TOYOTA

Toyota Motor North America

Vehicle Safety & Compliance
Liaison Office
Mail Stop: W4-2D
6565 Headquarters Drive
Plano, TX 75024

September 27, 2019

James Owens
Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Petition for Exemption from Notification and Remedy Requirements
Inconsequential Noncompliance with FMVSS 209 - Certain 2019MY Toyota Vehicles

Dear Mr. Owens:

Pursuant to 49 U.S.C. 30118(d) and 30120(h), and the provisions of 49 CFR Part 556, on behalf of Toyota Motor Corporation ["TMC"], a Japanese corporation located at 1, Toyota-cho, Toyota-city, Aichi-ken, 471-8571, Japan and the Toyota manufacturing entities identified in the attached Noncompliance Information Report dated September 5, 2019 submitted in accordance with the requirements of 49 CFR Part 573 [collectively referred to as "Toyota"], I hereby submit three copies of the enclosed petition to the National Highway Traffic Safety Administration seeking an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that a noncompliance in certain 2019MY Toyota vehicles as identified in Toyota's Noncompliance Information Report is inconsequential as it relates to motor vehicle safety.

Please contact me should you have any questions about this petition.

Sincerely,

Cory Hoffman
General Manager
Toyota Motor North America, Inc.

Cc: Jeffrey Giuseppe, Otto Matheke

Enclosures
Petition for Inconsequential Noncompliance
Attachment 1 (Noncompliance Information Report)

EA19-003514

Petition for Exemption from Notification and Remedy Requirements
Pursuant to 49 CFR Part 556

Inconsequential Noncompliance with FMVSS No. 209
In Certain 2019 Model Year Toyota Vehicles

Executive Summary

Toyota submitted the attached Noncompliance Information Report concerning certain 2019 model year Toyota Tacoma vehicles that may not meet certain label or marking requirements of FMVSS No. 209, Seat belt assemblies (see Attachment 1). The seat supplier found that, during the seat assembly process, the label containing certain labeling or marking requirements of FMVSS No. 209, which is sewn to the rear center seat belt, may have been mistakenly removed while scanning the code on the label, resulting in a potential noncompliance. A maximum of 70 vehicles may be affected.

Paragraph S4.1(j) of FMVSS No. 209 states that "Each seat belt assembly shall be permanently and legibly marked or labeled with year of manufacture, model, and name or trademark of manufacturer or distributor, or of importer if manufactured outside the United States." Because the seat belt assemblies may not have the requisite marking or labeling, the requirement may not be met in the subject vehicles. No other components of the rear center seat belt assembly required to meet FMVSS No. 209 are affected, and there is no impact to performance, functionality, or occupant safety. Improvements have been implemented as of July 31, 2019 to assure new vehicles sold by Toyota meet this requirement.

Based on the analysis of the nature and extent of the noncompliance described below, Toyota has determined that, with the exception of the marking, the seat belt assemblies comply with FMVSS No. 209. The seat belt assemblies were properly installed as original equipment unique to the Tacoma rear center seat, and the service parts ordering process would preclude the purchase and installation of an improper replacement seat belt assembly. Furthermore, in the event of a safety recall, seat belt assembly part numbers are linked to the Vehicle Identification Number (VIN) for complete traceability.

In similar situations, NHTSA has granted inconsequentiality petitions in the past.

Toyota hereby provides its data, views, and arguments in support of this petition. For the reasons set forth below, Toyota believes this noncompliance is inconsequential as it relates to motor vehicle safety.

Summary of Noncompliance

This noncompliance relates to the rear center seat belt label in 70 Tacoma vehicles. As noted in the attached Noncompliance Information Report, Toyota first identified the possible noncompliance at a Toyota manufacturing facility. During a standard audit inspection, a team

member noticed that the label on a rear center seat belt assembly was missing. Toyota inspected vehicles that were contained in the shipping yard and found one additional vehicle with a missing seat belt label. An investigation determined that, during the seat assembly process at the supplier, the label which is sewn to the rear center seat belt may have been mistakenly removed while scanning the code on the label. There is no way to determine how many of the 70 suspect vehicles may have a missing label. If the label is missing, the vehicle would not meet the requirements of FMVSS No. 209, Paragraph S4.1(j).

Rear Seat Assembly and Label Scanning Process

The rear seat assemblies in the subject vehicles consist of four separate assemblies which are produced by the seat supplier. A complete rear seat assembly consists of a right and left seat back and a right and left seat cushion. The center seat belt, fully compliant with FMVSS No. 209, is obtained from the seat belt supplier and mounted to the right-hand seat back by the seat supplier. The rear outer seat belts are not assembled to the seat at the supplier but are mounted to the vehicle body at the vehicle assembly plant and contain the required labeling. On the assembly line for the seat, each seat section and the center seat belt has a label with a code which is scanned into the seat supplier's system and tied to the VIN for traceability.

Root Cause of the Noncompliance

The subject labels were properly installed by the seat belt supplier in accordance with all requirements. The seat belt assemblies were then shipped to the seat supplier for installation to the seat assembly prior to being installed into completed vehicles. During the seat assembly process, team members at the seat supplier are required to scan each seat section and seat belt labels for traceability. However, a specific team member had difficulty scanning the center seat belt label and may have removed some labels from the seat belts to scan them.

The Noncompliance is Inconsequential as it relates to Motor Vehicle Safety

Toyota believes that the noncompliance is inconsequential to motor vehicle safety for the following reasons:

I. The noncompliant seat belt assemblies were properly installed, and due to their replacement parts ordering systems, improper replacement seat belt assembly selection and installation would not be likely to occur.

II. In the event of a recall the seat belt installed in each vehicle can be identified based on the VIN.

III. The seat belt complies with all other requirements of FMVSS No. 209.

IV. Toyota is unaware of any owner complaints, field reports, or allegations of hazardous circumstances concerning missing seat belt labels in the subject vehicles.

V. In similar situations, NHTSA has granted petitions for inconsequential noncompliance relating to the subject requirement of FMVSS No. 209.

Information concerning each of these reasons is discussed further below.

I. The noncompliant seat belt assemblies were properly installed, and due to their replacement parts ordering systems, improper replacement seat belt assembly selection and installation would not be likely to occur.

The primary purpose of the seat belt label required by FMVSS No. 209, Paragraph S4.1(j) is to identify the seat belt in the event it needs to be replaced. There are other means to identify the seat belt without looking at the label, and these methods are equally effective in identifying the correct seat belt to install in a vehicle in the event a replacement is needed.

All of the noncomplying seat belts were installed as original equipment in the subject vehicles and are unique to the Tacoma rear center seat; they cannot be properly installed in any of the other Tacoma seating positions and are not used on any other Toyota or Lexus models (Service replacement parts are not affected and contain required labels). The process described above that matches the correct rear center seat belt with the rear seat that is tied to a specific VIN assures that an incorrect seat belt will not be installed in a vehicle during its assembly. If a seat belt replacement is needed, the service parts system would preclude the purchase and installation of an improper replacement seat belt assembly. Seat belt assembly service parts are ordered through the Toyota authorized dealership system using the seat belt assembly part number or the VIN. The replacement parts for the subject seat belt assemblies are not distributed through the general automotive aftermarket; they are only sold by Toyota dealers. Toyota dealers utilize a system to obtain replacement parts which is based on part numbers assigned by Toyota. The seat belt retractor also has a separate label with the supplier part number which can further help identify the seat belt during replacement. The seat belt service replacement parts contain the required labeling.

In addition, when a purchaser orders a seat belt replacement part, the installation instruction, usage, and maintenance instructions are included in the service parts packaging and clearly identifies that the seat belt is for a Toyota Tacoma and identifies the seat belt installation location. These instructions comply with paragraph S4.1(k) of FMVSS No. 209.

Given the purpose of FMVSS No. 209, Paragraph S4.1(j), Toyota believes there are alternative methods as noted above that can be used to identify seat belts if they need to be replaced. Therefore, the noncompliant seat belts as installed in the vehicle do not present a safety risk, and the chance of an incorrect seat belt being installed in a vehicle is essentially zero.

II. In the event of a recall the seat belt installed in each vehicle can be identified based on the VIN.

Another purpose of the labeling requirement in the standard is to allow for easier identification of a seat belt in the event a safety recall is initiated. Based on the traceability in the Toyota production system, this purpose is fulfilled, and the seat belts can be easily identified without the label specified in FMVSS No. 209, Paragraph S4.1(j).

As noted previously, during the seat belt assembly installation process, each seat section and the center rear seat belt has a label with a code which is scanned into the seat supplier's system and tied to the VIN for traceability. In the event of a safety recall for this part, Toyota believes the VIN is a sufficient means of identifying the potentially affected vehicles. Therefore, the absence of the label specified in the standard poses no risk to motor vehicle safety.

III. The seat belt complies with all other requirements of FMVSS No. 209.

The noncomplying seat belt assemblies may lack the required marking or labeling, but the lack of this information has no bearing on the materials or performance standards specified in FMVSS No. 209. All the seat belt assemblies meet all other requirements of the standard. There is no impact to performance, functionality, or occupant safety.

IV. Toyota is unaware of any owner complaints, field reports, or allegations of hazardous circumstances concerning missing seat belt labels in the subject vehicles.

Toyota has searched its records for reports or other information concerning the rear center seat belts in the subject vehicles. No owner complaints, field reports, or allegations of hazardous circumstances concerning missing seat belt labels were found.

V. In similar situations, NHTSA has granted petitions for inconsequential noncompliance relating to the subject requirement of FMVSS No. 209.

NHTSA has previously granted at least four similar petitions for inconsequential noncompliance for seat belt assemblies. A brief summary of each decision is provided below:

- *Chrysler Corporation (57 Fed. Reg. 45865, October 5, 1992)*

  Certain seat belts were missing a statement required by FMVSS No. 209. NHTSA found that the noncompliance in the seat belt assemblies was determined to be inconsequential as it relates to motor vehicle safety, because the structure of the parts ordering system used by Chrysler and the variety of differences between seat belt assemblies will help prevent misapplication of the assembles in question. Similarly, in the Tacoma vehicles, the subject seat belt assemblies use a replacement parts ordering system that would preclude the purchase and installation of an improper replacement seat belt assembly. Furthermore, the seat belt assemblies are unique to Tacoma rear center seat and are not used on any other Toyota or Lexus models. The differences will help prevent misapplication of the assemblies in question.

- *TRW Inc. (58 Fed. Reg. 7171, February 4, 1993)*

  In the petition which concerned certain information missing from the seat belt label, TRW argued that, while incorrectly labeled when supplied to the vehicle assembly facility, it would have been very difficult for the assembly facility to inadvertently install either of the front seat belt assemblies on the wrong side of the vehicle because of the design of the seat belt assemblies. The replacement parts for the subject seat belt assemblies are not distributed through the general automotive aftermarket; they are only sold by Toyota dealers. Toyota dealers utilize a system to obtain replacement parts which is based on part numbers assigned by Toyota. Each seat belt assembly has been assigned a Toyota part number. The agency concluded the seat belt assemblies were properly installed and that it is unlikely the wrong replacement parts could be ordered. The petition for inconsequential noncompliance was granted. Similarly, Toyota's rear center seat belt assemblies were unlikely to have been installed improperly at the seat supplier, as only one seat belt was part of the rear seat assembly process. In addition, the service parts ordering system prevents the incorrect ordering of replacement parts.

- *Bombardier Motor Corporation of America (65 Fed. Reg. 60238, October 10, 2000)*

  In the petition, Bombardier argued that, although certain seat belts were noncompliant due to mislabeling, because the labeling noncompliance had no bearing on the materials or performance standards specified in FMVSS No. 209, all the seat belt assemblies in question were properly installed as original equipment, and BMCA's replacement part system would preclude the purchase and installation of an improper replacement seat belt assembly, the noncompliance poses no motor vehicle safety risk. NHTSA stated that the lack of

the correct label would not have any effect on occupant safety in these circumstances. BMCA produces only one vehicle model for highway use, and there is only one model of seat belt retractor for these vehicles. Therefore, it is highly unlikely that the wrong assemblies will be provided for replacement. For the above stated reasons, the petition was granted. These same reasons apply to the subject Tacoma seat belts, which are unique to this model, even if the label is missing.

- *Oreion (80 Feb. Reg. 5616, November 21, 2014)*

  Oreion submitted a petition for inconsequential noncompliance, because seat belt assemblies were missing certain required label information. Among other reasons NHTSA considered that the missing information would not limit the ability to identify seat belt assemblies that might need to be recalled. The agency granted the petition. Similarly, a missing label on the subject seat belt assemblies would not limit the ability to identify the assembly in the event of a recall, because Toyota can identify all potentially affected vehicles by VIN.

Conclusion

For the reasons set forth above, Toyota believes this noncompliance is inconsequential as it relates to motor vehicle safety and seeks an exemption from the notice and remedy requirements of 49 U.S.C. Chapter 301 for the subject vehicles.

Attachment 1

TOYOTA

Toyota Motor North America, Inc.

Vehicle Safety & Compliance
Liaison Office
Mail Stop: W4-2D
6565 Headquarters Drive
Plano, TX 75024

September 5, 2019

NONCOMPLIANCE INFORMATION REPORT

1. Vehicle Manufacturer Name:

Toyota Motor Manufacturing, Texas, Inc. ["TMMTX"]
1 Lone Star Pass, San Antonio, TX 78264

Affiliated U.S. Sales Company

Toyota Motor North America, Inc. ["TMNA"]
6565 Headquarters Drive, Plano, TX 75024

Manufacturer of the Seat Assembly

Avanzar Interior Technologies Ltd
1 Lone Star Pass Building 41, San Antonio, TX 78264
210-271-2300

Manufacturer of the Seatbelt Assembly

Joyson Safety Systems, Santa Rosa Plant
Carretera a Santa Rosa Km 3.5, C.P. 66600
Apodaca, N.L. México
Phone: +52 818 156 1100 Ext. 358735

Country of Origin: Mexico

2. Identification of Involved Vehicles:

Based on production records, we have determined the involved vehicle population to be the vehicles listed in the table below.

Make/Car Line	Model Year	Manufacturer	Production Period
Toyota / Tacoma	2019	TMMTX	July 25, 2019 through July 30, 2019

Applicability	Part Number	Part Name	Component Description
Toyota Tacoma	73350-04030	Belt Assy, Rear Seat, Outer Center	Rear Center Seatbelt Assembly

Note: This issue only involves certain 2019MY Tacoma Double Cab vehicles produced at TMMTX involving specific rear seat assemblies built during the time when a specific worker was scanning the code on the seatbelt label and removed it.

3. Total Number of Vehicles Involved:

Total : 70

4. Percentage of Vehicles Estimated to Actually Experience Noncompliance:

Unknown, there is no way to estimate how many labels were mistakenly removed during the scanning process.

5. Description of Noncompliance:

FMVSS 209 S4.1 (j) requires that each seat belt assembly shall be permanently and legibly marked or labeled with year of manufacture, model, and name or trademark of manufacturer or distributor, or of importer if manufactured outside the United States.

During the seat assembly process at the supplier, the label which is sewn to the rear center seatbelt may have been mistakenly removed while scanning the code on the label. As a result, the subject vehicles may not meet the requirements of FMVSS No. 209, paragraph S4.1 (j).

6. Test Results and Other Information:

During a standard audit at the vehicle assembly plant, Toyota found that the label on one of the rear center seatbelt assemblies was missing. The issue was investigated, and Toyota found four additional labels on shipping pallets that had been detached from the seatbelts. It was found that a specific worker at the seat supplier, who recently began in this process, had mistakenly torn off the label while scanning the code. Toyota began inspecting vehicles in the shipping yard and found one additional vehicle with a missing label. On August 30, 2019, Toyota determined that some vehicles may have left Toyota's control without the label and may not meet the requirements of FMVSS No. 209, paragraph S4.1 (j).

7. Description of Corrective Repair Action:

Pursuant to 49 U.S.C. 30118(d) and 30120(h), and the provisions of 49 CFR Part 556, Toyota intends to petition NHTSA for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

Part 573 Safety Recall Report 19V-641

Manufacturer Name : Toyota Motor Engineering & Manufacturing
Submission Date : SEP 05, 2019
NHTSA Recall No. : 19V-641
Manufacturer Recall No. : NR

Manufacturer Information :

Manufacturer Name : Toyota Motor Engineering & Manufacturing
Address : 6565 Headquarters Drive
Plano TX 75024
Company phone : 1-800-331-4331

Population :

Number of potentially involved : 70
Estimated percentage with defect : NR

Vehicle Information :

Vehicle 1 : 2019-2019 Toyota Tacoma
Vehicle Type :
Body Style :
Power Train : NR
Descriptive Information : This issue only involves certain 2019MY Tacoma Double Cab vehicles produced at TMMTX involving specific rear seat assemblies built during the time when a specific worker was scanning the code on the seatbelt label and removed it. Note: there is no way to estimate how many labels were mistakenly removed during the scanning process.
Production Dates : JUL 25, 2019 - JUL 30, 2019
VIN Range 1 : Begin : NR End : NR ☐ Not sequential

Description of Noncompliance :

Description of the Noncompliance : FMVSS 209 S4.1 (j) requires that each seat belt assembly shall be permanently and legibly marked or labeled with year of manufacture, model, and name or trademark of manufacturer or distributor, or of importer if manufactured outside the United States.

During the seat assembly process at the supplier, the label which is sewn to the rear center seatbelt may have been mistakenly removed while scanning the code on the label. As a result, the subject vehicles may not meet the requirements of FMVSS No. 209, paragraph S4.1 (j).

FMVSS 1 : 209 - Seat belt assemblies
FMVSS 2 : NR
Description of the Safety Risk : Pursuant to 49 U.S.C. 30118(d) and 30120(h), and the provisions of 49 CFR Part 556, Toyota intends to petition NHTSA for an exemption from the

	notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.
Description of the Cause :	NR
Identification of Any Warning that can Occur :	NR

Supplier Identification :

Component Manufacturer

Name :	Joyson Safety Systems
Address :	Carretera a Santa Rosa Km 3.5,C.P. Apodaca, N.L. FOREIGN STATES 66600
Country :	Mexico

Chronology :

During a standard audit at the vehicle assembly plant, Toyota found that the label on one of the rear center seatbelt assemblies was missing. The issue was investigated, and Toyota found four additional labels on shipping pallets that had been detached from the seatbelts. It was found that a specific worker at the seat supplier, who recently began in this process, had mistakenly torn off the label while scanning the code. Toyota began inspecting vehicles in the shipping yard and found one additional vehicle with a missing label. On August 30, 2019, Toyota determined that some vehicles may have left Toyota's control without the label and may not meet the requirements of FMVSS No. 209, paragraph S4.1 (j).

Description of Remedy :

Description of Remedy Program :	Pursuant to 49 U.S.C. 30118(d) and 30120(h), and the provisions of 49 CFR Part 556, Toyota intends to petition NHTSA for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.
How Remedy Component Differs from Recalled Component :	Not Applicable
Identify How/When Recall Condition was Corrected in Production :	NR

Recall Schedule :

Description of Recall Schedule :	Pursuant to 49 U.S.C. 30118(d) and 30120(h), and the provisions of 49 CFR Part 556, Toyota intends to petition NHTSA for an exemption from

	the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.
Planned Dealer Notification Date :	NR - NR
Planned Owner Notification Date :	NR - NR

* NR - Not Reported