



Gulf States Toyota, Inc.
1375 Enclave Parkway
Houston, Texas 77077
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December 14, 2011

*Via E-Mail (rmd.odi@dot.gov)
And Certified Mail RRR*

**11V-588
(5 Pages)**

Mr. Frank Borris
Office of Defect Investigations
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

**RE: FMVSS 110, Load Carrying Capacity Modification Labels
Part 573, Non-Compliance Information Report**

Dear Mr. Borris,

In accordance with the requirements of 49 CFR Part 573, on behalf of Gulf States Toyota, Inc. (GST), we hereby submit the attached Non-Compliance Information Report concerning certain branded Toyota vehicles distributed by GST that do not meet certain requirements of FMVSS 110, Load Carrying Capacity Modification Labels.

Should you have any questions about this report, please contact me at (713) 580-3454.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott R. Cordes", is written over a light blue horizontal line.

Scott R. Cordes
Chief Legal Counsel

Attachment

NON-COMPLIANCE INFORMATION REPORT

1. **Vehicle Distributor Name:**

Gulf States Toyota, Inc.
1375 Enclave Parkway
Houston, Texas 77077

2. **Identification of Affected Vehicles**

Based on production and sales records, we have determined the affected vehicle population as set forth in the table below on which incorrect load carrying capacity modification labels were applied at the Vehicle Processing Center operated by GST prior to first sale:

Model Year 2011 Tundra

3. **Total Number of Vehicles Potentially Affected:**

GST estimates that 502 vehicles on which incorrect load carrying capacity modification labels were applied at the Vehicle Processing Center operated by GST prior to first sale are included in this population.

4. **Percentage of Vehicles Estimated to Actually Experience Non-Compliance:**

100% of the vehicles on which incorrect load carrying capacity modification labels were applied prior to first sale.

5. Description of Non-Compliance:

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 45.4 kg (100 pounds) 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.

GST has identified a noncompliance with FMVSS 110 as the vehicles listed in the above table contain a load carrying capacity modification label that does 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. GST estimates that there are 502 vehicles in this category.

6. Test Results and Other Information:

The noncompliance was discovered during a routine weight audit in November 2011. It was determined that a package that contained a wheel and tire upgrade was not properly calculated. GST had proper account of the added weight, but improperly accounted for the takeoff weight (original wheels and tires). Therefore, the reduced carrying capacity represented to the consumer on the load carrying capacity modification label applied to the affected vehicles at GST's Vehicle Processing Center prior to first sale resulted in an overstatement of added weight and therefore was inaccurate.

To determine the vehicles containing the noncompliance, GST conducted a VIN-specific review of vehicles that had been modified with the accessory package at GST's Vehicle Processing Center prior to first retail sale, and identified those vehicles for which a label was 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:

GST intends to notify the customers by mail of the noncompliance and to provide them with detailed instructions and an accurate label to be installed over the inaccurate label in their vehicle near the FMVSS 110 tire information placard. GST will also offer the installation of such label at any Toyota dealer at no charge.

8. Reimbursement Plan for Pre-Notification Remedies:

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 Warranty.

9. Recall Schedule:

Owner notification for affected vehicles is expected to begin in February 2012.

10. Dealer Notification Schedule:

Dealers will be notified by the close of business December 15, 2011 and a list of the affected VIN's will be hard copy mailed to each dealer by close of business December 16, 2011.