



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

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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
RQ10-003

Re: Unintended Acceleration in Toyota vehicles/RQ10-003

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 over five million Toyota vehicles. NHTSA has denominated these recalls as follows: (1) 07E-082, (2) 09V-388 and 10V-023 (the latter comprises those vehicles Toyota added to the 09V-388 recall population in its amended defect information report dated January 23, 2010), and (3) 10V-017. For ease of reference, at times, recalls 07E-082, 09V-388 and 10V-023 have been referred to as involving interference between the accelerator pedal and driver's side floor mat. At times, recall 10V-017 has been referred to as involving a sticking accelerator pedal assembly.

Upon further review of Toyota's 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, whether the scope of the recalls identified above (makes, models, and model years) is sufficiently broad. We are seeking to determine whether Toyota viewed the underlying defects too narrowly as interference between the accelerator pedal and the driver's side floor mat, or as a lever design (including materials) or performance problem giving rise to a sticking accelerator pedal, without fully considering the broader issue of unintended acceleration and any associated safety-related defects that warrant recalls. Unintended acceleration (defined more completely below) includes any failure of the engine to return to idle when there is no pressure by the driver's foot on the gas pedal and thus is broader than interference between the accelerator pedal and driver's side floor mat and sticking accelerator pedals with levers made of particular plastic(s). We are seeking information about how Toyota viewed complaints and other reports to Toyota and how Toyota assessed potential electromagnetic interference. We also require information from Toyota on why some models of vehicles with electronic throttle control were not included in the recalls. Accordingly, we have opened a recall query (RQ) to investigate these matters. This investigation's assigned identification number is RQ10-003.

In the interest of assuring that the problems with unintended acceleration have been fully identified and addressed, NHTSA is requesting further information from Toyota through the



following information requests. In responding to these information requests, including requests for production of documents, please first repeat the question being 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 2004 – 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 side floor mat. Toyota explained further that a stuck open accelerator pedal 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 safety campaign the 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.

On January 21, 2010, Toyota submitted a defect information report to NHTSA involving certain Toyota vehicles and certain Pontiac Vibes with regard to a defect in the accelerator pedal assembly which may result in the accelerator pedal becoming harder to depress, slower to return, or in the worst case, mechanically sticking in a partially depressed position. This recall, which has been referred to as sticking accelerator pedal(s) or stuck accelerator pedal(s), has been designated as recall number 10V-017 by NHTSA.

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 of 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 and/or throttle control in 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 (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 terms “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 or last known 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 manufactured by Toyota for sale or lease inside the United States and/or outside of the United States and equipped with an electronic throttle control system.

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. The term “unintended acceleration” refers to unintended, unrequested, uncontrollable, and/or unexplained acceleration of a Subject Vehicle, and to the failure of a vehicle’s engine to return to idle when the driver takes his or her foot off of the accelerator pedal or raises his or her foot to a position where the engine ordinarily would return to idle, regardless of the alleged or determined cause of the acceleration or failure to decelerate or return to idle and regardless of the speed at which the event allegedly took place. For purposes of this RQ IR, “unintended acceleration” does not include incidents that Toyota determined were caused or substantially contributed to by interference between the vehicle’s accelerator pedal and floor mat, and as to which Toyota has reported fully in its response to NHTSA’s information request in TQ10-001. Nor does “unintended acceleration” include incidents that Toyota determined were caused or substantially contributed to by a sticking accelerator pedal, and as to which Toyota has reported fully in its response to NHTSA’s information request in TQ10-002.

11. 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.

12. 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.

13. 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. Provide a table with production counts broken out by the categories listed below for all Subject Vehicles Toyota has manufactured for sale or lease in the United States:
 - a. Make;
 - b. Model;
 - c. Model year;
 - d. Engine;

- e. The type of electronic throttle control system used (e.g., link or link-less);
- f. Transmission (e.g., manual, automatic with sequential shifter, or automatic with conventional shifter);
- g. Ignition system (e.g., mechanical key or electronic key - Advanced Key system); and
- h. Pedal supplier.

Provide the table in Microsoft Excel, or a compatible format, entitled “PRODUCTION DATA—U.S.” Provide a separate table for each model year.

2. Provide a table with production counts broken out by the categories listed below for all Subject Vehicles Toyota has manufactured for sale or lease outside of the United States:

- a. Make;
- b. Model;
- c. Model year;
- d. Engine;
- e. The type of electronic throttle control system used (e.g., link or link-less);
- f. Transmission (e.g., manual, automatic with sequential shifter, or automatic with conventional shifter);
- g. Ignition system (e.g., mechanical key or electronic key - Advanced Key system); and
- h. Pedal supplier.

Provide the table in Microsoft Excel, or a compatible format, entitled “PRODUCTION DATA—OUTSIDE U.S.” Provide a separate table for each model year in each country.

3. Separately, by make, model and model year of Subject Vehicle manufactured for sale or lease in the United States, 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 unintended acceleration, other than interference between the accelerator pedal and driver’s side floor mat identified in your response to NHTSA’s information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA’s information requests in TQ10-002, in the Subject Vehicle(s):

- a. Consumer complaints, including those from fleet operators;
- b. Field reports, including dealer field reports;
- c. Reports, claims, or notices involving a crash/fire, injury, or fatality;
- d. Property damage claims (including the claimant’s 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 all allegations and observations of unintended acceleration, other than interference between the accelerator pedal and

driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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, or in a field report or 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 "d" 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—U.S."

4. Separately, for each item (complaint, report, claim, notice, proceeding or lawsuit) within the scope of your response to Information Request 3, state the following information:
 - a. Toyota's file number or other identifier used;
 - b. The category of the item, as identified in Information Request 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;
 - o. The assessment of a Toyota dealer of the actual or likely cause or factors contributing to the unintended acceleration (if there was no examination of the

vehicle by a dealer, so state; if a dealer examined the vehicle and did not identify the actual or likely cause or factors contributing to the unintended acceleration, so state); and

- p. Toyota's assessment of the cause or factors contributing to the unintended acceleration (if Toyota has not and has never identified the actual or likely cause or factors contributing to the unintended acceleration, so state).

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

- 5. Produce copies of all documents related to each item within the scope of Information Request 3. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and in chronological order.
- 6. Separately, by make, model and 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 unintended acceleration, other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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, notices, or claims involving a crash/fire, injury, or fatality;
 - d. Property damage claims (including to the claimant's 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 all allegations and observations of unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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, or in a field report or 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 “d” 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.”

7. Separately, for each item (complaint, report, claim, notice, proceeding or lawsuit) within the scope of your response to Information Request 6, state the following information:
 - a. Toyota’s file number or other identifier used;
 - b. The category of the item, as identified in Information Request 6 (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 and country where subject vehicle was originally sold or leased (or otherwise transferred as a new vehicle from Toyota to a third party);
 - 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;
 - o. The assessment of a Toyota dealer of the actual or likely cause or factors contributing to the unintended acceleration (if there was no examination of the vehicle by a dealer, so state; if a dealer examined the vehicle and did not identify the actual or likely cause or factors contributing to the unintended acceleration, so state); and
 - p. Toyota’s assessment of the cause or factors contributing to the unintended acceleration (if Toyota has not and has never identified the actual or likely cause or factors contributing to the unintended acceleration, so state).

Provide this information in a Microsoft Access 2003 (or a compatible format) file titled “REQUEST NUMBER SEVEN DATA—OUTSIDE U.S.”

8. Produce copies of all documents related to each item within the scope of Information Request 6. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and in chronological order.
9. For Subject Vehicles manufactured for sale or lease in the United States, 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 unintended acceleration, other than to interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than to sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002: 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) that followed Toyota's filing of a 49 CFR 573.6 report for NHTSA Recall 07E-082, 09V-388, 10V-023 or 10V-017 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 removed, including the Toyota part number if available;
- e. A description of any part 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 a 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, underlying problem, 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."

10. Describe in detail the search criteria used by Toyota to identify the claims identified in response to Information Request 9, 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 the alleged unintended acceleration 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.

11. For Subject Vehicles manufactured for sale or lease outside of the United States, state by make, model, model year, and the country where the Subject Vehicles were originally sold or leased (or otherwise transferred as a new vehicle from Toyota to a third party), 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 unintended acceleration, other than to sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002: 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 of origin of the claim;
- e. A description of any part removed, including the Toyota part number if available;
- f. A description of any part 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 and province, state 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, underlying problem, 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—OUTSIDE U.S." Provide the warranty data in a Microsoft Access 2003 (or a compatible format) file titled "WARRANTY DATA—OUTSIDE U.S."

12. Describe in detail the search criteria used by Toyota to identify the claims identified in response to Information Request 11, 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 the alleged unintended acceleration 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.
13. State in detail, in chronological order, all information and/or allegations related to the issue(s) of unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, in Subject Vehicle(s) manufactured for sale or lease in the United States from the time Toyota first became aware of the issue of unintended acceleration in any of these Subject Vehicles to the present. This detailed chronology shall include the date of the incident, the date(s) Toyota received the information and/or allegations related to the issue(s) of unintended acceleration, an identification of the vehicle (make, model, model year, VIN , and owner's name), a summary of the information and allegations, a statement of all reasons why Toyota has not included the incident as being caused or contributed to by interference between the accelerator pedal and driver's side floor mat or by a sticking pedal, and a statement of Toyota's belief as to the cause or contributing factors of the unintended acceleration. In this chronology, include each and every complaint and field report (field technical report) that Toyota received related to unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002.
14. Produce, in chronological order, all documents related to the chronology provided in your response to the immediately above information request.
15. For each make, model and model year of Subject Vehicles Toyota manufactured for sale or lease in the United States that was not included in recall 09V-388 or recall 10V-023, state in detail why that vehicle (identified by make, model and model year or part thereof) was not included in recall 09V-388 or recall 10V-023.
16. For each make, model and model year of Subject Vehicles Toyota manufactured for sale or lease in the United States that was not included in recall 10V-017, state in detail why that vehicle (identified by make, model and model year or part thereof) was not included in recall 10V-017.

17. State in detail, in chronological order, all information and/or allegations related to the issue(s) of unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, in Subject Vehicle(s) manufactured for sale or lease in a country other than the United States, from the time Toyota first became aware of the issue of unintended acceleration in any of these Subject Vehicles to the present. This detailed chronology shall include the date of the incident, the date(s) Toyota (including a subsidiary or other business entity controlled by Toyota and located in a foreign country) received the information and/or allegations related to the issue(s) of unintended acceleration, an identification of the vehicle (Make, model, model year and VIN if available and owner's name), a summary of the information and allegations, a statement of all reasons why Toyota has not included the incident as being caused or contributed to by interference between the accelerator pedal and driver's side floor mat or by a sticking pedal, and a statement of Toyota's belief as the cause or contributing factors to the unintended acceleration. 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) received related to unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002.
18. Produce, in chronological order, all documents related to the chronology provided in your response to the immediately above information request.
19. 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 actual or alleged unintended acceleration (collectively, "actions"), other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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. The subset of Subject Vehicles that Toyota intended the action to involve;
 - e. A brief summary of the subject and objective of the action;
 - f. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - g. A summary of the findings and/or conclusions resulting from the action.
20. 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.

21. As of January 1, 2007, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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 April 1, 2007, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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 July 1, 2007, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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 October 1, 2007, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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 January 1, 2008, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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 April 1, 2008, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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 July 1, 2008, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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 October 1, 2008, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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 January 1, 2009, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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 April 1, 2009, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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. As of July 1, 2009, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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.
 32. As of October 1, 2009, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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.
 33. As of January 1, 2010, was Toyota considering and/or assessing alleged or actual unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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.
 34. 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 unintended acceleration in the Subject Vehicle(s), other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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.
 35. Describe all modifications and/or changes considered and/or made by or on behalf of Toyota, from the start of production of Subject Vehicle(s) to the present, which relate to or may relate to actual or potential unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to

NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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. The subset of Subject Vehicles that Toyota intended the modification or change to affect;
- d. Whether the modification or change was implemented and if so when;
- e. 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;
- f. The original part numbers (service and engineering) and a description of the part;
- g. The part number of the modified or changed part (service and engineering) and a description of the part;
- h. Whether the original unmodified part was withdrawn from production and/or sale and if so, when;
- i. When the modified part was made available as a service part;
- j. Whether the modified part can be interchanged with an earlier production part;
- k. The date or approximate date on which the modification or change was incorporated into vehicle production; and
- l. 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. Describe in detail each and every electronic throttle control system Toyota has installed on Subject Vehicles. Include a description of the operation and functionality of the system, including any redundancies and/or checks built into the system, including but not limited to the closing of the throttle valve when the brakes are applied. Identify the vehicles (make, model, model year) that have had or have each such system, and identify those countries in which each subject vehicle was sold.
37. State in detail, beginning with Toyota's introduction of vehicles with electronic throttle controls in the United States, how Toyota protected against electromagnetic interference (EMI) and tested those protections.
38. Describe in detail Toyota's programs, from the development of the initial electronic throttle control systems to the present, for testing Subject Vehicles for susceptibility to EMI and/or electromagnetic compatibility (EMC), including testing performed at any and all stages of vehicle and component design and development, including but not limited to the early electronic sub assembly (ESA) design stage (i.e., at the circuit board and

- component specification level); testing design and/or specifications of component suppliers' ESA's; and testing the design, specifications, and/or performance of the assembled ESA's in a whole vehicle (including any and all static testing and dynamometer testing of the whole vehicle).
39. For each stage of Toyota's EMI/EMC susceptibility testing described in your response to the preceding information request, provide the following:
- a. For each and every test conducted by Toyota, by stage, provide the following:
 - i. Describe each test protocol in detail;
 - ii. Identify the subject component of the test and what effect, if any, that component has on the vehicle's electronic throttle control system;
 - iii. Provide a summary of Toyota's objective for each test;
 - iv. Identify what constitutes a passing/failing result for the test;
 - v. State whether the test is based fully or in substantial part on an existing SAE and/or ISO standard and, if so, identify the standard;
 - vi. For tests based on an existing SAE and/or ISO standard but not identical to the standard, identify the standard and describe in detail the difference(s) between the SAE and/or ISO standard and the test conducted by Toyota;
 - vii. Where applicable, provide a summary of Toyota's objective for conducting a test different from an existing applicable SAE and/or ISO standard;
 - viii. If the test is on a whole vehicle (e.g., not a buck), state whether the test is static or performed with the vehicle on a dynamometer; and
 - ix. Provide a copy of any test report, results, notes, evaluations, conclusions, or other documents produced during and/or related to this testing, and any and all conclusions drawn by Toyota therefrom.
 - b. State in detail any and all conclusions Toyota has drawn regarding the testing described in Toyota's answer to the above as related to actual or potential unintended acceleration.
40. Describe each and every modification to Toyota's testing program or procedures (or any part thereof) for testing Subject Vehicle(s) for susceptibility to EMI and/or EMC since Toyota first became aware of allegations of unintended acceleration on Subject Vehicles. If Toyota has modified its EMI/EMC susceptibility testing program, provide the following information for each modification:
- a. A detailed description of the modification;
 - b. A summary of Toyota's objective for the modification, including the specific issue(s) the modification was intended to address;
 - c. The date the modification was implemented;
 - d. The subset of Subject Vehicles Toyota intended the modification to effect;
 - e. A summary of the findings and/or conclusions resulting from the modification.

- f. Copies of all documents related to the modification regardless of whether the documents are in interim, draft, or final form;
41. Describe in detail all information in Toyota's possession regarding whether and the extent to which EMI has played a causal or contributory role in any incidents of unintended acceleration involving vehicles manufactured by Toyota, for sale or lease in the United States and/or for sale or lease outside of the United States. Identify and describe the reason(s), if any, the Subject Vehicles manufactured for sale or lease in the United States may be less, or more, susceptible or vulnerable to EMI.
42. Apart from interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001, sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, and any EMI problems described in your responses to the foregoing (above) information requests, describe in detail any other performance problems of which Toyota has information with regard to electronic throttle controls and whether those problems have led or, in Toyota's opinion, could lead to unintended acceleration.
43. 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 unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, in 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.
44. 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 unintended acceleration, other than interference between the accelerator pedal and driver's side floor mat identified in your response to NHTSA's information requests in TQ10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ10-002, 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. Identify and produce copies of any documents considered, reviewed, consulted, produced as a result, or otherwise used, during each communication, correspondence, or notification.
45. Please state the number of, and identify by date of incident, and date of Toyota's receipt or notice of the incident, all incidents involving a death or injury attributable, or claimed to be attributable, to unintended acceleration in the Subject Vehicles Toyota manufactured for sale or lease in the United States, that have not yet been reported to

NHTSA under the Early Warning Regulation (EWR), 49 CFR Part 579. To the extent any such incidents should have been previously reported to NHTSA, but were not, separately identify those incidents and, for each, explain why Toyota did not include the incident in a previous EWR report. For purposes of this question only, "unintended acceleration" includes incidents that Toyota determined were caused or substantially contributed to by interference between the vehicle's accelerator pedal and floor mat, and as to which Toyota may have reported in response to NHTSA's information request in TQ10-001. It also includes incidents that Toyota determined were caused or substantially contributed to by a sticking accelerator pedal, and as to which Toyota may have reported in its response to NHTSA's information request in TQ10-002.

46. Separately, with regard to Toyota's response to each information requests above, identify each person who provided information regarding the response.
47. Separately, with regard to Toyota's response to each information requests above, identify and produce a copy of each document considered or relied upon by Toyota in formulating its response, or otherwise identified in the response.

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 RQ is January 1, 2000, through the present date.

If the original of a document to be produced under these information requests 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.

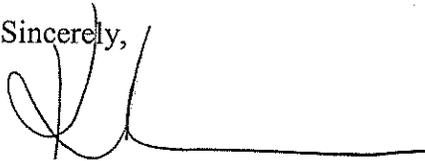
If Toyota claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, your company must submit supporting information 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 RQ10-003 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 60 days of receiving 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 be 'K. DeMeter', with a long horizontal line extending to the right.

Kathleen C. DeMeter
Director, Office of Defects Investigation
Enforcement