



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

DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET:www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 241

Date Received
17-SEP-2004

Repository
11: 56
Reference No.
10092538

OWNER INFORMATION (Type or Print)

Name [REDACTED]
Address [REDACTED]
City ROCHESTER State NY Zip Code [REDACTED]

Daytime Telephone Number [REDACTED]
Evening Telephone Number [REDACTED]

E-mail Address

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle? YES NO
In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.
Signature of Owner _____ Date 9/17/04

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side		Make NISSAN	Model XTERRA	Model Year 2001
Date Purchased 14-APR-03	Dealer's Name and Telephone Number		Engine: No. Cylinders 8	Fuel Type: Gas
Original Owner <input type="checkbox"/>	Dealer's City	State	Zip Code	
Transmission Type AUTOMATIC	<input checked="" type="checkbox"/> Antilock Brakes <input checked="" type="checkbox"/> Cruise Control	Powertrain 4 WHEEL DRIVE	Vehicle Component Code 106000 POWER TRAIN:AXLE ASSEMBLY	
			Multiple Failure: 1	

FAILED COMPONENT(S)/PART(S) INFORMATION

Incident Date(s)
12-SEP-2004

Failure Mileage
87000

Failure Speed

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make	Tire Model (Name or Number)	Tire Size (Example P215/65R15)
DOT No. (Example: DOTM1LBABC038)	<input type="checkbox"/> Original Equipment <input type="checkbox"/> Prior Repair	Failure Location:
Tire Component Code	Tire Failure Type	

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:	Date Manufactured:	Model No./Name:
Seat Type:	Installation System:	
Child Seat Component Code:	Failed Part:	

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Fire <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Number of Persons Injured 0	Number of Deaths 0	Reported to Police N
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Narrative Description of Incident(S), Crash(es), and Injury(ies).
Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

RECALL 02V299000/AXLE CORROSION. CONSUMER HAS A CONCERN THAT AFTER HAVING THIS RECALL REPAIRS DONE, LESS THEN 28,000 MILES LATER, WHILE GETTING THEIR TIRES REPLACED MECHANIC INFORMED CONSUMER THAT THE SEAL AROUND THE AXLE BROKEN CONSUMER TOOK THE VEHICLE BACK TO THE DEALER, WHO INFORMED THE CONSUMER THAT ANY REPAIRS WOULD BE AT CONSUMER'S EXPENSE. *AK

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974 (Public Law 93-579) This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

Narrative Description of Incident(s), Failure(s), Crash(es), and Injury(ies)

For April 03, I took my vehicle to Nissan Dealer after having received a recall notice that the rear Axle Seal on my make, year Model vehicle was having significant problems hence the recalls on Sept-12, while having new tires, the mechanic advised that my rear Axle Seals had broken, causing contamination to brake pads & rotors. I called my dealer and they advised me to have the vehicle towed to Vision Dealer as it would be dangerous to drive and that they would be responsible for all Expenses. Since the Seals were a recall, from the year prior, once the car was taken to dealer, the dealer called and stated that they would not be responsible since the Seals replaced the year prior were out of warranty and the recall Seals - are only covered for a period of 12 months. This is the first time I ever heard of this. Further, the Seals contaminated my brake pads & rotors. The total cost of repairs was \$1,200.00. ATTACH ADDITIONAL SHEETS IF NECESSARY

U.S. Department of Transportation

National Highway Traffic Safety Administration

400 Seventh St., S.W. Washington, D.C. 20590

Official Business Penalty for Private Use \$300



NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES

BUSINESS REPLY MAIL
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POSTAGE WILL BE PAID BY NATL. HWY. TRAFFIC SAFETY ADMIN.

U.S. Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NVS-216
400 7th Street, SW
Washington, DC 20590



U.S. Department of Transportation
National Highway Traffic Safety Administration
Website: www.nhtsa.gov/questionnaire

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DOT Auto Safety Hotline
(DASH) 2 DOT

DASH2DOT

and dial toll free at

DOT AUTO SAFETY HOTLINE

TO REPORT VEHICLE SAFETY DEFECTS

COMPLETE THIS FORM
OR

**VEHICLE
OWNER'S
QUESTIONNAIRE**



[REDACTED]
Rochester, New York [REDACTED]

Vision Nissan Corporation
P.O. Box 191
Gardena, CA 90248

October 13, 2004

RE: Nissan 2001 Xterra Recall & Repair Issue

Dear Sir or Madam:

I would like to bring to your attention an event I recently experienced on 9/12/2004 during a service visit at the Vision Nissan dealership in Webster, New York - the result of which I incurred vehicle repairs costs totaling \$673.98 - Invoice 48822. In this letter I will provide background information, which led to the visit and my dissatisfaction regarding how the matter was handled.

In April of 2003, I received a letter from Nissan Corporation advising that the 2001 Nissan Xterras had safety issues with the rear axel seals and that I should take my vehicle to my dealership to have the seals replaced as part of a Nissan National recall. I complied by returning the enclosed information card and proceeded to have my vehicle serviced on April 10, 2003.

The rear axel seals were replaced at no charge at the Vision Webster location in Webster, New York. During this visit I felt it important to thoroughly ask necessary questions relating to the seals since I was concerned about the safety of the brakes if the seals were to fail. I was advised by the service manager, Dan, that I should not experience any further issues and that they felt confident there were no further safety issues. He stated that the seals, which were installed, were better than the ones that came equipped with the vehicle. I was happy with both the service and responsiveness I received at that time.

Until my last visit, I have been very satisfied with my vehicle and with the Nissan Corporation as an excellent and reputable auto manufacturer. Prior to purchasing my Xterra, I looked at a number of other SUV's but felt I had made the best decision with the Nissan Corporation since in my mind not only had I received the best value for my money, but also had an knew of Nissan's outstanding reputation for customer service.

This being said, I have taken great pride in knowing that not only had I believed I purchased a top quality vehicle, but also felt confident that I contributed to the safety & reliability of my vehicle by providing excellent care for my vehicles' maintenance since my purchase the fall of 2001. During the time of my purchase I was advised my Jessie Ciccione, of Webster, that I could have oil changes and service performed at the Vision Hyundai dealer in Henrietta, NY, a "sister company". This as part of a collaborated service effort for future vehicle maintenance on behalf of Vision Nissan.

Needless to say over the past three years, most of my service visits took place at the Henrietta location. This maintenance included: regular oil changes - approximately every three months, a 30,000 mile complete tune up, replacement of front brakes & rotors, front-end alignment and tire rotations on a regular basis.

On September 12, 2004, while having an oil change and four new tires put on my vehicle, I was advised by the Vision Hyundai Service Manager, Greg, that the rear drum wheel was covered with grease and that it appeared the rear axel seals had burst. He stated that this contaminated my rear brake pads as well as my rotors. I advised Greg that the seals were a recall issues the year prior and that I would contact Vision Webster and advise them of the problem since they had replaced them a year prior. He stated that the vehicle was unsafe to drive.

I called Vision Webster and spoke directly with Eric the Service Manager who advised me that the rear axel seals were in fact a "national recall" and that they would be "covered under warranty" and that I would have to have the car towed to their location in order for it to be covered. I immediately had my car towed to that location for them to begin the repairs.

After Eric had a chance to review the damage, he advised me that the rear axel seals had a warranty on them of 12 months and that since they were replaced approximately 16 months prior, they were now out of warranty. He advised that I would have to incur the entire cost of repairs. This is the first time I heard that the rear axel seals came with a 12-month warranty. This information was never mentioned to me at the time of my service visit in April 2003.

At this point, I called Nissan Consumer Affairs and placed a complaint with them. After two days, I received a phone call from Nissan Consumer Affairs advising they investigated the claim, but were denying responsibility for the repair & labor costs.

When I picked up my vehicle at Vision Webster, I had the opportunity to speak with the General Manager, Massimo Castelli. During our conversation, I was disappointed and felt somewhat outraged with some of the comments made to me at that time. When I asked him why the rear axel seals had been replaced twice in less than two years, his response was.... "With anything, there is always a probability of failure and that nothing is 100% guaranteed to work full proof". This statement was not acceptable to me since the thought of failure makes me question the quality of the vehicle as well as the safety of my family. My response was that I was disappointed with this statement. He then he proceeded to assure me that my case was "an isolated incident"

He further stated that had I brought my vehicle in to have it serviced at Vision Webster vs. Vision Hyundai, perhaps Consumer Affairs would have been more favorable in their decision. This statement was contradictory to what I was directed to do at the time of purchase; again that I could go to the Vision Hyundai in Henrietta for any service needs: That both companies were under the same "parent company" and worked together to service Nissan customers.

At the conclusion of our conversation Massimo reiterated Nissan Consumer Affairs' decision advising, again, that they would not be responsible for the costs. I did receive approximately 10% off of my bill as a discount for what they felt was a customer inconvenience.

Needless to say, I was not happy with the resolution of the customer service I received and am requesting that Vision Nissan investigate this matter. Again, the recall part failed and as a result caused damage to my break pads and rotors for which I had to incur the cost, not to mention the time and aggravation associated with this experience.

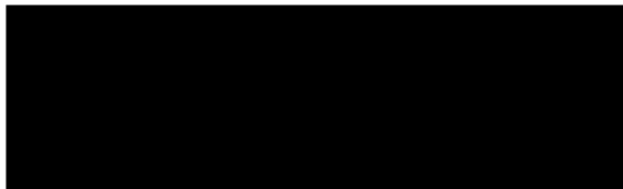
In addition to everything outlined herein, I now have strong reservations about the safety of my vehicle as to whether these seals will last and when and if they will fail again. This entire matter has led to me wonder whether my case is an isolated case or if there have been others who have shared such a similar experience.

As a committed and loyal customer I expected better customer service especially since I have been extremely committed to the preventative maintenance and care of my vehicle. I feel that the repair costs

* should not have been my responsibility and am seeking reimbursement from Nissan Corporation for \$673.98, which again, represents the total cost of my service visit on September 12, 2004.

I would greatly appreciate your prompt attention in this matter and am looking forward to hearing back from you on this issue.

Sincerely,



Xc: Attorney General's Office
National Highway & Safety Bureau
Nissan Vision Webster
Vision Hyundai Henrietta