

TOYOTA

TOYOTA MOTOR NORTH AMERICA, INC.

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November 9, 2010

Rec'd ODI
NOV 16 2010

Mr. D. Scott Yon, Chief
Vehicle Integrity Division
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE, W48-308
Washington, DC 20590

Subject: NVS2121lh; PE10-031PIR

Dear Mr. Yon:

This letter is being sent in response to your Oct 4, 2010 letter regarding PE10-031, a peer vehicle inquiry. Enclosed you will find the complete response and a CD-ROM with the attachments. Two copies of these materials are being provided for your convenience.

If you have any questions about these materials, please contact me at (202) 463-6971.

Sincerely,



Vinnie Venugopal
General Manager, Quality
Toyota Motor Engineering &
Manufacturing, Inc.

VV:ch
Enclosure

TOYOTA'S RESPONSE TO INFORMATION REQUEST

PE10-031

1. State within the body of the response letter a summary table, by model and model year, the number of subject vehicles Toyota has manufactured for sale or lease in the United States.

Separately, for each subject vehicle manufactured to date by Toyota, state the following:

- a. Vehicle identification number (VIN);
- b. Model year;
- c. Whether or not the vehicle was originally equipped (manufactured) with a brush guard, skid guard, or covering for the bottom of the fuel tank (i.e., a protective guard);
- d. If not originally equipped, whether or not a protective guard was optionally available from Toyota, and if so, the part number of the optionally available protective guard;
- e. Date of manufacture (in "dd/mm/yyyy" date format);
- f. Date warranty coverage commenced (in "yyyy/mm/dd" date format); 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 2007, or a compatible format, entitled "SUBJECT VEHICLE PRODUCTION DATA."

Response 1

The number of MY 1993-2004 Toyota 4Runner vehicles manufactured for sale or lease in the United States by model year is as follows:

Model	Model Year	Total
Toyota 4Runner	1993	117,650
	1994	171,666
	1995	79,839
	1996	106,333
	1997	140,612
	1998	114,127
	1999	133,377
	2000	115,810
	2001	76,575
	2002	93,521
	2003	107,735
	2004	72,626
	Total	1,329,871

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In addition, the detailed information responsive to “a” through “g” is provided electronically on CD-ROM in Microsoft Access 2000 format entitled “SUBJECT VEHICLE PRODUCTION DATA .mdb” stored in the folder “Attachment-Response 1.”

2. 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, the potential defect in the subject vehicles:

- a. Consumer complaints;
- 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, and notices received by the manufacturer alleging that a death or injury was caused by a possible defect in a subject vehicle;
- d. Property damage claims;
- 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.

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 items “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 “c” through “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, and details of the resolution of the matter.

Include reports in which the subject vehicle was struck in the rear by another vehicle. As used here, rear includes crashes in which the striking vehicle hit the subject vehicle at an angle that included the rear, and is not limited to direct crashes to the rear of the subject vehicle. Fire reports where the ignition source was from other than the crash are responsive and are to be included in your response. Reports of fuel leaks or fires where no crash occurred, such as fuel leaks that occur in garages or from punctures from running over objects in the road (but unrelated to a crash), are not within the scope of this request. Also, reports in which the fuel leak or fire originated in the engine compartment area, or where the fire was caused by an electrical issue (e.g., dash wiring or seat heater) or from a non-vehicle related source (e.g., a lit cigarette, or a lit match), as opposed to a fuel leak, are also outside the scope of this request.

Response 2

Toyota has not located any requested information that relates to, or may relate to the potential defect in the subject vehicles.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:

- a. Toyota's file number or other identifier used;
- b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
- c. Cause: 1) Whether the potential defect occurred due to the failure of or damage to a subject component or 2) whether the potential defect occurred due to an unknown, undetermined, or ambiguous causation.
- d. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
- e. Vehicle's VIN;
- f. Vehicle's model year;
- g. Vehicle's mileage at time of incident;
- h. Incident date;
- i. Report or claim date;
- j. Whether a fire is alleged;
- k. Whether property damage is alleged;
- l. Number of alleged injuries, if any; and
- m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2007, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

Response 3

Toyota has not located any requested information that relates to, or may relate to the potential defect in the subject vehicles.

4. Produce copies of all documents related to each item within the scope of Request No. 2 items a, b, c, d, e, and f. The documents requested specifically include any police reports in Toyota's possession which relate to, or may relate to, the crash, fuel leak or fire, and any accident reconstruction documents by any party. Organize the documents separately by category (i.e., crash reports, lawsuits, etc.) and describe the method Toyota used for organizing the documents.

Response 4

Toyota has not located any requested information that relates to, or may relate to the potential defect in the subject vehicles.

5. For each design variation of the subject vehicle, provide the following information:
- a. Applicable model years or other design variation details (generation number, sub-model, trim level, etc.)
 - b. Side, rear, and top view drawings showing the placement of the subject components and related components that secure them in the vehicle;
 - c. A bottom view drawing or photograph showing the full vehicle undercarriage in the fully built configuration including the locations of the subject components; and
 - d. Type of material the subject fuel tank is composed of(e.g., HDPE plastic).

Response 5

- a. There are three variations of the fuel tank design in the subject vehicles. Applicable model years are 1993 – 1995 MY, 1996 – 2002 MY, and 2003 – 2004 MY.
- b. Toyota provides top and side view drawings of each design variation showing the placement of the subject components and related components that secure them in the vehicle. Please see “Attachment-Response 5-1.” Rear view drawings of the subject vehicles do not exist.
- c. Toyota provides bottom view photographs showing the full vehicle undercarriage in the fully built configuration including the locations of the subject components. Please see “Attachment-Response 5-2.” Because of the age of the 1993 – 1995 MY vehicles, Toyota does not have a bottom view drawing or photograph. It provides photographs from the NCAP (New Car Assessment Program) frontal barrier impact test report dated December 24, 1992. Please see “Attachment- Response 5-3.”
- d. The material of the fuel tank in the subject vehicles is as follows.

Model year	1993 – 1995	1996 – 2002	2003 – 2004
Material of fuel tank	Steel	Steel	HDPE plastic

* * *

Data provided in this document is current as of the following dates:

	Response	Dates
Response 1	Production Data	10/25/2010
Response 2 - 4	Consumer Complaints	10/15/2010
	Field Reports	10/14/2010
	Lawsuits	10/20/2010

In the foregoing responses to this Information Request (“IR”), information has been obtained from those departments and employees knowledgeable about the subject matter of this inquiry most likely to have such information in the regular and ordinary course of business. When a particular Request seeks “documents” as defined in the IR, reasonable, good faith searches have been made of corporate records where such documents would ordinarily be expected to be found and to which Toyota would ordinarily refer when looking for such information.

The definitions of “documents” and “Toyota”, however, are unreasonably broad, vague, and ambiguous, and Toyota objects to such definitions, because they exceed a reasonable understanding of such terms. For example, “calendars”, “travel reports”, “contracts” and “personnel records”, to name a few, would not normally contain responsive information pertaining to the potential defect subject of this inquiry. Toyota has also not provided information from electronic files that require extraordinary or expert means to retrieve that are generally unavailable to the computer user.

In addition, Toyota has not provided information from persons or entities over which it does not ordinarily exercise control, such as independent suppliers and contractors. Toyota also objects to the definition of “Toyota” to the extent it purports to include outside counsel. It would be unduly burdensome to require Toyota to request that outside counsel search files for responsive documents. Moreover, it is highly unlikely that outside counsel would possess any non-privileged documents responsive to this IR that are not already being produced by Toyota. In light of the significant burden and cost associated with canvassing outside counsel for potentially responsive documents and the very low probability of identifying any non-privileged document not already being produced, Toyota has not asked its outside counsel to search for responsive documents.

Toyota understands this IR to seek information on vehicles manufactured for sale in the United States and its territories. Also, we understand documents specifically related to the preparation of the responses are not sought.

The source of information used as a basis for the data in each Attachment, including the date the data were updated and retrieved, is identified above as applicable. If a document itself is the source for the requested information and it is provided, no further source identification is provided. If a document, drawing or component is requested, or if no responsive information is available, we assume no further source identification is called for.