



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

# ODI RESUME

**Investigation:** TQ 10-001  
**Prompted by:** 07E082, 09V388, AND 10V023  
**Date Opened:** 02/04/2010 **Date Closed:** 01/21/2011  
**Investigator:** Jennifer Timian  
**Approver:** Frank Borris  
**Subject:** Pedal Entrapment

## MANUFACTURER & PRODUCT INFORMATION

**Manufacturer:** TOYOTA MOTOR CORPORATION  
**Products:** VARIOUS MY 2004-2010 TOYOTA AND LEXUS VEHICLES  
**Population:** 5,400,000  
**Problem Description:** UNINTENDED AND UNCONTROLLABLE ACCELERATION DUE TO INTERFERENCE BETWEEN THE ACCELERATOR PEDAL AND THE DRIVER'S SIDE FLOOR MAT

## FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
<b>Complaints:</b>	0	0	0
<b>Crashes/Fires:</b>	0	0	0
<b>Injury Incidents:</b>	0	0	0
<b>Fatality Incidents:</b>	0	0	0
<b>Other*:</b>	0	0	0

\*Description of Other:

## ACTION / SUMMARY INFORMATION

**Action:** Close this timeliness query (TQ).

### Summary:

NHTSA opened Timeliness Query (TQ) 10-001 to evaluate the timeliness of Toyota's recall of approximately 4.9 million motor vehicles that Toyota determined were susceptible to pedal entrapment. On September 26, 2007 Toyota formally notified NHTSA of its decision to recall all weather floor mats to address pedal entrapment in certain model year ES 350 and Camry vehicles (Recall 07E-082). On October 5, 2009 Toyota formally notified NHTSA of its decision to recall 3.9 million vehicles to address the risk of pedal entrapment (Recall 09V-388). The October 5, 2009 safety recall was supplemented by a formal notification on January 27, 2010, which added 1.1 million vehicles to the safety recall (Recall 10V-023).

NHTSA issued an information request (IR) to Toyota on February 16, 2010 to ascertain information on matters leading up to the safety recalls, including the timeliness of the safety recalls. On March 18, 2010 Toyota responded to the IR and supplemented that response on several occasions. On September 9, 2010 and October 29, 2010 NHTSA issued supplemental IRs to Toyota to ascertain additional information relating to the safety recalls. On October 8, 2010 and November 2, 2010, respectively, Toyota responded to the supplemental IRs.

After review of Toyota's submissions relating to the timeliness of the pedal entrapment safety recalls, NHTSA concluded it had a potential civil penalty claim against Toyota for violations of the National Traffic and Motor Vehicle Safety Act, as amended, 49 U.S.C. Chapter 301 (Safety Act) and its implementing regulations. Toyota denied its actions violated the Safety Act. However, in order to settle this matter, Toyota agreed to pay the statutory maximum civil penalty of \$16,375,000.00.

This TQ is closed.