

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE
601 THIRTEENTH STREET, NW, SUITE 910 SOUTH, WASHINGTON, DC 20005

TEL: (202) 775-1700
FAX: (202) 463-8513

May 30, 2008

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

08V-244
(6 pages)

RE: Toyota Siennas with Power Liftgates
NHTSA EA06-020

Dear Mr. Smith:

For some time, our staffs have been engaged in discussions about the performance of the power liftgate in certain Sienna vehicles when the liftgate struts can no longer sustain the weight of the liftgate due to leakage of gas from the struts. This condition has been the subject of NHTSA Investigation EA06-020. Because this condition can lead to customer dissatisfaction, Toyota has been addressing this issue through an extended warranty program to cover the costs of strut replacement within the first six years of ownership. Your staff has advised Toyota that the extended warranty program does not address all of the issues encompassed by EA06-020. For example, the warranty extension notification does not identify the condition as a safety concern, nor does it offer to replace the vehicles' struts prior to the onset of the condition.

In order to address the concerns of your staff, and to avoid a protracted dispute about this issue, Toyota has decided to conduct a campaign to offer to provide free replacement gas struts to all owners of affected vehicles. The replacement gas struts have an improved design, and are expected to have a longer service life than the original struts.

Although Toyota is willing to identify this campaign as a safety recall in the owner communication about the campaign, Toyota has not determined that the condition described above is a "safety-related defect" within the meaning of the federal vehicle safety laws. Toyota has previously communicated its reasons for declining to identify the strut deterioration as a "safety-related defect," and need not repeat those reasons here. Nevertheless, Toyota will voluntarily notify its customers of this campaign and will voluntarily cooperate with NHTSA's recall procedures by providing six quarterly reports of campaign completion and providing reimbursement to eligible owners who paid for strut repairs prior to this campaign.

RECEIVED

2008 JUNE -3 A 10:35

DEFECTS INVESTIGATION
RECALL MGMT DIV.

Toyota understands that NHTSA will assign a recall number to this campaign, as if it were a campaign conducted under the Safety Act, and will post the information about the campaign on the NHTSA/ODI website. Toyota also understands that the summary of the campaign on the NHTSA/ODI website will contain a notation that Toyota has not made a decision that these vehicles contain a safety-related defect.

A draft owner notification letter is enclosed with this letter, along with following information, as specified in Part 573 of your regulations:

1. Manufacturer's name/address:

Toyota Motor Manufacturing Indiana, Inc. ["TMMI"]
4000 Tulip Tree Drive,
Princeton, IN 47670-4000

Affiliated U.S. Sales Company

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

2. Vehicles involved in this notification:

Based on production records, we have determined the affected vehicle population to be the population described in the table below:

Make/ Car Line	Model Year	Manufac- turer	VIN		Production Period
			VDS	VIS	
Toyota Sienna	2004 <u>through</u> 2006	TMMI	BA22C	4S000023 – 6S077052	January 10, 2003 <u>through</u> December 6, 2006
			ZA22C	4S000020 – 6S587358	
			ZA23C	4S016466 – 5S384289	

Please note that this information corrects information previously provided to NHTSA about the affected model years. Previously, Toyota indicated that some early Model Year 2007 Siennas may be included in the affected group of vehicles. This information was incorrect. Toyota has now confirmed that all Model Year 2007 Siennas were equipped with the newly designed struts; therefore, this campaign involves only Model Year 2004-2006 Siennas equipped with a power liftgate. In addition, although the involved vehicles are within the above VIN range, not all vehicles in this range were sold in the U.S.

Please also note that a portion of these vehicles have already been repaired under Technical Service Bulletin BO001-07 and Customer Support Program POL08-01 and general warranty service; however, as noted in the owner notification, some struts replaced under the original vehicle warranty coverage may need to be replaced under this campaign. Toyota is still in the process of determining the portion of the repaired population that may need to be replaced in this campaign.

3. Total number of vehicles:

As noted in item 2, above, Toyota is still in the process of determining the portion of the vehicle population that has already been repaired but that may need to be replaced in this campaign. There are 196,222 MY 2004-2006 Sienna vehicles equipped with power liftgates; however, not all of them will need to be included in the campaign.

4. Approximate percentage of vehicles estimated to actually contain the condition:

Toyota does not know the percentage of vehicles that might actually contain the condition; therefore, all Siennas equipped with power liftgates in Model Years 2004-2006 will be included in the campaign.

5. Description of the condition:

Toyota has determined that the gas struts used to help lift and support the power rear liftgate in some Sienna vehicles are wearing out sooner than expected. As the gas struts deteriorate, the performance of the power rear liftgate will begin to degrade, and the power rear liftgate will operate more slowly than when the gas struts were new.

If not repaired, the gas struts may not be able to support the weight of the liftgate when it is open. Eventually, the gas struts could deteriorate to the point that the liftgate will fall about ten inches after it reaches the fully open position, at which point the power motor will engage and power the liftgate to the fully closed position. This condition may cause injury to a person who is struck by the liftgate when it falls or when it is closing.

6. Chronological summary of events leading to this campaign:

On August 2, 2006, NHTSA opened Preliminary Evaluation (PE) 06-029. Toyota cooperated fully with NHTSA to investigate the issue.

On December 1, 2006, NHTSA opened Engineering Analysis (EA) 06-020. Toyota continued to cooperate with NHTSA to investigate the issue.

In May 2008, Toyota and NHTSA agreed that Toyota would conduct a campaign to resolve the issues raised in EA 06-020.

7. Description of campaign (including schedule for dealer and customer notification):

Toyota will notify owners of affected Sienna vehicles by first class mail to return their vehicles to any Toyota dealer for replacement of the gas struts at no charge. Toyota is still working on the schedule for notification and will advise NHTSA of the schedule under separate cover.

May 30, 2008

Page 4

The owner letter will instruct vehicle owners that have paid to have their struts replaced for a similar condition prior to this campaign that they can obtain reimbursement by mailing a copy of their repair order, proof-of-payment, and proof-of-ownership to Toyota, subject to the following provisions:

i. Beginning date:

The reimbursement plan will cover repairs made as early as January 10, 2003, when the first vehicles were manufactured.

ii. Ending date:

The ending date shall be 10 calendar days after the date on which the last owner notification is mailed. However, Toyota will review later requests for reimbursement from on a case-by-case basis.

iii. Toyota may exclude reimbursement, if:

- a. the pre-notification repair was not of the same type (repair, replacement, or refund of purchase price) as the campaign remedy;
- b. the pre-notification repair was not reasonably necessary to correct the issue that led to the campaign; or
- c. the repair was conducted as a result of a vehicle accident, debris or another reason not related to the issue identified in the campaign.

iv. Toyota will reimburse eligible customers for at least the cost of the struts and the replacement labor. Other costs may be reimbursed on a case-by-case basis.

v. Owners requesting reimbursement must submit the appropriate documentation: repair order, reason for replacement, proof-of-payment, and proof-of-ownership to Toyota for reimbursement consideration.

Toyota appreciates this opportunity to cooperate with NHTSA. Should you have any questions about this information, please contact Mr. Chris Santucci of my staff at (202) 775-1707.

Sincerely,

TOYOTA MOTOR NORTH AMERICA, INC.



Chris Tinto
Vice President
Technical & Regulatory Affairs

CT:cs
Enclosure

**2004 through 2006 Model Year Sienna Equipped with
Power Back Door Stays (Power Rear Liftgate Struts)**

DRAFT

Safety Recall Campaign (TBD)

[VIN]

Dear Toyota Owner:

This notice is being sent to you in voluntary accordance with the requirements of the National Traffic and Motor Vehicle Safety Act. Toyota has decided to conduct a safety recall of certain 2004 through 2006 model year Sienna vehicles equipped with a Power Back Door (Power Rear Liftgate). At Toyota, we are dedicated to providing vehicles of outstanding quality and value. As part of our continual efforts to meet your product expectations, we are sending you this notice of a safety recall to provide for the replacement of the Power Rear Liftgate Struts (gas struts) with newly designed ones at no charge to you.

In January, Toyota announced a Warranty Enhancement to extend the warranty coverage of your Power Rear Liftgate Struts (please see the Warranty Enhancement Letter for details). In the meantime, Toyota has decided to conduct a safety recall for your Power Rear Liftgate Struts. This recall letter provides for replacement of liftgate struts regardless of their current condition. Note that some struts replaced under the original vehicle warranty coverage may need to be replaced under this recall.

What is the condition?

Toyota has determined that the gas struts used to help lift and support the Power Rear Liftgate in some Sienna vehicles could be wearing out sooner than expected. As the gas struts deteriorate, the performance of your Power Rear Liftgate will begin to degrade, and the Power Rear Liftgate will operate more slowly than when the gas struts were new. In the event that this condition has occurred in the Power Rear Liftgate Struts on your Toyota Sienna vehicle, you may notice that the Power Rear Liftgate will not remain in the open position.

If not repaired, the gas struts may not be able to support the weight of the liftgate when it is open, and eventually, the gas struts could deteriorate to the point that the liftgate will fall about ten inches after it reaches the fully open position, at which point the power motor will engage and power the liftgate to the fully closed position. This condition may cause injury to a person who is struck by the liftgate when it falls or when it is closing.

What will Toyota do?

To help reduce the likelihood of injury in the event the gas struts have deteriorated, Toyota will replace your gas struts at *no charge* to you with newly designed gas struts that have a longer service life.

What should you do?

Please contact any Toyota dealer and make an appointment to replace the Power Rear Liftgate Struts with the newly designed gas struts as soon as possible.

The actual repair will take approximately 1 hour. However, depending upon the dealer's work schedule, it may be necessary to make your vehicle available for a longer period of time. Please present this notice to the Toyota dealer when you bring the vehicle in for your appointment.

Even after you receive your replacement struts, you need to pay attention to the condition of your liftgate. Toyota is providing the following operational instructions and warnings for continued usage of the Rear Liftgate:

- Please be sure to wait at least an additional 2 seconds from the time the liftgate is in the fully opened position prior to standing under it.
- In the event your Power Liftgate Strut(s) performance has degraded, your liftgate will automatically close with an audible alarm and flashing of the hazard lamps. The Toyota Sienna Power Rear Liftgate is equipped with jam and pinch protection which also includes auto reversal of the Rear Liftgate. Please use your best judgment about the condition of your Rear Liftgate and obtain repairs promptly if the liftgate appears to show degradation.
- Refer to your Owner's Manual for additional operating instructions.

What if you have other questions?

Your local Toyota dealer will be more than happy to answer any of your questions and set up an appointment to perform this important Safety Campaign. If you require further assistance, you may contact the Toyota Customer Experience Center at 1-888-270-9371 Monday through Friday, 5:00 am to 6:00 pm, Saturday 7:00 am through 4:00 pm Pacific Time. If you are unable to obtain the repairs in a reasonable time, you may also file a complaint with the National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Room W46-425, Washington, D.C. 20590 or call the toll-free Vehicle Safety Hotline at (888) 327-4236 (TTY (800) 424-9153).

What if you have previously paid for the replacement of the Power Rear Liftgate Struts for this specific condition as it applies to your affected 2004 through 2007 model year vehicle?

If you have previously paid for the replacement of the Power Rear Liftgate Strut(s) on your vehicle, please mail a copy of your repair order which includes the reason for replacement, proof-of-payment, and proof-of-ownership to the following address for reimbursement consideration:

Toyota Motor Sales, U.S.A., Inc.
Toyota Customer Experience, WC 10
19001 South Western Avenue
Torrance, CA 90509

Include your name, address, and telephone number(s) in your request. Please allow 4 to 6 weeks to process your request.

We have sent this notice in the interest of your continued satisfaction with our products.

Sincerely,
TOYOTA MOTOR SALES, U.S.A., INC.