

## The Toyota Recall

Ford Pinto. Dell lap top batteries. Merck Vioxx. A dozen Toyota models built from 2005 to 2010.

What do all these products have in common? All have been subject to a product recall. All have been found to have design flaws that exposed consumers to unreasonable danger.

Toyota, like many companies before, is learning that the cost of a faulty design can be far greater than just the huge cost of repairing or replacing equipment on their vehicles. The damages suffered by those involved in accidents caused by the design flaw and the damage to Toyota's reputation are enormous and potentially long lasting. Toyota's slow response and inability to devise a repair for some of these flaws has led to a great deal of public confusion about which vehicles are being recalled, which vehicles are being recalled for which design flaw and what to do if one is the owner of one of these recalled vehicle.

The first step is identifying whether you have an affected vehicle. Toyota has issued recalls on

- 2005-2010 Avalon
- 2010 Prius
- 2007-2010 Camry
- 2009-2010 RAV4
- 2009-2010 Corolla
- 2008-2010 Sequoia
- 2008-2010 Highlander
- 2005-2010 Tacoma
- 2009-2010 Matrix
- 2007-2010 Tundra
- 2004-2009 Prius
- 2009-2010 VENZA

Once you have determined whether your vehicle is one that has been subject to a recall, you should find your vehicle identification number and write it down. It is located on your dashboard, on the driver's side and may be viewed through the windshield. The VIN is also on a sticker that contains tire inflation information on the driver's side door jamb, and, finally, it can be found on the vehicle's registration.

The defects thus far identified are

- Floor Mat Accelerator Entrapment
- Sticking Accelerator Pedal
- Anti-lock Brake System

It is important to note that some Toyota vehicles are affected by more than one recall. If that is the case, the owner of the vehicle should bring all recalls the attention of Toyota and of the dealership doing the repair.

### Floor Mat Accelerator Entrapment

Toyota is conducting a safety recall of those models at risk of floor mat entrapment of accelerator pedals. It also issued a consumer safety advisory on September 29, 2009 with respect to this issue. The vehicles affected by this recall include:

- 2005-2010 Avalon
- 2007-2010 Camry
- 2009-2010 Corolla
- 2008-2010 Highlander
- 2009-2010 Matrix
- 2004-2009 Prius
- 2005-2010 Tacoma
- 2007-2010 Tundra
- 2009-2010 VENZA

Toyota's repair for this design flaw is to change the shape of the accelerator pedal. In the Camry and Avalon models involved, the floor surface underneath will also be reshaped to increase the distance between the accelerator pedal and the floor.

#### Sticking Accelerator Pedal

Toyota's accelerator pedal recall and suspension of sales is confined to the following Toyota Division vehicles:

- Certain 2009-2010 RAV4
- Certain 2009-2010 Corolla
- 2009-2010 Matrix
- 2005-2010 Avalon
- Certain 2007-2010 Camry
- Certain 2010 Highlander
- 2007-2010 Tundra
- 2008-2010 Sequoia

Toyota claims that the problem is caused by a friction device in the accelerator pedal assembly. This friction device is supposed to provide resistance to provide proper feel to the pedal. According to Toyota, under certain use, wear and environmental conditions, the friction device can stick instead of operating smoothly. This can slow the return of a depressed pedal or, if the pedal sticks and does not release, leave the throttle open. A steel reinforcement bar will be installed into the accelerator pedal assembly. Toyota claims that this bar will remove the excess friction that has caused pedals to stick.

Toyota has begun contacting customers to let them know when to bring in their vehicles for the fix. If you believe your vehicle is affected and have not been contacted, you should verify that your car is in the recall by referencing the Toyota website, then contacting your local dealership to make arrangements for the repair. The actual repair involves about 30 minutes' work. Toyota will cover all repair costs associated with this work.

Customers who experience an accelerator pedal that is hard to depress, slow to return or is not smooth during operation should drive the vehicle to a safe location, shut off the engine and contact a Toyota dealer for assistance.

In the event that a driver experiences an accelerator pedal that sticks in a partial open throttle position or returns slowly to idle position, the vehicle can be controlled with firm and steady application of the brakes. The brakes should not be pumped repeatedly because it could deplete vacuum assist, requiring stronger brake pedal pressure. The vehicle should be driven to the nearest safe location, the engine shut off and contact a Toyota dealer for assistance.

Toyota did not stop sales of the vehicles in question until five days after the recall was announced. This leaves both Toyota and those customers in a curious position, since Toyota knowingly sold recalled vehicles. Toyota has announced that it will work with customers who have concerns about their new vehicles on a case-by-case basis. This is far from an announcement that it will simply allow these vehicles to be returned, but certainly opens the door for a discussion of this possibility, in addition to a number of other possible ways to remedy the situation.

### **Anti-Lock Brake System**

The anti-lock brake system (ABS) in the 2010 model-year Prius, in normal operation, engages and disengages rapidly (many times per second) as the control system senses and reacts to tire slippage. Some owners have reported experiencing inconsistent brake feel during slow and steady application of the brakes on rough or slick road surfaces when the anti-lock brake system (ABS) is activated in an effort to maintain tire traction.

Toyota altered its production of the ABS system to address the problem and has announced a recall to update software, so as to make these changes to existing vehicles. If while driving, a Prius owner experiences the ABS problem described, pressing hard on the brake pedal will still stop the vehicle safely. While Toyota claims that this ability to stop the car by pressing hard on the brakes makes them safe to drive until the repair can be made, it is wise to have this half hour repair done as soon as it is available to you.

Toyota has advised that it will begin sending letters to the owners of cars affected by the recall. If you believe your car is affected and you do not receive a letter, you may check Toyota's web site to verify that your car is in fact affected and then contact your dealership to make arrangements for the repair. Toyota will cover all repair costs associated with this work.