



**Gulf States Toyota, Inc.**  
1375 Enclave Parkway  
Houston, Texas 77077  
(713) 580-3300

*Via Federal Express*

May 3, 2010

Mr. Daniel C. Smith  
Associate Administrator for Enforcement  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

RE: Load Carrying Capacity Modification Labels  
NVS-215dgl  
10V-035

Dear Mr. Smith:

In accordance with the requirements of the National Traffic and Motor Vehicle Safety Act of 1966 and 49 CFR Part 573, on behalf of Gulf States Toyota, Inc., we hereby submit the attached Noncompliance Information Report concerning certain Toyota vehicles that do not comply with FMVSS 110.

Please let us know if you have any questions.

Very truly yours,

  
J.C. Fassino  
Sr. Vice President

cc: Mr. Harry Thompson, NHTSA  
Ms. Jacqueline Glassman

## NONCOMPLIANCE INFORMATION REPORT

### 1. Vehicle Manufacturer Information

All affected vehicles were purchased by Gulf States Toyota, Inc. (GST), which is an independent motor vehicle distributor, and were purchased from Toyota Motor Sales, USA, Inc. The affected vehicles were manufactured by affiliates of Toyota Motor Sales, USA, Inc., (TMS) and accessorized by GST prior to the first retail sale.

### 2. Identification of Affected Vehicles

All affected vehicles are Toyota or Scion branded vehicles. The affected vehicles fall within the VDS/VIS ranges set forth below and the charts in Section 7. The total number of vehicles within those ranges affected by this recall is shown as the Total Affected Units.

<b>VEHICLES REQUIRING LABEL</b>					
<b>Make</b>	<b>Car Line</b>	<b>Model Year</b>	<b>VDS</b>	<b>VIS</b>	<b>Total Affected Vehicles</b>
Toyota	4Runner	2005 through 2010	BT14R, BT17R, BU14R, BU17R, BU5JR, ZT14R, ZT17R, ZU14R, ZU17R, ZU5JR	50023878 through A5016008	9,549
Toyota	Avalon	2007 through 2010	BK36B, BK3DB	7U178038 through AU370598	5,352
Toyota	Camry	2005 through 2010	BA32K, BB3EK, BB46K, BE30K, BE32K, BE46K, BF3EK, BK3EK, BK46K	5U078143 through AU609373	59,063
Toyota	Solara	2006, 2008	CA38P, CE30P, CE38P, FA38P	6U090972 through 8U766931	125
Toyota	Corolla	2006, 2009, 2010	BE40E, BE4EE, BL40E, BR32E, BU40E, BU4EE	60067415 through AZ378392	48,572

			DV581, DW541, DW581, DW5F1, DY5F1, EM5F1, ET341, ET381, ET541, EV541, EV581, EY5F1, FM5F1, FY5F1, HM5F1, HW5F1, JM5F1, JT521, JU521, JU5F1, JV521, JY5F1, KM5F1, KV521, KW5F1, LM5F1, LT521, LU521, LV521, LY5F1, MW521, MW5F1, RM5F1, RT341, RT381, RT541, RT581, RU341, RU541, RU5F1, RV541, RV581, RY5F1, ST541, SV541, SY5F1, TM5F1, TY5F1, UM5F1, UW5F1		
Toyota	Venza	2009, 2010	BA3BB, BE11A, BK11A, BK3BB, ZA3BB, ZE11A, ZK11A, ZK3BB	9U001030 through AU034500	8,810
Toyota	Yaris	2008 through 2010	BT4K3, BT903, JT4K3, JT903, JT923, KT4K3, KT903	85220767 through A5307903	8,611
Scion	Scion TC	2005 Through 2010	DE167, DE177, DE3B7	50057887 Through A0315783	3,604
Scion	Scion XB	2005, 2006, 2008 through 2010	KE50E, KT324, KT334, ZE4FE	54013773 through A1118136	3,259
Scion	Scion XD	2006, 2008 through 2010	KT604, KU104, KU4B4	60139029 through AJ059181	2,284
Total : 271,308					

3. Total Number of Vehicles Potentially Affected:

The total number of vehicles potentially affected is 271,417. This total number is the sum of the 271,308 reflected in the chart above, plus an additional 109 vehicles reflected in the charts below in section 7.

4. Percentage of Vehicles Estimated to Actually Experience Noncompliance:

100% of vehicles identified as the Total Affected Units. Not all vehicles within the VIN range are impacted. The number of vehicles with the noncompliance are identified as the Total Affected Units. These vehicles were identified from a VIN-specific review of original factory weight and net accessory weight added to the vehicles. Owners of affected vehicles will be notified by first class mail and will receive a label or other instructions as set forth below.

Toyota	Celica	2005	DR32T	50189804	1
Toyota	FJ Cruiser	2007 through 2010	BU11F, BU4BF, ZU11F, ZU4BF	70001017 through AK083500	16,952
Toyota	Highlander	2005 through 2010	BK3EH, BW3EH, DA41A, DD21A, DK3EH, DP21A, DS41A, DS42A, DS43A, DW21A, EK3EH, EP21A, ES41A, ES42A, ES43A, EW21A, EW41A, EW44A, GD21A, GP21A, HW21A, JK3EH, JW3EH, KK3EH, XK3EH, YK3EH, ZA3EH, ZK3EH	50086430 through AS017272	11,191
Toyota	Land Cruiser	2009, 2010	HY05J, HY7AJ	94002329 through A5005607	359
Toyota	Matrix	2006 through 2010	GE40E, KE40E, KE4EE, KR30E, KR32E, KU40E, KU4EE, LE40E, LE4EE, ME4EE	6C558039 through AC365800	2,775
Toyota	Prius	2009, 2010	KB20U, KN3DU	93467920 through A5127373	13,858
Toyota	Rav4	2005 through 2010	BD32V, BF31V, BF33V, BF4DV, BK31V, BK32V, BK33V, BK4DV, DF4DV, DK4DV, GD20V, JK4DV, KF4DV, RF4DV, RK4DV, WF4DV, ZD31V WK4DV, XK4DV, YF4DV, YK4DV, ZD32V, ZD33V, ZD35V, ZF31V, ZF32V, ZF33V, ZF35V, ZF4DV, ZK31V, ZK32V, ZK33V, ZK34V, ZK35V, ZK4DV	56000311 through AW03924 7	13,513
Toyota	Sequoia	2008 through 2010	BM5G1, BW5G1, BW68A, BY67A, BY68A, DW5G1, JW5G1, KY5G1, YY5G1, ZM5G1, ZT64A, ZY5G1, ZY64A, ZY67A, ZY68A	8S000096 through AS034193	2,577
Toyota	Sienna	2005 through 2010	BK22C, BK23C, DK4CC, JK4CC, KK4CC, YK4CC, ZA22C, ZA23C, ZK22C, ZK23C	5S379625 through AS343684	7,447
Toyota	Tacoma	2005 through 2010	JU4GN, JU62N, KU4HN, KU72N, LU42N, LU4EN, MU4FN, MU52N, NX22N, NX4CN, NX4GN, NX62N, PX42N, PX4EN, TU22N, TU4GN, TU62N, TX22N, TX4CN, TX4GN, TX62N, UU42N, UU4EN, UX42N, UX4EN	5M00275 1 through AZ747431	19,113
Toyota	Tundra	2005 through 2010	BT441, BT481, BT541, BT581, BV541, BV581, BW541, BW581, BW5F1, BY5F1, CT541, CV541, CW541, CW5F1, DM5F1, DT441, DT481, DT541, DV541,	5S443298 through AX137042	34,293

## 5. Description of Noncompliance

FMVSS 110 S10.1 requires the addition of a load carrying capacity modification label if weight exceeding the lesser of 1.5 percent of GVWR or 45.4 kg (100 pounds) is added to a vehicle between final vehicle certification and first retail sale of the vehicle. The load carrying capacity modification label must display the amount by which the load carrying capacity of the vehicle is reduced, calculated to the nearest kilogram with conversion to the nearest pound, and must be affixed within 25 millimeters of the original.

GST has identified two noncompliances with FMVSS 110. In the first group, the vehicles were not equipped with load carrying capacity modification labels, despite the fact that accessories with weight exceeding the lesser of 1.5 percent of GVWR or 45.4 kg (100 pounds) were installed at GST's vehicle processing center prior to the time of first retail sale. GST estimates that there are 37,993 vehicles in this category.

In the second group, the vehicles were equipped with load carrying capacity modification labels at GST's vehicle processing center prior to the time of first retail sale. However, the labels do not meet the accuracy requirements of S10.2. S10.2 requires that the corrected load carrying capacity weight values (or the amount by which the load carrying capacity is reduced) reflect the total weight added between final vehicle certification and first retail sale be accurate within one percent of the actual added weight. The load carrying capacity modification labels installed in the subject vehicles are not accurate within one percent of the actual added weight. GST estimates that there are 233,424 vehicles in this category.

## 6. Test Results and Other Information

To determine the vehicles containing the noncompliance, GST conducted a VIN-specific review of vehicles that had been modified with accessories at GST's vehicle processing center prior to first retail sale, and identified (i) those vehicles for which a label was required, but not installed, and (ii) those vehicles for which a label was required and installed, but which labels did not accurately state the amount by which the load carrying capacity of the vehicle was reduced within one percent of the added accessory weight.

## 7. Description of Corrective Repair Action

For both vehicles in the first and second group described in Item 5 above, GST intends to notify the customers by mail of the noncompliance and to provide them with a label to be installed in their vehicle near the FMVSS 110 tire information placard or an accurate label to be installed over the inaccurate label to replace it. Each label will be generated specifically for each customer's vehicle, based on the accessories actually installed.

GST notes that a small number of vehicles cannot be remedied solely with a new accurate label because the amount of accessories added to the vehicle has caused the cargo carrying capacity to become negative after accounting for occupancy of each designated seating position. These vehicles require additional remedy in order to conform to the requirement in FMVSS 110, S 4.3 that the tire placard label specify the vehicle capacity weight and the specifications of 49 CFR Part 567 relating to certification labels. Toyota previously reported to NHTSA that it has

carefully evaluated the GVWRs originally assigned to the subject vehicles, and has concluded that there are sufficient reserves in the stated GVWRs to permit an upward adjustment of the GVWRs assigned to these vehicles. See Toyota Motor North America Inc.'s Amended Noncompliance Report for 09V-234.

GST understands from coordination with TMS that for certain vehicles equipped with 17-inch wheels, TMS will supply GST with a corrected Certification Label and Tire and Loading Information placard. For those affected vehicles, GST will notify customers by mail of the noncompliance and request that they contact GST to schedule to have the installation of the new Certification Label, Tire and Loading Information placard and load carrying capacity modification label at no charge. The dealer will also update the owner's manual at no charge. Vehicles in this category are set forth below:

<b>VEHICLES REQUIRING PLACARD AND LABEL</b>					
<b>Make</b>	<b>Car Line</b>	<b>Model Year</b>	<b>VDS</b>	<b>VIS</b>	<b>Total Affected Vehicles</b>
Toyota	Sienna	2007 through 2010	BK22C, BK22C, BK22C, DK4CC	7S0000 17 through AS0325 95	108

GST additionally notes that one vehicle cannot be remedied solely with new labels because the amount of accessories added to the vehicle has caused the cargo carrying capacity may remain negative after accounting for occupancy of each designated seating position. For this vehicle, the customer will be notified by mail of the noncompliance and will be requested to contact GST to schedule the installation of the new Certification label, Tire and Loading Information placard and load carrying capacity modification label along with new 17" wheels and tires at no charge. The dealer will also update the owner's manual at no charge. The vehicle in this category is set forth below:

<b>VEHICLES REQUIRING PLACARD, LABEL AND 17" WHEEL/TIRE UPGRADE</b>					
<b>Make</b>	<b>Car Line</b>	<b>Model Year</b>	<b>VDS</b>	<b>VIS</b>	<b>VIN Count</b>
Toyota	Sienna	2006	ZA23C	6S438115	1

#### 8. Recall Schedule

GST is coordinating with R.L. Polk & Co. to obtain current owner mailing address data based on the VIN of each individual affected vehicle, and also with a third party service provider to print and mail the owner notification letters and labels to owners of affected vehicles. A sample of the owner notification letter for owners of vehicles to be remedied with a new or corrected load carrying capacity modification label is attached. Letters for the smaller number of owners whose vehicles will be remedied with the additional placard and/or wheel and tire upgrade will

be modified accordingly. GST expects the mailing of customer notification letters to begin by mid-May, 2010.

9. Distributor / Dealer Notification Schedule

GST will notify Dealers of the Recall and provide guidelines and appropriate support approximately one week prior to the mailing of customer notification letters.