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(5 pages)

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE

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June 10, 2009



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

Re: FMVSS 110 Load Carrying Capacity Modification Labels
Part 573, 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"], we hereby submit the attached Noncompliance Information Report concerning certain Toyota vehicles that do not comply with FMVSS 110.

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

cc: Mr. Harry Thompson, NHTSA
CT:cs
Attachment

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INVESTIGATION

NONCOMPLIANCE INFORMATION REPORT

1. Vehicle Manufacturer Name:

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

Toyota Motor Manufacturing Canada, Inc. ["TMMC"]
1055 Fountain Street North,
Cambridge, Ontario N3H5K2, Canada

New United Motor Manufacturing, Inc. ["NUMMI"]
45500 Fremont Blvd., Fremont,
California, 94538

Toyota Motor Manufacturing de Baja California, S. de R. L. de C.V. ["TMMBC"]
Carretera Tijuana Tecate Kilometro 143 y 144
Tijuana, Baja California C. P. 22550

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

Toyota Motor Manufacturing, Texas, Inc. ["TMMTX"]
1 Lone Star Pass San Antonio,
Texas 78264-3413

Affiliated U.S. Sales Company:

Toyota Motor Sales, USA, Inc. ["TMS"]
19001 South Western Avenue
Torrance, CA 90501

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/ RAV4	2009	TMC/ TMMC	2T3 JTM	BF31V through BF35V, BK31V through BK34V, ZF31V through ZF33V, ZK31V through ZK33V	95000110 through 9W011464	June 2, 2008 through May 4, 2009
Toyota/ Tacoma	2009	NUMMI/ TMMBC	3TM 5TE	JU62N, KU72N, LU42N, MU52N, TU62N, TX22N, PX42N, UU42N, UX42N	9M009633 through 9Z658303	June 2, 2008 through May 4, 2009
Toyota/ Tundra	2009 2010	TMMI	5TF	ET541, EV541, EV581, JU521, LU521, RT541, RU541, RV541, SY5F1, BT541, BV541, BW541, BW581, CW541, DV541, DV581, DW541, DW581, DY5F1, HW5F1, HY5F1, UM5F1, UW5F1, UY5F1	9X004190 through AX095273	June 2, 2008 through May 4, 2009
Toyota/ FJ Cruiser	2009	TMC	JTE	BU11F, ZU11F	9K008007 through 9K066951	June 2, 2008 through May 4, 2009
Toyota/ Highlander	2009	TMC	JTE	DA41A, DS41A, DS42A, DS43A, ES41A, ES42A, ES43A	92002386 through 92128577	June 2, 2008 through May 4, 2009
Toyota/ Highlander HV	2009	TMC	JTE	EW41A, EW44A	92025922 through 92036865	June 2, 2008 through May 4, 2009
Toyota/ Sienna	2009	TMMI	5TD	BK22C, BK23C, ZK22C, ZK23C	9S022393 through 9S287449	June 2, 2008 through May 4, 2009
Toyota/ Yaris Sedan	2009	TMC	JTD	BT903	91300421 through 94045658	June 2, 2008 through May 4, 2009
Toyota/ Yaris H/B	2009	TMC	JTD	JT903, KT903	95221228 through 95255419	June 2, 2008 through May 4, 2009
Scion/ tC	2009	TMC	JTK	DE167	90283336 through 90302549	June 2, 2008 through May 4, 2009
Scion/ xB	2009	TMC	JTL	KE50E	91065835 through 91096835	June 2, 2008 through May 4, 2009

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:

Toyota estimates that 1348 vehicles manufactured on or after June 2, 2008 that were imported through vehicle processing centers operated by Toyota Motor Sales, U.S.A. are included in this population. Vehicles distributed by independent Toyota distributors are not included in this total. It is Toyota's understanding that the independent distributors will contact NHTSA separately if they determine they have the same or similar noncompliance.

Toyota continues its investigation on vehicles built from September 2005 to June 2008 and will supplement this NCIR if any further noncompliant vehicles are found when the investigation is completed.

4. Percentage of Vehicles Estimated to Actually Experience Noncompliance:

100%

5. Description of Noncompliance:

FMVSS 110 S10.1 requires the addition of a load carrying capacity modification label if weight exceeding the lesser of 1.5 percent of GVWR or 45.4kg (100pounds) is added to a vehicle between final vehicle certification and first retail sale of the vehicle. The load carrying capacity modification label must display the amount by which the load carrying capacity of the vehicle is reduced, calculated to the nearest kilogram with conversion to the nearest pound, and must be affixed within 25 millimeters of the original.

Toyota has identified two noncompliances with FMVSS 110. In the first group, the vehicles were not equipped with load carrying capacity modification labels, despite the fact that accessories with weight exceeding the lesser of 1.5 percent of GVWR or 45.4kg (100pounds) were installed at Toyota's vehicle processing centers prior to the time of first retail sale. Toyota estimates that there are 144 vehicles in this category.

In the second group, the vehicles were equipped with load carrying capacity modification labels at Toyota's vehicle processing centers prior to the time of first retail sale. However, the labels do not meet the accuracy requirements of S10.2. S10.2 requires that the corrected load carrying capacity weight values (or the amount by which the load carrying capacity is reduced) reflect the total weight added between final vehicle certification and first retail sale be accurate within one percent of the actual added weight. The load carrying capacity modification labels installed in the subject vehicles are not accurate within one percent of the actual added weight; rather, the labels were preprinted with the maximum weight of accessories that could be added to the vehicle, and were not customized to reflect the actual weight of added accessories. Toyota estimates that there are 1204 vehicles in this category.

6. Test results and other information

To determine the vehicles containing the noncompliance, Toyota conducted a VIN-specific review of vehicles that had been modified with accessories at a Toyota vehicle processing center prior to first retail sale, and identified (i) those vehicles for which a label was required, but not installed, and (ii) those vehicles for which a label was required and installed, but which labels did not accurately state the amount by which the load carrying capacity of the vehicle was reduced within one percent of the added accessory weight.

7. Description of Corrective Repair Action:

For both vehicles in the first and second group described in Item 5, above, Toyota intends to notify the customers by first class mail of the noncompliance and to provide them with a label to be installed in their vehicle near the FMVSS 110 tire information placard or an accurate label to be installed over the inaccurate label to replace it. Each label will be generated specifically for each consumer's vehicle, based on the accessories actually installed.

Toyota notes that a small number of vehicles (less than 50) cannot be remedied with a new, accurate label, because the amount of accessories added to the vehicle has caused the cargo carrying capacity to become negative after accounting for occupancy of each designated seating position. Toyota is still developing a remedy for these vehicles, and will supplement this NCIR shortly when the proposed remedy is determined.

Reimbursement Plan for pre-notification remedies

Per 49 CFR 573.13(m), reimbursement does not apply.

8. Recall Schedule:

TBD.

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

9. Distributor/Dealer Notification Schedule:

TBD.