

# TOYOTA

## TOYOTA MOTOR NORTH AMERICA, INC.

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May 14, 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: RQ10-003

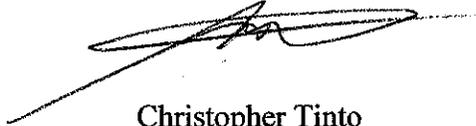
Dear Mr. Boyd:

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 (IR) issued by the Office of Defects Investigation (ODI) 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 SUPPLEMENTAL RESPONSE TO ODI'S  
INFORMATION REQUESTS IN RQ10-003**

**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. Toyota has identified additional reports responsive to this Request and has updated 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. Toyota has updated these counts in Microsoft Excel 2003 format in the document entitled "MANUFACTURER REPORT COUNT—US\_21010514Supplement," stored in the folder entitled "Attachment 3\_21010514Supplement." Toyota continues to search for additional documents responsive to this Request and if Toyota identifies additional responsive documents, it will supplement this response.

### **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. Toyota has identified additional information responsive to this Request in the document entitled "REQUEST NUMBER FOUR DATA - US\_20100514Supplement.mdb," stored in the folder entitled "Attachment 4\_20100514Supplement." 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, Toyota has provided this information in the response to Request 13. Toyota continues to search for additional documents responsive to this Request and if Toyota identifies additional responsive documents, it will supplement this response.

#### **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." Toyota continues to search for additional documents responsive to this Request and if Toyota identifies additional responsive documents, it will supplement this response.

#### **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. Toyota has identified additional reports responsive to this Request and has updated 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 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. Toyota updated the counts in Microsoft Excel 2003 format in the document entitled "MANUFACTURER REPORT COUNT— OUTSIDE US\_ 21010514Supplement," stored in the folder entitled "Attachment 6\_20100514Supplement." If Toyota identifies additional responsive documents, it will supplement this response.

### **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. Toyota has identified additional information responsive to this Request in the document entitled "REQUEST NUMBER SEVEN DATA – OUTSIDE US\_20100514Supplement.mdb," stored in the folder entitled "Attachment 7\_20100514Supplement." 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, additional assessments, to the extent available, have been provided in the response to Request 17. The customer complaints and corresponding summaries will be provided in response to Request 17, after they have been translated. If Toyota identifies additional responsive documents, it will supplement this response.

### **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." Please note that the customer complaints are in the process of translation, and Toyota will provide complaints and their corresponding summaries once the translations are complete. If Toyota identifies additional responsive documents, it will supplement this response. Please note that some 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**

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."

### **RESPONSE**

9. Toyota has identified one additional warranty claim responsive to this Request. This document is in the folder entitled "Attachment 9\_20100514Supplement" as "WARRANTY DATA SUMMARY - US\_20100514Supplement.xls." The updated table is also in the folder entitled "Attachment 9\_20100514Supplement" as "WARRANTY DATA -

US\_20100514Supplement.mdb.” This answer is now complete to the best of Toyota’s knowledge. If Toyota identifies additional responsive documents, it will supplement this response.

**REQUEST**

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.

**RESPONSE**

10. Toyota has identified one additional warranty booklet not provided in previous productions. This documents can be located by searching the IR field for documents like “10.” This answer is now complete to the best of Toyota’s knowledge. If Toyota identifies additional responsive documents, it will supplement this response.

**REQUEST**

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.

## **RESPONSE**

13. Toyota has identified additional Field Technical Reports responsive to this Request. The updated list and the Field Technical Report summaries are in the folder "Attachment 13\_20100514Supplement" as "IR13 Complaints and Field Reports\_20100514Supplement.mdb." Toyota continues to search for documents responsive to this Request. If Toyota identifies additional responsive documents, it will supplement this response.

## **REQUEST**

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

## **RESPONSE**

14. The additional documents identified as responsive to this Request can be found by searching for documents like "14." Toyota continues to search for documents responsive to this Request. If Toyota identifies additional responsive documents, it will supplement this response

## **REQUEST**

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.

## **RESPONSE**

17. A list of all responsive consumer complaints and field reports identified to date involving subject vehicles manufactured for sale or lease outside the United States, arranged in

chronological order is in the folder entitled "Attachment 17\_20100514Supplement" as "ATTACHMENT 17\_20100514Supplement.mdb." The field reports are summarized, and the consumer complaints will be summarized after complete translated files are received. When the consumer complaints have been translated, Toyota will supplement this response. If Toyota identifies additional responsive documents, it will supplement this response.

### **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." Please note that the untranslated customer complaints have not been included in this response. Toyota will provide the customer complaints and their summaries after the documents have been translated. If Toyota identifies additional responsive documents, it will supplement this response.

### **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. Toyota has identified and, where applicable, has translated additional documents related to the "actions" identified in the response to Request 19. These documents can be found by searching the IR field for documents like "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." This answer is now complete to the best of Toyota's knowledge. If Toyota identifies additional responsive documents, it will supplement this response. 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 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 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 custodial documents responsive to this Request, and they can be found by searching the IR field for documents like "35." If Toyota identifies additional responsive documents, it will supplement this response.

### **REQUEST**

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 counties in which each subject vehicle was sold.

### **RESPONSE**

36. Toyota has identified additional documents that contain information responsive to this Request and they can be found by searching the IR field for documents like "36." Additionally, please note that documents previously made available to Mr. Jeffrey Quandt, some of which are responsive to Requests 36-38 can be found by searching the IR field for documents like "36-38." This answer is now complete to the best of Toyota's knowledge. If Toyota identifies additional responsive documents, it will supplement this response. 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 that contain information responsive to this Request can be found by searching the IR field for documents like "37" or like "37-40," the documents are named as they appear in the chart previously produced to NHTSA. This answer is now complete to the best of Toyota's knowledge. If Toyota identifies additional responsive documents, it will supplement this response. 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**

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 specifications level); testing design and/or specifications of component suppliers' ESAs; and testing the design, specifications, and/or performance of the assembled ESAs in a whole vehicle (including any and all static testing and dynamometer testing of the whole vehicle).

### **RESPONSE**

38. Additional documents that contain information responsive to this Request can be found by searching the IR field for documents like "38" or like "37-40." This answer is now complete to the best of Toyota's knowledge. If Toyota identifies additional responsive documents, it will supplement this response. 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**

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 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 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.

### **RESPONSE**

39. Additional documents that contain information responsive this Request can be found by searching the IR field for documents like "39" or like "37-40." This answer is now complete to the best of Toyota's knowledge. If Toyota identifies additional responsive documents, it will supplement this response. 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**

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.

### **RESPONSE**

40. Additional documents that contain information responsive to this Request can be found by searching the IR field for documents like "40" or like "37-40." This answer is now complete to the best of Toyota's knowledge. If Toyota identifies additional responsive documents, it will supplement this response. 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 custodial documents responsive to this request have been identified and can be found by searching the IR field for documents like "43." If Toyota identifies additional responsive documents, it will supplement this response.

### **REQUEST**

44. With regard to each and every communication, correspondence or notification between Toyota and any other person or entity not identified in your response to the immediately above information request concerning the existence of 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 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, correspondence or notification was sent, identify the author and recipient, and provide a detailed summary for each. Identify and produce copies of any documents considered, reviewed, consulted, produced as a result, or otherwise used during each communication or meeting.

### **RESPONSE**

44. Additional custodial documents responsive to this request have been identified and can be found by searching the IR field for documents like "44." If Toyota identifies additional responsive documents, it will supplement this response.

### **REQUEST**

46. Separately, with regard to Toyota's response to each information requests above, identify each person who provided information regarding the response.

### **RESPONSE**

46. Toyota has compiled a list of those individuals who contributed information in response to the above requests. The list can be found by searching the IR field for documents like "46."

### **REQUEST**

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.

### **RESPONSE**

47. Additional custodial documents responsive to this request have been identified and can be found by searching the IR field for documents like "47." If Toyota identifies additional responsive documents, it will supplement this response.

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May 14, 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 ("Toyota") is submitting additional information in response to the Information Request ("IR") in the above-referenced matter. The submission consists of over fifteen hundred pages of information, and the preparation of this submission coincided with Toyota's submission of other information to the agency and the preparation of requests for confidential treatment of prior submissions.

As a result of the substantial resources and time that had to be devoted to these efforts, Toyota has been unable to complete a separate review to identify the confidential information in today's submission and to prepare a request for confidential treatment pursuant to 49 C.F.R. Part 512 and Exemption 4 of the Freedom of Information Act (5 U.S.C. § 552(b)(4)). Accordingly, pursuant to 49 C.F.R. § 512.11, Toyota is requesting an seven-day extension of time, up to and including May 21, 2010, to submit a request for confidential treatment of the confidential business information in today's submission.

Because Toyota has not yet had the opportunity to review today's submission to determine the documents that contain confidential business information, Toyota has labeled most of the documents as "Confidential Business Information." When Toyota submits its request for confidential treatment, Toyota will not seek confidential treatment for documents that have not been marked as confidential in today's submission.<sup>1</sup>

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<sup>1</sup> With regard to the documents that Toyota has marked as containing confidential business information, it bears noting that most of them 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.

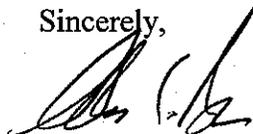
Mr. O. Kevin Vincent

May 14, 2010

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For the foregoing reasons, Toyota respectfully requests an seven-day extension of time, up to and including May 21, 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 over a faint, illegible typed name.

Adam C. Sloane

Enclosures

cc: Richard Boyd