



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

VIA FEDERAL EXPRESS – OVERNIGHT DELIVERY

FEB 16 2010

1200 New Jersey Avenue SE.
Washington, DC 20590

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

NVS-215/jtt
TQ10-001

RE: Safety Recalls 07E-082, 09V-388 and 10V-023/TQ10-001

Dear Mr. Tinto:

Toyota has notified the National Highway Traffic Safety Administration (NHTSA or Agency) of three recalls involving problems with or related to accelerator pedals on approximately 5.4 million Toyota vehicles. NHTSA has denominated these recalls as recalls 07E-082, 09V-388, and 10V-023 (the latter includes those vehicles Toyota added to the 09V-388 recall population in its amended defect information report dated January 23, 2010).

Upon further review of the defect information reports and the recalls, NHTSA, through its Recall Management Division, requires additional information from Toyota to more fully understand and evaluate, among other things, when Toyota first learned of the possibility of an issue of floor mat interference with the accelerator pedals installed on its vehicles, the chronology of events leading up to Toyota's defect decisions, Toyota's responses to problems with floor mats and accelerator pedals and the timing of those responses, and the timeliness of Toyota's submissions of its part 573 reports. Accordingly, we have opened a timeliness query (TQ) to investigate these matters. The investigation's assigned identification number is TQ10-001. This letter contains information requests related to those recalls. In responding to these information requests, please first repeat the request asked before providing your response.

BACKGROUND

On September 26, 2007, Toyota submitted a defect information report to NHTSA regarding Toyota's recall and replacement of optional equipment all weather floor mats on model year (MY) 2007 and early 2008 Lexus ES350 and Toyota Camry vehicles manufactured between January 23, 2006, and September 13, 2007. NHTSA designated this as recall number 07E-082. In its defect information report, Toyota agreed with NHTSA that an unsecured all weather floor mat can migrate toward the accelerator pedal and prevent the pedal from returning to idle.

On October 5, 2009, Toyota submitted a defect information report to NHTSA with respect to a safety campaign regarding certain MY 2003 – 2009 Lexus and Toyota vehicles (some of which were included in recall number 07E-082) with a potential for interference between the accelerator



pedal and driver's side floor mat. In the defect information report, Toyota explained that there is a potential for an accelerator pedal to get stuck in the wide open throttle position due to interference with an unsecured or incompatible driver's floor mat. Toyota explained further that an accelerator pedal stuck in the wide open throttle position may result in high levels of unwanted acceleration, resulting in very high vehicle speeds, and make it difficult to stop the vehicle, which could cause a crash, serious injury or death. NHTSA assigned Toyota's recall number 09V-388. Toyota supplemented its defect information report on November 25, 2009, in order to provide production information on the vehicles involved in that recall, and to provide its remedy plan and schedule for the recall campaign. On January 27, 2010, Toyota again supplemented its defect information report to include additional vehicles. As NHTSA received this supplemental defect information report in calendar year 2010, NHTSA considered it a new recall and assigned it recall number 10V-023 for the vehicles listed in this report.

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.; and New United Motor Manufacturing, Inc.), 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 the driver's floor mats, accelerator pedal assemblies, electronic throttle controls, and/or smart pedals in the Subject Vehicles:

- 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, 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 floor mats, accelerator pedal assemblies and parts therein, electronic throttle controls, and/or smart pedals.

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 recalls 07E-082, 09V-388 and 10V-023, as amended and supplemented, as provided by Toyota in any and all of its defect information reports submitted as part of or in connection with these recalls. Subject Vehicles include MY 2008-2010 Toyota Highlander, MY 2009-2010 Toyota Corolla, MY 2005-2010 Toyota Avalon, MY 2009-2010 Toyota Venza, MY 2009-2010 Toyota Matrix, MY 2007-2010 Toyota Camry, MY 2004-2009 Toyota Prius, MY 2005-2010 Toyota Tacoma, MY 2007-2010 Toyota Tundra, MY 2007-2010 Lexus ES 350, MY 2006-2010 Lexus IS 250/350, and MY 2009-2010 Pontiac Vibe.

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 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 "electronic throttle control" refers to a system that adjusts the vehicle's throttle position based on input from the accelerator pedal position via electronic signal to (as distinguished from a mechanical linkage such as a cable with) the vehicle throttle control system. This term includes systems that operate similarly (e.g., Toyota's link-less and link/link-less systems), even if not characterized as "electronic throttle control" by Toyota.

12. 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.

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 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. The part number of the floor mat on the vehicle as delivered by Toyota to a distributor or dealer, or that was standard equipment for the vehicle as to be delivered to a purchaser and to be provided by the dealer;
 - d. Whether the vehicle was equipped with smart pedal or similar system;
 - e. Date of manufacture (in "dd/mm/yyyy" date format);
 - f. Date warranty coverage commenced; and
 - g. 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 "U.S. PRODUCTION DATA." Provide a separate table for each Model Year.

2. Separately, by make, model and 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 interference between the accelerator pedal and driver's side floor mat in the Subject Vehicle(s):
 - 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 of interference between the accelerator pedal and driver's side floor mat in a Subject Vehicle by the owner of the vehicle, driver or passenger of the 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.

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."

3. Separately, for each item (complaint, report, claim, notice, proceeding or lawsuit) within the scope of your response to Information Request 2 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 (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. A description of the floor mat in the driver's side of the vehicle, including whether it was a Toyota (including Lexus and other vehicles made by Toyota) original equipment or aftermarket mat, a non-Toyota aftermarket floor mat (include name of manufacturer if not Toyota), a description of the mat itself (e.g., all-weather, rug, cloth, rubber), and the part number if it was a Toyota mat;
 - h. Whether the vehicle was equipped with smart pedal or similar system;
 - i. Vehicle's mileage at time of incident;
 - j. Incident date (in "dd/mm/yyyy" date format);
 - k. Report or claim date (in "dd/mm/yyyy" date format);
 - l. Whether a crash is alleged;
 - m. Whether property damage is alleged;

- n. Number of alleged injuries, if any; and
- o. Number of alleged fatalities, if any.

Provide this information in a Microsoft Access 2003 (or a compatible format) file titled "REQUEST NUMBER TWO DATA."

- 4. Produce copies of all documents related to each item within the scope of Request 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and in chronological order.
- 5. 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 interference between the accelerator pedal and driver's side floor mat in Subject Vehicle(s): 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 a floor mat) removed, including the Toyota part number if available;
- e. A description of any part (including a floor mat) 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." Provide the

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

6. Describe in detail the search criteria used by Toyota to identify the claims identified in response to Information Request 5 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 interference between the accelerator pedal and the driver's side floor mat in the Subject Vehicle(s). State, by make and model year, the terms of the new vehicle warranty coverage (including the subject 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.
7. State when Toyota first became aware of interference or allegations of interference of the driver's side floor mat with the movement of the accelerator pedal for each make, model and model year Subject Vehicle included in Recall 07E-082. 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.
8. State when Toyota first became aware of interference or allegations of interference of the driver's side floor mat with the movement of the accelerator pedal for each make, model and model year Subject Vehicle, included in Recall 09V-388. 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.
9. State when Toyota first became aware of interference or allegations of interference of the driver's side floor mat with the movement of the accelerator pedal for each make, model and model year Subject Vehicle, included in Recall 10V-023. 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.
10. State in detail, in chronological order, all information and/or allegations related to the issue(s) of interference between the accelerator pedal and driver's side floor mat in Subject Vehicle(s) from the time Toyota first became aware of the issue to the present. This detailed chronology shall include the date of the incident, the date(s) Toyota received information and/or allegations regarding interference between the accelerator pedal and driver's side floor mat, an identification of the vehicle (Make, model, model year and VIN if available and owner's name), and a summary of the information and allegations.

11. Produce, in chronological order, all documents related to the chronology provided in your response to the immediately above information request.
12. 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 interference between the accelerator pedal and a floor mat (hereinafter sometimes referred to as "accelerator pedal interference") 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.
13. For each action identified in your answer to number 12, 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.
14. As of July 1, 2007, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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.
15. As of October 1, 2007, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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.
16. As of January 1, 2008, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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.
17. As of April 1, 2008, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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.

18. As of July 1, 2008, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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 October 1, 2008, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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 January 1, 2009, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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 April 1, 2009, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat in one or more Subject Vehicles? If your answer is in the affirmative, 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 July 1, 2009, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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 October 1, 2009, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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 January 1, 2010, was Toyota considering and/or assessing alleged or actual interference between the accelerator pedal and driver's side floor mat 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. 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 interference between the accelerator pedal and driver's side floor mat issue in the Subject Vehicle(s), was informed of the issue, discussed the issue, or was involved with any aspect of the issue. 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.
26. Describe all modifications 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 design, material composition, 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 interference between the accelerator pedal and a floor mat in Subject Vehicle(s). For each such modification or change, provide the following information:
 - a. A detailed description of the modification or change;
 - b. The reason(s) for the modification or change;
 - c. Whether the modification or change was implemented and if so when;
 - d. The part numbers (service and engineering) of the original accelerator pedal;
 - e. The part number (service and engineering) of the modified accelerator pedal;
 - f. Whether the original unmodified accelerator pedal was withdrawn from production and/or sale and if so, when;
 - g. When the modified accelerator pedal was made available as a service accelerator pedal;
 - h. Whether the modified accelerator pedal can be interchanged with earlier production accelerator pedals; and
 - i. The date or approximate date on which the modification or change was incorporated into vehicle production

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.

27. Describe all modifications or changes considered and/or made by or on behalf of Toyota in the design, software, logic, quality control, or installation of the electronic throttle control system in the Subject Vehicle(s), from the start of production of Subject Vehicle(s) to date which relate to or may relate to interference between the accelerator pedal and driver's side floor mat and/or accelerator pedal interference in Subject Vehicle(s). For each such modification or change, provide the following information:
- a. A detailed description of the modification or change;
 - b. The reason(s) for the modification or change;
 - c. Whether the modification or change was implemented and if so when; and
 - d. The date or approximate date on which the modification or change was incorporated into vehicle production.

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, including smart pedal technology, within the next year.

28. With regard to the remedy in Recall 07E-082, 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 what each did;
 - 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
29. With regard to the remedies for and related to the accelerator pedals in Recalls 09V-388 and 10V-023, as amended and supplemented, 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 what each did;
 - e. When the remedy was finalized for testing purposes;
 - f. When the remedy was tested;
 - g. When the formulation of the remedy was completed; and
 - 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.
30. 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 a problem or defect related to interference between the accelerator pedal and driver's side floor mat of the Subject Vehicle(s) was discussed, state the approximate date on which such communication or meeting was held, 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.
31. With regard to each and every communication, correspondence or notification between Toyota and any other person or entity not identified in your responses to the immediately above information request concerning the existence of a problem or defect with the Subject Vehicle(s) related to interference between the accelerator pedal and driver's side floor mat, state the approximate date on which each such communication, correspondence or notification was sent, identify the author and recipient, and provide a detailed summary of each. To the extent not included in your answer to the immediately above information request, this includes all communication, correspondence and notifications between Toyota and CTS Corporation and/or DENSO Corporation related to interference between the accelerator pedal and the driver's side floor mat in Subject Vehicles or vehicles that are identical or substantially similar to Subject Vehicles. Identify and produce copies of any documents considered, reviewed, consulted, produced as a result, or otherwise used, during each communication, correspondence, or notification.
32. Provide a chronology of all events that occurred in foreign countries with regard to interference between the accelerator pedal and the driver's side floor mat in vehicles that are identical or substantially similar to any of the Subject Vehicles. The chronology shall include, but not be limited to, all complaints and field reports of incidents. For each report include country of incident, make, model and year of vehicle, and date of incident. The chronology shall also include all changes in production intended to address the entrapment of accelerator pedals by a floor mat and all field campaigns, recalls and technical service bulletins intended to address the entrapment of accelerator pedals by a floor mat.

33. Produce, in chronological order, all documents related to the chronology provided in your response to the immediately above information request.
34. Separately, with regard to Toyota's response to each information request above, identify each person who provided information regarding the response.
35. Separately, with regard to Toyota's response to each information request above, identify each document considered or relied upon by Toyota in formulating its response, or otherwise identified in the response, and produce a copy of it.

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.

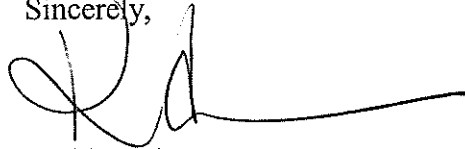
All documents submitted in response to these information requests, whether submitted in paper or electronic format, and other than the electronic database information produced (e.g., Excel or Access tables) which the agency will or may need to analyze, must be marked with consecutive page numbers or 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 TQ10-001 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 'Kd', with a long horizontal line extending to the right.

Kathleen C. DeMeter
Director, Office of Defects Investigation
Enforcement