



U.S. Department  
of Transportation  
**National Highway  
Traffic Safety  
Administration**

FEB 16 2010

1200 New Jersey Avenue SE.  
Washington, DC 20590

**VIA FEDERAL EXPRESS – OVERNIGHT DELIVERY**

Mr. Chris Tinto, Vice President  
Toyota Motor North America, Inc.  
601 Thirteenth Street, NW  
Suite 910 South  
Washington, DC 20005

NVS-215/jtt  
TQ10-002

Re: Safety Recall 10V-017/TQ10-002

Dear Mr. Tinto:

On January 21, 2010, Toyota submitted a defect information report to the National Highway Traffic Safety Administration (NHTSA or Agency) notifying the agency of a recall involving certain Toyota vehicles and certain Pontiac Vibes with a defect in the accelerator pedal assembly that may result in the accelerator pedal becoming harder to depress, slower to return, or in the worse case, mechanically stuck in a partially depressed position (hereinafter referred to as “sticking accelerator pedal(s)”). NHTSA designated this as Recall 10V-017.

Upon further review of the defect information report and the recall, NHTSA, through its Recall Management Division, requires additional information from Toyota to more fully understand and evaluate, among other things, when and what Toyota learned of sticking accelerator pedals installed on its vehicles, the chronology of events leading up to Toyota’s defect decision, Toyota’s responses to problems with sticking accelerator pedals (both in the United States and abroad) and the timing of those responses, and the timeliness of Toyota’s submission of its part 573 report. Accordingly, we have opened a timeliness query (TQ) to investigate these matters. The investigation’s assigned identification number is TQ10-002. This letter contains information requests related to Recall 10V-017. In responding to these information requests, please first repeat the request before providing your response.

**DEFINITIONS**

1. “Toyota” means Toyota Motor Corporation, including all of its divisions, subsidiaries and affiliated enterprises (including but not limited to Toyota Motor North America, Inc., Toyota Motor Sales, USA, Inc., Toyota Motor Manufacturing, Indiana, Inc., Toyota Motor Manufacturing, Texas, Inc., Toyota Motor Manufacturing Kentucky, Inc., Toyota Motor Manufacturing Canada, Inc., Toyota Motor Manufacturing de Baja California, Inc., Subaru of Indiana Automotive, Inc. New United Motor Manufacturing, Inc.; and with respect to motor vehicles and motor vehicle equipment that have been offered for sale, sold, or leased in a country other than the United States, Toyota Motor Corporation, including all of its divisions, subsidiaries and affiliated enterprises (including but not limited to Toyota Motor Europe, Toyota



Tsusho Corporation (including African subsidiaries), Toyota South Pacific, and Toyota Kirloskar Motor Private Limited), including with respect to any of the foregoing within or outside the United States, any parent corporation, any subsidiary or affiliate, or any subsidiary or affiliate of any parent corporation, and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Toyota (including all business units and persons previously referred to) who are or were involved in any way with any of the following related to accelerator pedal assemblies in Subject Vehicles or motor vehicles that are identical or substantially similar to any of the Subject Vehicles or that otherwise contain a friction lever made in whole or in part of PPS or PA46 material:

- a. Design, engineering, analysis, modification or production (e.g. quality control);
  - b. Testing, assessment or evaluation;
  - c. Consideration, or recognition of potential or actual defects and/or their safety relatedness, reporting, record-keeping and information management, (e.g., complaints, field reports (includes field technical reports), warranty information, part sales), analysis, claims, or lawsuits;
  - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers;
  - e. Potential or actual recalls; and
  - f. Communications with suppliers of accelerator pedal assemblies and parts therein.
2. The term “you” or “your” refers to Toyota.
3. The term “person” includes natural persons, proprietorships, partnerships, firms, corporations, federal, state, and local governments, all departments and agencies thereof, and any other governmental agencies, political subdivisions, groups, associations, or organizations, whether located in the United States or abroad.
4. The term “relate to” or “relating to” means constituting, comprising, containing, setting forth, showing, disclosing, describing, explaining, summarizing, concerning, or referring to, directly or indirectly.
5. The term “describe in detail” or “state in detail” mean the following:
- a. Describe fully by reference to underlying facts rather than ultimate facts or conclusions of law or fact.
  - b. Particularize as to:
    - i. The identity of each person involved in each such event, including but not limited to persons employed by Toyota and those persons purporting to act for Toyota;
    - ii. The specific acts of each person participating in each such event;
    - iii. The date and time of each such event;

- iv. The address and location of each such event; and
- v. The identity of each person present during each such event.

6. To “identify” or “state the identity of” a natural person means to state his/her full name, title, office, present work address and telephone number, and the name, address and telephone number of his/her present or last known employer, if any. Once an individual has been so identified, he or she may thereafter be identified by name alone so long as reference is made to the paragraph in which the complete identity is given.

7. To “identify” or “state the identity of” a person other than a natural person means to state its full name and the present or last known address and telephone number of its headquarters. Once such a “person” has been so identified, it may thereafter be identified by name alone so long as reference is made to the paragraph in which the complete identity is given.

8. The term “Subject Vehicle(s)” refers to all vehicles covered by NHTSA Recall 10V-017, as provided by Toyota in its defect information report submitted as part of or in connection with this recall, including any amendments. Subject Vehicles include MY 2007-2010 Toyota Tundra, MY 2008 – 2010 Toyota Sequoia, MY 2005–2010 Toyota Avalon, MY 2007-2010 Toyota Camry, MY 2009-2010 Toyota Corolla, 2009-2010 Toyota Corolla Matrix, MY 2009-2010 Toyota RAV 4, MY 2010 Toyota Highlander and MY 2009-2010 Pontiac Vibe, and vehicles that are identical or substantially similar to any of the foregoing vehicles as defined in 49 CFR § 579.4(d), and Toyota vehicles equipped with an accelerator pedal assembly containing a friction lever made in whole or in part of PPS or PA46 materials, whether or not the vehicles are covered by NHTSA Recall 10V-017 and whether or not the vehicle is identical or substantially similar to vehicles covered by NHTSA Recall 10V-017.

9. The term “Document(s)” is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or

revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Toyota, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this information request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by Toyota or not. If a document is not in the English language, provide both the original document and an English translation of the document.

10. Other Terms: To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4. The term vehicles that are "identical or substantially similar to" a motor vehicle sold in the United States shall include vehicles within the meaning of 49 CFR 579.4(d).

11. The term "smart pedal" refers to a vehicle throttle system that, when receiving conflicting pedal applications (i.e., simultaneous application of service braking and throttle) ignores or otherwise does not respond to the request for throttle and instead interprets the conflicting request as one for service braking and returns the throttle to the idle, or near idle, position (or something to that effect in that it significantly reduces or eliminates the engine's power production). This term includes systems that operate similarly, even if not characterized as a "smart pedal" system (e.g., "brake pedal override") by Toyota.

12. The term "foreign" means outside of the United States.

### **INFORMATION REQUESTS**

1. State, by make, model and model year, the number of Subject Vehicles Toyota has manufactured for sale or lease in the United States. Also, separately, for each Subject Vehicle manufactured for sale or lease in the United States to date by Toyota, state the following:
  - a. Vehicle identification number (VIN);
  - b. The manufacturer and part number of the accelerator pedal assembly installed on the vehicle;
  - c. Whether the vehicle was equipped with smart pedal or similar system;
  - d. Date of manufacture (in "dd/mm/yyyy" date format);
  - e. Date warranty coverage commenced; and

- f. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2003, or a compatible format, entitled "US PRODUCTION DATA." Provide a separate table for each Model Year.

2. State, by make, model and model year, the number of vehicles that are identical or substantially similar to any of the Subject Vehicles, as defined in 49 CFR § 579.4(d), and Toyota has manufactured for sale or lease outside of the United States. Also, separately, for each such vehicle, state the following:
  - a. The manufacturer and part number of the accelerator pedal assembly installed on the vehicle;
  - b. Whether the vehicle was equipped with smart pedal or similar system;
  - c. Date of manufacture (in "dd/mm/yyyy" date format); and
  - d. The country where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2003, or a compatible format, entitled "FOREIGN PRODUCTION DATA." Provide a separate table for each Model Year.

3. Separately, by make, model, model year of Subject Vehicle, state the number of each of the following received by Toyota, or of which Toyota is otherwise aware, which relate to or may relate to a sticking accelerator pedal in the Subject Vehicle(s) manufactured for sale or lease in the United States.
  - a. Consumer complaints, including those from fleet operators;
  - b. Field reports, including field technical reports and dealer field reports;
  - c. Reports involving a crash/fire, injury, or fatality based on claims against the manufacturer involving a death or injury; notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a Subject Vehicle;
  - d. Property damage claims (including to own vehicle);
  - e. Third-party arbitration proceedings where Toyota is or was a party to the arbitration; and
  - f. Lawsuits, both pending and closed, in which Toyota is or was a defendant or codefendant.

The scope of this information request includes allegations and observations of an accelerator pedal becoming harder to depress, slower to return (or an allegation of slow return to idle), or stuck in a partially depressed position, including but not limited to allegations such as an accelerator pedal stuck and engine racing; the pedal sticking and the engine revving up; the vehicle accelerating in an uncontrolled manner, with the driver having to lift the throttle pedal with the driver's foot due to it sticking down while driving; the engine speed stayed high causing uncontrolled acceleration after the accelerator pedal was released; while driving the engine RPM remained high after

releasing the accelerator pedal; and similar allegations by the owner of a Subject Vehicle, driver or passenger of the Subject Vehicle, person in a vehicle that was in a crash with a Subject Vehicle, or other person who was hit by a Subject Vehicle (e.g., a pedestrian), including the attorney or representative of such person, or in a field technical report.

For subparts “a” through “d”, state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report, and a consumer complaint).

In addition, for subparts “c” through “f”, provide a summary description of the alleged problem and causal and contributing factors and Toyota’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “e” and “f”, identify the parties to the action as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Provide the table in a Microsoft Excel 2003 (or a compatible format) file titled “MANUFACTURER REPORT COUNT—US.”

4. Separately, by make, model, model year of Subject Vehicle, and country where the subject vehicle was originally sold or leased (or otherwise transferred as a new vehicle from Toyota to a third party), state the number of each of the following received by Toyota, or of which Toyota is otherwise aware, which relate to or may relate to a sticking accelerator pedal in the Subject Vehicle(s) manufactured for sale or lease outside of the United States:
  - a. Consumer complaints, including those from fleet operators;
  - b. Field reports, including dealer field reports;
  - c. Reports involving a crash/fire, injury, or fatality based on claims against the manufacturer involving a death or injury; notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a Subject Vehicle;
  - d. Property damage claims (including to own vehicle);
  - e. Third-party arbitration proceedings where Toyota is or was a party to the arbitration; and
  - f. Lawsuits, both pending and closed, in which Toyota is or was a defendant or codefendant.

The scope of this information request includes allegations and observations of an accelerator pedal becoming harder to depress, slower to return (or an allegation of slow return to idle), or stuck in a partially depressed position, including allegations such as an accelerator pedal stuck and engine racing; the pedal sticking and the engine revving up; the vehicle accelerating in an uncontrolled manner, with the driver having to lift the throttle pedal with the driver’s foot due to it sticking down while driving; the engine

speed stayed high causing un-controlled acceleration after the accelerator pedal was released; while driving the engine RPM remained high after releasing the accelerator pedal; and similar allegations by the owner of a Subject Vehicle, driver or passenger of the Subject Vehicle, person in a vehicle that was in a crash with a Subject Vehicle, or other person who was hit by a Subject Vehicle (e.g., a pedestrian) including the attorney or representative of such person, or in a field technical report.

For subparts “a” through “d”, state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report, and a consumer complaint).

In addition, for subparts “c” through “f”, provide a summary description of the alleged problem and causal and contributing factors and Toyota’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “e” and “f”, identify the parties to the action as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Provide the table in a Microsoft Excel 2003 (or a compatible format) file titled “MANUFACTURER REPORT COUNT—OUTSIDE US.”

5. Separately, for each item (complaint, report, claim, notice, proceeding or lawsuit) within the scope of your responses to Information Requests 3 or 4, state the following information:
  - a. Toyota’s file number or other identifier used;
  - b. The category of the item, as identified in Information Request 2 or 3 (i.e., consumer complaint, field report, etc.);
  - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
  - d. Vehicle’s make, model and model year;
  - e. Vehicle’s VIN;
  - f. The name of the manufacturer, the Toyota part number, supplier, and supplier’s part number of the accelerator pedal installed on the vehicle;
  - g. Whether the vehicle was equipped with a smart pedal or similar system;
  - h. Vehicle’s mileage at time of incident;
  - i. Incident date (in “dd/mm/yyyy” date format);
  - j. Report or claim date (in “dd/mm/yyyy” date format);
  - k. Whether a crash is alleged;
  - l. Whether property damage is alleged;
  - m. Number of alleged injuries, if any;
  - n. Number of alleged fatalities, if any; and
  - o. How Toyota characterized the complaint, report etc (e.g., safety-related concern, driveability issue, customer satisfaction issue)

Provide this information in a Microsoft Access 2003 (or a compatible format) file titled "REQUEST NUMBERTHREE/FOUR DATA."

6. Produce copies of all documents related to each item within the scope of Information Request Nos. 3 and/or 4. Organize the documents separately by request (3 or 4), category (i.e., consumer complaints, field reports, etc.) and in chronological order.
7.
  - a. Produce a copy of each notice, bulletin, and other communication (including those transmitted by electronic means and including warranty and policy extension communiqués and product improvement bulletins) sent by Toyota to a unit of Toyota outside of the United States, a manufacturer, or to more than one distributor, dealer, owner, purchaser, lessor or lessee outside of the United States regarding accelerator pedal(s) in Subject Vehicle(s) (other than those issued on Recalls 07E-082, 09V-388 and 10V-023).
  - b. Produce a copy of each communication relating to a customer satisfaction campaign, consumer advisory, recall, or other safety activity regarding accelerator pedal(s) in Subject Vehicles that Toyota issued to, or made available to, more than one dealer, distributor, lessor, lessee, other manufacturer, owner, or purchaser outside of the United States (other than those issued on Recalls 07E-082, 09V-388 and 10V-023).
8. State by make, model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Toyota to date, that relate to or may relate to a sticking accelerator pedal in Subject Vehicle(s) in the United States: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign. (This does not include claims for implementation of recall(s) related to the accelerator pedal that followed Toyota's filing of a 49 CFR 573.6 report with NHTSA for a Subject Vehicle.)

Separately, for each such claim, state the following information:

- a. Toyota's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. A description of any part (including an accelerator pedal) removed, including the Toyota part number if available;
- e. A description of any part (including an accelerator pedal) installed, including the Toyota part number if available;
- f. The manufacturer and Toyota part number and supplier of the accelerator pedal installed on the vehicle;
- g. Whether the vehicle was equipped with smart pedal or similar system;
- h. Repair/service date (in "dd/mm/yyyy" date format);
- i. Vehicle mileage at time of repair;



- j. Repairing/servicing dealer's or facility's name, telephone number, city and state or ZIP code;
- k. Labor operation number;
- l. Problem code;
- m. Concern stated by customer; and
- n. Comment, if any, by dealer/technician relating to claim, repair and/or service.

Provide the summary warranty data table electronically in a Microsoft Excel 2003 (or a compatible format) file titled "WARRANTY DATA SUMMARY—U.S." Provide the warranty data in a Microsoft Access 2003 (or a compatible format) file titled "WARRANTY DATA—U.S."

9. Describe in detail the search criteria used by Toyota to identify the claims identified in response to the immediately above information request, including the labor operations, problem codes, part numbers, and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to any aspect of the sticking accelerator pedal in the Subject Vehicle(s). State, by make and model year, the terms of the new vehicle warranty coverage (including the component) offered by Toyota on the Subject Vehicle(s) (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Toyota offered for the Subject Vehicle(s) and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.
10. State by make, model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Toyota to date that relate to or may relate to a sticking accelerator pedal in Subject Vehicle(s) outside of the United States: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Toyota's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Country where the service or repair took place;
- e. A description of any part (including an accelerator pedal) removed, including the Toyota part number if available;
- f. A description of any part (including an accelerator pedal) installed, including the Toyota part number if available;
- g. The manufacturer and Toyota part number and supplier of the accelerator pedal installed on the vehicle;
- h. Whether the vehicle was equipped with smart pedal or similar system;
- i. Repair/service date (in "dd/mm/yyyy" date format);

- j. Vehicle mileage at time of repair;
- k. Repairing/servicing dealer's or facility's name, telephone number, city, province, and/or other political subdivision;
- l. Labor operation number;
- m. Problem code;
- n. Concern stated by customer; and
- o. Comment, if any, by dealer/technician relating to claim, repair and/or service.

Provide the summary warranty data table electronically in a Microsoft Excel 2003 (or a compatible format) file titled "WARRANTY DATA SUMMARY— FOREIGN".

Provide the warranty data in a Microsoft Access 2003 (or a compatible format) file titled "WARRANTY DATA— FOREIGN".

11. Describe in detail the search criteria used by Toyota to identify the claims identified in response to the immediately above information request, including the labor operations, problem codes, part numbers, and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to any aspect of the sticking accelerator pedal in the Subject Vehicle(s). State, by make and model year, the terms of the new vehicle warranty coverage (including the component) offered by Toyota on the Subject Vehicle(s) (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Toyota offered for the Subject Vehicle(s) and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.
12. State when Toyota first became aware of allegations of sticking accelerator pedals for each make, model and model year Subject Vehicle, (a) within and (b) outside of the United States. Explain in detail how Toyota became aware of the issue, e.g., whether the issue was discovered during the design or production phase of a vehicle, whether Toyota was first informed by a customer complaint, etc.
13. Describe in detail all reports of sticking accelerator pedal(s) Toyota received between March 2007 and the end of January 2008, inclusive, from (a) within and (b) outside of the United States. Identify the make, model, model year and country where each of the Subject Vehicles with the sticking accelerator pedals was located. Describe each and every action by Toyota to investigate the sticking accelerator pedal in each vehicle. Summarize the results of each evaluation and assessment.
14. State in detail, in chronological order, all information and/or allegations related to the issue(s) of sticking accelerator pedal(s) in Subject Vehicle(s) from the time Toyota first became aware of the issue to the present, both within and outside of the United States. This detailed chronology shall include the date of each incident, the date(s) Toyota received information and/or allegations regarding sticking accelerator pedal(s), an identification of the vehicle (Make, model, model year and VIN if available), country where the alleged sticking incident occurred and owner's name, and a summary of the information and allegations. In this chronology, include each and every complaint and

field report (field technical report) that Toyota (including a subsidiary or other business entity controlled by Toyota and located in a foreign country that received information and/or allegations regarding unintended acceleration) received related to sticking accelerator pedals.

15. Produce, in chronological order, all documents related to the chronology provided in your response to the immediately above information request.
16. Describe in detail, in chronological order, each and every effort by Toyota to inquire into, understand, investigate, assess, analyze, test, study, survey, simulate, evaluate, and /or determine contributing factors to and causes of (collectively, "actions") actual or alleged sticking accelerator pedals in Subject Vehicle(s) or a subset of them. For each such action, provide the following information:
  - a. Action title or identifier;
  - b. The actual or planned start date;
  - c. The actual or expected end date;
  - d. A brief summary of the subject and objective of the action;
  - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
  - f. A summary of the findings and/or conclusions resulting from the action.

Toyota's response shall address, among other items, all field reports (field technical reports) involving allegations such as an accelerator pedal stuck and engine racing to maximum RPM; the pedal sticking and the engine revving up to maximum RPM; the vehicle accelerating in an uncontrolled manner, with the driver having to lift the throttle pedal with the driver's foot due to it sticking down while driving; the engine speed stayed high causing uncontrolled acceleration after the accelerator pedal was released; and while driving the engine RPM remained high after releasing the accelerator pedal.

17. For each action identified in your answer to the immediately above information request, produce copies of all documents related to the action regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.
18. As of January 1, 2007, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
19. As of April 1, 2007, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.

20. As of July 1, 2007, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
21. As of October 1, 2007, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
22. As of January 1, 2008, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
23. As of April 1, 2008, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
24. As of July 1, 2008, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
25. As of October 1, 2008, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
26. As of January 1, 2009, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
27. As of April 1, 2009, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters

- considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
28. As of July 1, 2009, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
  29. As of October 1, 2009, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
  30. As of January 1, 2010, was Toyota considering and/or assessing alleged or actual sticking accelerator pedal(s) in one or more Subject Vehicles? If your answer is in the affirmative, identify the Subject Vehicles involved, describe in detail all matters considered and assessed and any tentative or actual conclusions that Toyota had reached as of that time. Identify the persons involved in the consideration or assessment.
  31. Describe in detail the decision-making process (including persons and groups involved and all dates associated with any steps in the procedure and process) with regard to Toyota's decision on how to characterize complaints, field reports (field technical reports), and claims related to sticking accelerator pedals identified in your responses to the above information requests, and state in detail Toyota's rationale for not characterizing complaints, field reports (field technical reports), and claims related to sticking accelerator pedals as safety-related, if they were not so characterized.
  32. Identify each and every individual (including individuals working for or on behalf of Toyota as well as individuals working for or on behalf of a Toyota supplier) who, after Toyota first became aware of the possibility of or an actual sticking accelerator pedal in one or more Subject Vehicle(s), was informed of the issue, discussed the issue, or was involved with any aspect of the issue including but not limited to investigations and determining root cause, characterizing complaints as safety-related or not, advising on whether to modify or change the accelerator pedal or any part thereof, and implementing changes to the accelerator pedal. For each, separately state when he/she was informed thereof and his/her best recollection of what he/she was informed in relation to the issue or any aspect(s) of the issue. Also, describe what each person's responsibility, role, or other involvement is or was in relation to the issue.
  33. State when Toyota decided to begin and when Toyota began design and material changes regarding accelerator pedals starting with any Aygo/Yaris sold in the United States or a foreign country. State when these changes were implemented. State when Toyota decided to begin and when Toyota began design and material changes regarding accelerator pedals on models, other than the Aygo/Yaris, sold in the United States or a

foreign country. State when these changes were implemented, by model and country of sale. Describe in detail the design and material changes implemented by Toyota.

34. Produce, by Subject Vehicle model, all documents related to your answer to the immediately above information request.
35. Describe all modifications and/or changes considered and/or made by or on behalf of Toyota, including the supplier(s) of accelerator pedals for Subject Vehicle(s) or for a future model of a Subject Vehicle, in the material composition (e.g., from PA46 material to PPS material), design (e.g., lengthen the arm of the friction lever), manufacturing, quality control, or installation of the accelerator pedals, from the start of production of Subject Vehicle(s) to the present, which relate to or may relate to actual or potential sticking accelerator pedals in Subject Vehicle(s), in the United States and outside the United States, including but not limited to Europe and Canada. For each such modification or change, provide the following information:
  - a. The country in which Subject Vehicles(s) with the modification or change were made available and the date the modification or change was first implemented for each Subject Vehicle manufactured for sale in that country;
  - b. A detailed description of the modification or change;
  - c. The reason(s) for the modification or change;
  - d. Whether the modification or change was implemented and if so when;
  - e. The part numbers (service and engineering) of the original accelerator pedal;
  - f. The part number (service and engineering) of the modified accelerator pedal;
  - g. Whether the original unmodified accelerator pedal was withdrawn from production and/or sale and if so, when;
  - h. When the modified accelerator pedal was made available as a service accelerator pedal;
  - i. Whether the modified accelerator pedal can be interchanged with earlier production accelerator pedals;
  - j. The date or approximate date on which the modification or change was incorporated into vehicle production;
  - k. All reasons and technical justifications, including data, for the implementation of the modification or change in some markets (e.g., Europe) but not others (e.g., not the United States) at the time the modification or change initially was implemented.

Also, provide the above information for any modification or change that Toyota is aware of which is tentatively or actually planned to be incorporated into vehicle production within the next year.

36. Produce, by action, in chronological order, all documents related to your response to the immediately above information request.
37. With regard to the remedy in Recall 10V-017, state:

- a. What organization within Toyota had been assigned responsibility to develop what ultimately became that remedy;
  - b. When that organization was assigned responsibility to develop what ultimately became that remedy;
  - c. When the conceptual remedy of what ultimately was identified as the remedy was identified;
  - d. The identities of all persons involved in developing the conceptual remedy for what ultimately became that remedy and each person's role in the development;
  - e. When the remedy was finalized for testing purposes;
  - f. When the remedy was tested;
  - g. When the formulation of the remedy was completed;
  - h. When supplier(s) were informed, tentatively, of likely needed parts for the remedy, when parts were priced, and when parts were actually ordered for the remedy; and
  - i. The names of the suppliers for the remedy and what each supplier provided.
38. With regard to each and every communication or meeting (in person, by telephone or by other electronic means) between and/or among Toyota employees in which the possibility of the existence of an issue, problem or defect related to sticking accelerator pedals on Subject Vehicle(s) was discussed including but not limited to the incidents themselves, safety-relatedness of sticking accelerator pedal(s), and changes to the accelerator pedal(s) including changes in some markets (e.g., Europe) but not others (e.g., the United States), state the approximate date on which such communication or meeting was held; state the name, job title, office, telephone number and employer of each participant; and provide a detailed summary of each communication or meeting. Identify and produce copies of any documents considered, reviewed, consulted, produced as a result, or otherwise used during each communication or meeting.
39. With regard to each and every communication, correspondence or notification between Toyota and any other person or entity not identified in your response to the immediately above information request concerning the existence of an issue, problem or defect in the Subject Vehicle(s) related to a sticking accelerator pedal, including CTS Corporation to the extent not included in your response to the immediately above information request, state the approximate date on which each such communication, correspondence or notification was sent; identify the author and recipient of any document; and provide a detailed summary of each communication, correspondence or notification. Identify and produce copies of any documents considered, reviewed, consulted, produced as a result, or otherwise used, during each communication, correspondence, or notification.
40. Produce, in chronological order, all documents amounting to or referring to communications between Toyota and CTS Corporation, a supplier of pedals to Toyota identified in Toyota's January 21, 2010 Part 573 report for Recall 10V-017, related to sticking accelerator pedals.
41. Separately, with regard to Toyota's response to each information request above, identify each person who provided information regarding the response.

42. Separately, with regard to Toyota's response to each information requests above, identify each document considered or relied upon by Toyota in formulating its response, or otherwise.

This letter is being sent to Toyota pursuant to 49 U.S.C. § 30166(b), (e) which authorize NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to require a manufacturer to make reports. Toyota's failure to respond promptly and fully to this letter could subject Toyota to civil penalties pursuant to 49 U.S.C. § 30165 of up to \$6,000 per day, with a maximum of \$16,375,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6. This includes failing to respond to Office of Defects Investigation information requests. It could also lead to an action to compel Toyota to respond.

Unless otherwise stated, the applicable time period covered by this TQ is January 1, 2003, through the present date.

If the original of a document to be produced under these information requests is in a language other than English, Toyota shall produce the original and a translation of that document to English.

All documents submitted in response to these information requests, whether submitted in paper or electronic format, and other than the electronic database information produced (e.g., Excel or Access tables), which the agency will or may need to analyze, must be marked with consecutive page numbers or sequential identifiers so that any page can be identified and located using the file name (if submitted electronically) and page number.

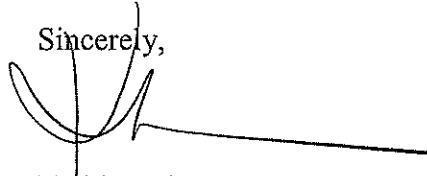
If Toyota claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, your company must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Your Company is required to submit two copies of the documents containing asserted confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted. Please remember that the words "CONFIDENTIAL BUSINESS INFORMATION" must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 49 CFR § 512.6.

Toyota's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office. Please refer to TQ10-002 in Toyota's response to this letter. If Toyota finds that it is unable to provide all of the information requested within the time allotted, Toyota must request an extension from Jennifer Timian at (202) 366-0209 no later than five business days before the response due date. If Toyota is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Toyota then has available, even if an extension has been granted.



Your company's written response to these information requests must be submitted to this office within 30 days of the date of this letter. If you have any questions concerning this information request, please contact Jennifer Timian of my staff at (202) 366-0209 or by e-mail at Jennifer.Timian@dot.gov. Response submission may be made by US Mail, fax (202) 366-7882, or e-mail rmd.odi@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen C. DeMeter', with a long horizontal line extending to the right.

Kathleen C. DeMeter  
Director, Office of Defects Investigation  
Enforcement