyota Motor Sales, USA, Inc. ["TMS"]
19001 South Western Avenue
Torrance, CA 90509

2. Identification of Affected Vehicles:

Based on production records, we have determined the affected vehicle population as set forth in the table below.

Make/ Car Line	Model Year	Manufac- turer	VIN			Production Period
			WMI	VDS	VIS	
Toyota/ Highlander with third seat	2008	TMC	JTE	DS41A, DS42A, DS43A, DS44A	2000133 through 2044063	May 31, 2007 through March 7, 2008
				ES41A, ES42A, ES43A, ES44A	2000181 through 2071677	
Toyota/ Highlander HYBRID with third seat	2008	TMC	JTE	EW41A, EW44A	2000150 through 2017111	May 31, 2007 through March 7, 2008

Note: (1) Although all of the involved vehicles are within the above VIN range, not all of the vehicles in this range were sold in the U.S.

3. Total Number of Vehicles Potentially Affected:

Highlander : 74,793
Highlander HYBRID : 15,396

4. Percentage of Vehicles Estimated to Actually Experience Noncompliance:

100 %

5. Description of Noncompliance:

These vehicles fail to comply with FMVSS 208 S7.1.1.5, which requires each designated seating position (DSP) other than the driver's position to have "a seat belt assembly whose lap belt portion is lockable so that the seat belt assembly can be used to tightly secure a child restraint system" (CRS). The non-driver DSPs in the subject vehicles are equipped with seat belt assemblies that have a feature that converts the retractor from an emergency locking retractor (ELR) to an automatic locking retractor (ALR). The belts convert to the ALR mode after the webbing has been fully withdrawn from the retractor. The system is designed so that as the belt is released into the retractor, the system remains in the ALR mode so that a CRS can be tightly secured. However, for the two third row DSPs in the subject vehicles, the ALR mode deactivates before the webbing is fully retracted, so that it will not lock when certain rear-facing CRSs that have a short seat belt routing path are installed in the vehicle.

6. Test results and other information

In testing using the procedure specified in S7.1.1.5, after the seat belt was retracted to the point where it would secure a specific model of rear-facing CRS that has a short seat belt routing path, the seat belt assemblies in the third row of seats did not lock. The seat belt assemblies do satisfy the requirements of the standard when used with virtually all other CRSs, and the Emergency Locking Retractor (ELR) mode in these assemblies works properly under all circumstances.

7. Description of Corrective Repair Action:

All known owners of the subject vehicles will be notified by first class mail to return their vehicles to a Toyota dealer in order to install a newly designed seat belt component.

Reimbursement Plan for pre-notification remedies

The vehicles involved were built between May 2007 and March 2008. As the owner notification letters will be mailed out well within the active period of the Toyota New Vehicle Limited Warranty ("Warranty"), all affected vehicle owners for this recall would have been provided a repair at no cost under the Toyota's Warranty.

8. Recall Schedule:

Mailing of the owner notifications will commence December 18, 2008 and will be completed by late January, 2009.

Copies of the owner notification and dealer instructions will be submitted as soon as they are available.

9. Distributor/Dealer Notification Schedule:

Notifications to distributors/dealers will be sent on December 18, 2008.