

# TOYOTA

## TOYOTA MOTOR NORTH AMERICA, INC.

WASHINGTON OFFICE  
601 THIRTEENTH STREET, NW, SUITE 910 SOUTH, WASHINGTON, DC 20005  
January 14, 2009

TEL: (202) 775-1700  
FAX: (202) 463-8513

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



**09V-023  
(5 pages)**

Re: NHTSA EA08-014; Missing Retaining Clip on Floor Carpet Cover  
in Early MY 2004 Toyota Sienna Vehicles

Dear Mr. Smith:

Thank you for taking the time to meet with me and my staff on October 14. Toyota has taken your message seriously and is extending this offer to conduct a field action in order to address the concerns raised in EA08-014, an investigation into the Toyota Sienna. In order to address your concerns, Toyota has decided to conduct a campaign to provide free replacement of the Floor Carpet Cover and retention clip to all owners of the affected vehicles. The replacement Floor Carpet Cover is of the most current design, and it will minimize the risk of interference with the accelerator pedal in the event the retention clip is missing for any reason. In addition, Toyota will instruct dealers to install the retaining clip properly during the repair work for this campaign.

As you are aware, Toyota has not determined that the condition at issue in EA08-014 is a "safety-related defect" within the meaning of the Federal vehicle safety laws, and – as summarized below – it continues to believe that no such defect exists. First, it is undisputed that the retention clips were all installed properly at the factory and that they do not fall out on their own. Therefore the only way the clip will ever be missing is if the clip is not properly replaced after performing a repair operation which involves removal of the Floor Carpet Cover. The failure by an independent third party to perform such a basic and obvious step (i.e. replacing the clip) cannot factually or legally be attributed to the vehicle manufacturer, and thus such a failure cannot provide the basis for a finding of a safety defect in the design, manufacture, or performance of the subject vehicles. Moreover, in conjunction with the nature of the issue mentioned above, the number of reports involving a missing retention clip in this fleet of over 26,000 vehicles is extremely low, with no identifiable trend, and there have been even fewer reported incidents of unintended acceleration that may be related to this issue.

Nevertheless, to address the agency's concerns, Toyota is willing to conduct a safety improvement campaign. Toyota will voluntarily notify all owners of the subject vehicles of the availability of a free repair, and it will voluntarily follow NHTSA's recall procedures by providing six quarterly reports of campaign completion.

RECEIVED

2009 JAN 16 10:35 AM

DEFECTS INVESTIGATION  
RECALL MGMT DIV.

Toyota understands that NHTSA will assign a recall number to this campaign, and that it will post information about the campaign on the NHTSA/ODI website. Toyota also understands that the summary of the campaign on the NHTSA/ODI website will contain a notation that Toyota has not decided that these vehicles contain a safety-related defect.

A draft owner notification letter is enclosed with this letter.

The information that would be required under Part 573 of your regulations is set out below.

**1. Manufacturer's name/address:**

Toyota Motor Manufacturing Indiana, Inc. ["TMMI"]  
4000 Tulip Tree Drive,  
Princeton, IN 47670-4000

**Affiliated U.S. Sales Company**

Toyota Motor Sales, USA, Inc. ["TMS"]  
19001 South Western Avenue  
Torrance, CA 90509

**2. Vehicles involved in this notification:**

Based on production records, we have determined the affected vehicle population to be Model Year 2004 Toyota Sienna vehicles manufactured by TMMI between January 10, 2003 and June 11, 2003.

**3. Total number of vehicles:**

There are 26,501 MY 2004 Sienna vehicles equipped with the subject Floor Carpet Cover.

**4. Approximate percentage of vehicles estimated to actually contain the condition:**

Unknown. All Sienna vehicles equipped with the subject Floor Carpet Cover will be included in the campaign, but it is unknown how many vehicles have had the retention clip removed and not replaced.

**5. Description of the condition:**

In the event the retention clip used to secure the Floor Carpet Cover is not replaced after a service repair, the cover can interfere with the operation of the accelerator pedal if the acceleration pedal is depressed to 84% or more of the wide open throttle position. If this occurs, the accelerator pedal can become stuck at 84% of full throttle, which could result in a vehicle crash.

In order to eliminate the risk of interference with the accelerator pedal, owners can verify the presence of the Floor Carpet Cover retention clip. If the retention clip is present, the Floor Carpet Cover cannot interfere with the accelerator pedal.

**6. Chronological summary of events leading to this campaign:**

On April 10, 2008, NHTSA opened Preliminary Evaluation (PE) 08-025. Toyota cooperated fully with NHTSA to investigate the issue.

On August 8, 2008, NHTSA opened Engineering Analysis (EA) 08-014. Toyota continued to cooperate with NHTSA to investigate the issue.

In December 2008, Toyota decided to conduct a safety improvement campaign to resolve the issues raised in EA 08-014.

**7. Description of campaign (including schedule for dealer and customer notification):**

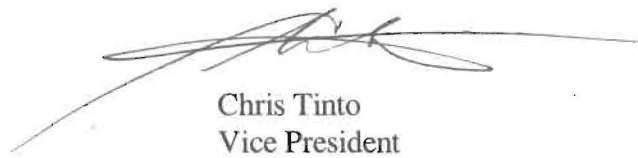
Toyota will notify owners of affected Sienna vehicles by first class mail to bring their vehicles to any Toyota dealer for replacement of the Floor Carpet Cover and retention clip at no charge. Toyota is working on the schedule for owner and dealer notification, and it will advise NHTSA of the schedule under separate cover.

Toyota believes that there is no need to advise owners of the possibility of reimbursement for pre-campaign remedies, since no owner could have possibly paid to receive the new cover to be provided under this campaign.

Toyota appreciates this opportunity to cooperate with NHTSA. Should you have any questions about this information, please contact Mr. Chris Santucci of my staff at (202) 775-1707.

Sincerely,

TOYOTA MOTOR NORTH AMERICA, INC.



Chris Tinto  
Vice President  
Technical & Regulatory Affairs

## Early 2004 Sienna - Floor Carpet Cover and Retaining Clip Safety Recall Campaign 80\_

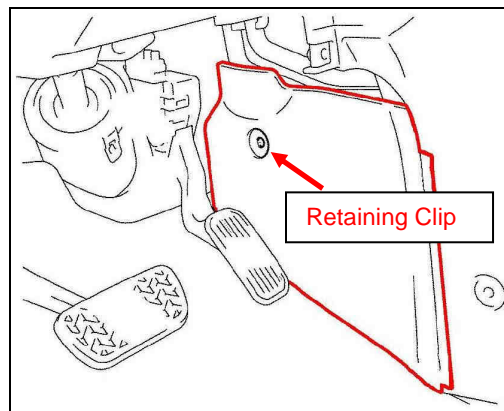
Dear Toyota Customer:

This notice is being sent to you in voluntary accordance with the requirements of the National Traffic and Motor Vehicle Safety Act. Toyota is initiating a safety recall on certain early production 2004 model year Sienna vehicles. At Toyota, we are dedicated to providing vehicles of outstanding quality and value. As part of our continual efforts to meet your product expectations, we are sending you this notice to provide for the replacement of the retention clip and the floor carpet cover installed in the driver footwell with newly designed one at **no charge** to you.

### **What is the condition?**

In recent months, Toyota has received reports that the Retaining Clip for the Driver's-side Center Console Trim Panel (Floor Carpet Cover) was missing in a handful of vehicles. If this Retaining Clip is missing, the Floor Carpet Cover may become loose. In the worst case, if the accelerator pedal is depressed to nearly full throttle, a loose floor carpet cover may interfere with the accelerator pedal. In this condition, if the driver releases the accelerator pedal, it may not return to idle position, and could result in a loss of vehicle control or a crash.

Until this repair is completed on your vehicle, you may verify the Retaining Clip is installed on your vehicle by inspecting for it as indicated below. If the clip is missing, please call your local Toyota dealership.



### **What will Toyota do?**

Any Toyota dealer will replace the Retaining Clip and Floor Carpet Cover with a newly designed one at **NO CHARGE** to you.

### **What should you do?**

**Please contact your authorized Toyota dealer to make an appointment to replace the Retaining Clip and Floor Carpet Cover as soon as possible.**

The repair will take approximately 15 minutes. However, depending upon the dealer's work schedule, it may be necessary to make your vehicle available for a longer period of time.

**We request that you present this notice to the dealer at the time of your service appointment.**

If you would like to update your vehicle ownership or contact information, please go to [www.toyota.com/ownersupdate](http://www.toyota.com/ownersupdate). You will need your full 17-digit Vehicle Identification Number (VIN) to input the new information.

**What if you have other questions?**

***Your local Toyota dealer will be more than happy to answer any of your questions and set up an appointment to perform this Special Service Campaign.*** If you require further assistance, you may contact the Toyota Customer Experience Center at 1-888-270-9371 Monday through Friday, 5:00 am to 6:00 pm, Saturday 7:00 am through 4:00 pm Pacific Time.

**What if you have previously paid for the replacement/reinstallation of this Retaining Clip and/or Floor Carpet Cover for this specific condition?**

If you have previously paid for the replacement of this Retaining Clip and/or Floor Carpet Cover for this specific condition prior to receiving this letter, please mail a copy of your repair order, proof-of-payment, and proof-of-ownership to the following address for reimbursement consideration

Toyota Motor Sales, U.S.A., Inc  
Toyota Customer Experience, WC 10  
19001 South Western Avenue  
Torrance, CA 90509

We have sent this notice in the interest of your continued satisfaction with our products, and we sincerely regret any inconvenience this condition may have caused you.

Thank you for driving a Toyota.

Sincerely,

TOYOTA MOTOR SALES, U.S.A., INC.



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

1200 New Jersey Avenue SE  
Washington, DC 20590

*January 26, 2009*

MR. CHRIS TINTO  
VICE PRESIDENT  
TECHNICAL & REGULATORY AFFAIRS  
TOYOTA MOTOR NORTH AMERICA, INC.  
601 THIRTEENTH STREET, NW.,  
SUITE 910 SOUTH  
WASHINGTON, DC 20005

NVS-215paw  
09V-023

SUBJECT: SIENNA FLOOR CARPET COVER

DEAR MR. TINTO:

This letter serves to acknowledge Toyota Motor Corporation's safety improvement notification to the National Highway Traffic Safety Administration (NHTSA) of a problem in the products described below for which a safety improvement campaign shall be conducted.

Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

**Makes/Models/Model Years:**  
TOYOTA/SIENNA/2004

**NHTSA Campaign Number:** 09V-023

**Mfg's Report Date:** January 14, 2009

**Components:** VEHICLE SPEED CONTROL: ACCELERATOR PEDAL

**Potential Number of Units Affected:** 26,501

**Summary:**

TOYOTA IS CONDUCTING A SAFETY IMPROVEMENT CAMPAIGN INVOLVING 26,501 EARLY 2004 MY SIENNA VEHICLES. IN THE EVENT THE RETENTION CLIP USED TO SECURE THE FLOOR CARPET COVER IS MISSING, THE COVER CAN INTERFERE WITH THE OPERATION OF THE ACCELERATOR PEDAL IF THE ACCELERATION PEDAL IS DEPRESSED TO NEARLY THE FULL THROTTLE POSITION.

**Consequence:**

IF THIS OCCURS, THE ACCELERATOR PEDAL CAN BECOME STUCK WHICH COULD RESULT IN A VEHICLE CRASH.

**Remedy:**

DEALERS WILL REPLACE THE RETENTION CLIP AND FLOOR CARPET COVER AT NO CHARGE. THE MANUFACTURER WILL BEGIN NOTIFYING OWNERS IN EARLY FEBRUARY 2009. OWNER NOTIFICATION IS EXPECTED TO BE COMPLETED BY EARLY APRIL 2009. OWNERS MAY CONTACT TOYOTA AT 1-888-270-9371, IF THEY HAVE ANY FURTHER QUESTIONS.

**Notes:**

THIS ACTION IS DEEMED A SAFETY IMPROVEMENT CAMPAIGN AND IS NOT BEING CONDUCTED UNDER THE SAFETY ACT. HOWEVER, TOYOTA HAS INFORMED NHTSA THAT IT WILL PROVIDE THE MODIFICATIONS DESCRIBED ABOVE AT NO COST.

This recall was the subject of an Engineering Analysis, EA08-014, conducted by the Office of Defects Investigation.

We have reviewed your proposed owner notification letter and no changes are necessary.

Please provide the following additional information and be reminded of the following requirements:

Copies of all notices, bulletins, dealer notifications, and other communications that relate to this campaign, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

As stated in Part 573.7, submission of the first of six consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on or before 30 days after the close of the calendar quarter.

Your contacts for this campaign will be Pat Wallace or Delia Lopez, who may be reached by phone at 202-366-5232 or 202-366-9525 or by email at [Patricia.wallace@dot.gov](mailto:Patricia.wallace@dot.gov), [Delia.lopez@dot.gov](mailto:Delia.lopez@dot.gov), or through the office email at [RMD.ODI@dot.gov](mailto:RMD.ODI@dot.gov). We look forward to working with you for successful completion of this recall campaign.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Wallace".

George H. Person  
Chief, Recall Management Division  
Office of Defects Investigation  
Enforcement