

# TOYOTA

## TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE

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June 4, 2010

Mr. Richard Boyd  
Acting Director, Office of Defects Investigation  
Enforcement  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Re: Unintended Acceleration in Toyota Vehicles/RQ10-003

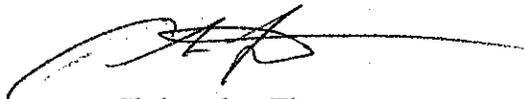
Dear Mr. Boyd:

On behalf of Toyota Motor Corporation (TMC) and its subsidiaries and affiliates (collectively referred to as Toyota), Toyota Motor North America, Inc. (TMA), is transmitting the enclosed additional information in response to the Information Request issued by the Office of Defects Investigation on February 16, 2010 in the above-referenced proceeding.

The verifications provided with the previous submission continue to apply to this supplemental submission.

If you have any questions, please do not hesitate to contact me, and I will direct your inquiry to the appropriate Toyota entity.

Sincerely,



Christopher Tinto  
Group Vice President  
Technical and Regulatory Affairs

Enclosures

**TOYOTA'S JUNE 4, 2010 SUPPLEMENTAL RESPONSE TO ODI'S  
INFORMATION REQUEST IN RQ10-003**

**INTRODUCTION**

To the best of Toyota's knowledge the response to ODI's information request in RQ 10-003 is now complete. In a future response, NHTSA will receive summaries for the additional FTRs and customer complaints provided in this response. If Toyota identifies additional responsive documents, it will supplement this response.

**REQUEST**

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 TQ 10-002, 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.”

### **RESPONSE**

3. Additional reports responsive to this Request have been identified and the counts for the number of reports that relate to or may relate to unintended acceleration in subject vehicles manufactured for sale or lease in the United States, other than those that clearly relate to interference between the accelerator pedal and driver’s side floor mat identified in Toyota’s response to NHTSA’s information requests in TQ10-001 and other than those that clearly relate to sticking accelerator pedals identified in Toyota’s response to NHTSA’s information requests in TQ10-002, has been updated and is provided in Microsoft Excel 2003 format entitled “MANUFACTURER REPORT COUNT— US. \_20100604Supplement” stored in the folder entitled “Attachment 3\_20100604Supplement.”

### **REQUEST**

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."

#### **RESPONSE**

4. Additional information responsive to this Request has been identified and is provided in the folder entitled "Attachment 4\_20100604Supplement." As indicated in prior responses, with respect to Requests 4(o) and 4(p), except for the field reports, Toyota's records do not contain non-privileged assessments of actual or likely causes or factors contributing to the alleged unintended acceleration. For the field reports, to the extent available, this information will be provided in a future response to Request 13.

#### **REQUEST**

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.

#### **RESPONSE**

5. Copies of additional documents responsive to this Request can be located by searching the IR field for documents like "5."

#### **REQUEST**

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."

## **RESPONSE**

6. Additional customer complaints and field technical reports responsive to this Request have been identified and the count for the number of customer complaints and field technical reports that relate to or may relate to unintended acceleration in subject vehicles manufactured for sale or lease in outside the United States, other than those that clearly relate to

interference between the accelerator pedal and driver's side floor mat identified in Toyota's response to NHTSA's information requests in TQ10-001 and other than those that clearly relate to sticking accelerator pedals identified in Toyota's response to NHTSA's information requests in TQ10-002, has been updated and are provided in Microsoft Excel 2003 format entitled "MANUFACTURER REPORT COUNT— OUTSIDE US\_20100604Supplement" stored in the folder entitled "Attachment 6\_20100604Supplement."

### **REQUEST**

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."

### **RESPONSE**

7. The information responsive to this Request is provided in the folder entitled "Attachment 7\_20100604Supplement." As indicated in prior responses, with respect to Requests 7(o) and 7(p), except for the field reports, Toyota's records do not contain non-privileged assessments of actual or likely causes or factors contributing to the alleged unintended acceleration. For the field reports, to the extent available, this information will be provided in a future response to Request 17.

### **REQUEST**

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.

### **RESPONSE**

8. Copies of documents responsive to this Request can be located by searching the IR field for documents like "8." Additionally, 3 documents responsive to this Request can be found on the CD marked "Toyota RQ10-003, June 4, 2010" in the file folder entitled "IRs 8 & 18."

### **REQUEST**

14. Produce, in chronological order, all documents related to the chronology provided in your response to the immediately above information request.

### **RESPONSE**

14. Documents identified as responsive to this Request can be found by searching for documents like "14." Upon completion, summaries for the additional field technical reports identified in this response will be provided in a future response to Request 13.

### **REQUEST**

18. Produce, in chronological order, all documents related to the chronology provided in your response to the immediately above information request.

## **RESPONSE**

18. Documents identified as responsive to this Request can be found by searching documents like "18." Upon completion, summaries for the additional field technical reports and consumer complaints identified in this response will be provided in a future response to Request 17. Additionally, 3 documents responsive to this Request can be found on the CD marked "Toyota RQ10-003, June 4, 2010" in the file folder entitled "IRs 8 & 18." For consumer complaints, where documents were not available, details from TMC's Customer Relation Division system is provided in the structured data memo field. The information is produced in the tables 'Complaint Memo' and 'Complaint Memo\_J' (the untranslated Japanese memos) and can be linked to the structured data provided in 'REQUEST NUMBER SEVEN DATA\_OUTSIDE US' on 'Toyota's file number' = 'FileID.'

## **REQUEST**

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 interim, draft, or final form. Organize the documents chronologically by action.

## **RESPONSE**

20. Additional documents related to the "actions" identified in the response to Request 19 that have been located and that were either originally in English or have been translated into English can be found by searching the IR field for documents like "20." Additionally, 51 documents responsive to this Request can be found on the CD marked "Toyota RQ10-003, June 4, 2010" in the file folder entitled "IR 20." The individual documents provided in this response are named according to the title shown in Attachment 19. Moreover, for translated documents in this supplement, where the original document written in Japanese is named (for example) "ACM10-0010988-j," the English translation is named "ACM10-0010988." Please note that many of the documents provided in this response are confidential, and a request for confidential treatment will be submitted to the Office of Chief Counsel.

## **REQUEST**

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 mate identified in your response to NHTSA's information requests in TQ 10-001 and other than sticking accelerator pedals identified in your response to NHTSA's information requests in TQ 10-002, 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 Vehicle(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 initial 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.

### **RESPONSE**

35. Toyota has identified additional documents responsive to this Request that can be found by searching the IR field for documents like "35." Please note that many of the documents provided in this response are confidential, and a request for confidential treatment will be submitted to the Office of Chief Counsel.

### **REQUEST**

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.

### **RESPONSE**

37. Additional documents responsive to Requests 37, 38, 39 and 40 can be found by searching the IR field for documents like "37-40." Please note that many of the documents

provided in this response are confidential, and a request for confidential treatment will be submitted to the Office of Chief Counsel.

**REQUEST**

43. With regard to each and every communication or meeting (in person, or 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 TQ 10-001 and other than sticking accelerator pedal identified in your response to NHTSA's information request in TQ 10-002, 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.

**RESPONSE**

43. Additional documents responsive to this request have been identified and can be found by searching the IR field for documents like "43." Please note that many of the documents provided in this response are confidential, and a request for confidential treatment will be submitted to the Office of Chief Counsel.

# MAYER • BROWN

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June 4, 2010

## BY HAND DELIVERY

Mr. O. Kevin Vincent  
Chief Counsel  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue, SE, Room W41-227  
Washington, DC 20590

Re: RQ10-003: Request for Extension of Time for  
Submission of Request for Confidential Treatment

Dear Mr. Vincent:

Today, Toyota Motor North America, on behalf of Toyota Motor Corporation and its subsidiaries and affiliates (collectively, "Toyota"), is submitting additional information in response to the Information Request in the above-referenced matter. A number of the documents in the submission were translated within the last several days. In addition, Toyota prepared this submission while also preparing other NHTSA submissions and requests for confidential treatment. Consequently, Toyota has been unable to complete its review of this submission to identify the confidential information in it and to prepare a request for confidential treatment as provided for in 49 C.F.R. Part 512. Therefore, pursuant to 49 C.F.R. § 512.11, Toyota is requesting a 12-day extension of time, up to and including June 16, 2010, to submit a request for confidential treatment for today's submission.

Because it has not reviewed many of the documents for confidentiality, Toyota has labeled most of the documents in this submission as confidential. When Toyota submits its request for confidential treatment, Toyota will not seek confidential treatment for documents that it has not marked as confidential in today's submission.<sup>1</sup>

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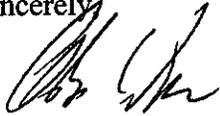
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<sup>1</sup> The documents that Toyota has marked as containing confidential business information have a "Confidential Business Information" legend on the bottom, rather than the top, of each page. This is a result of the document management system used for the production, which permits the insertion of footers, but not headers.

Mr. O. Kevin Vincent  
June 4, 2010  
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For the foregoing reasons, Toyota respectfully requests a 12-day extension of time, up to and including June 16, 2010, for the submission of a request for confidential treatment of portions of today's submission.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Sloane", written in a cursive style.

Adam C. Sloane

Enclosures

cc: Richard Boyd (w/o enclosures)