

MAR 1 2005

The Honorable Lynn C. Woolsey
Member, U.S. House of Representatives
Northgate Building
1050 Northgate Drive, Suite 354
San Rafael, CA 94903

NVS-216 mec
Ref. # 10109595

Dear Congresswoman Woolsey:

Thank you for your facsimile dated January 27, 2005, on behalf of your constituent, [REDACTED] [REDACTED] wrote concerning a problem she has encountered with her model year (MY) 2002 Nissan Altima vehicle.

The National Highway Traffic Safety Administration (NHTSA) is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or items of motor vehicle equipment when our investigations indicate that they contain serious safety defects in their design, construction, or performance. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect may exist. We cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

We appreciate the report you provided on behalf of [REDACTED]. Reports from motorists are a very important source of information for us. Each report is analyzed and entered into a database to help us determine whether an investigation into a possible safety defect is warranted.

NHTSA is aware of the Nissan North America, Inc., (Nissan) Technical Service Bulletin (TSB) (Article No. NTB02-042, copy enclosed) concerning water intrusion into the passenger compartment of certain MY 2002 Nissan Altima vehicles equipped with Bose audio systems. However, the issuance of a TSB does not necessarily reflect the existence of a safety-related defect in accordance with the National Traffic and Motor Vehicle Safety Act. Neither Nissan nor NHTSA has determined that the vehicles in question contain such a defect. Therefore, NHTSA cannot require Nissan to perform the corrective action described in the TSB on [REDACTED]'s vehicle at no cost to her.

While frustrating, the type of problem [REDACTED] described is not related to motor vehicle safety within the meaning of our authorizing statute. The agency has no jurisdiction over

non-safety defects. If [REDACTED] has not done so, she may consider contacting her local Consumer Protection Agency, Better Business Bureau, or the California State Office of the Attorney General regarding her problem.

I hope this information is helpful. If you have any questions, please contact Mr. Ronald L. Medford, Senior Associate Administrator for Vehicle Safety, at (202) 366-1810.

Sincerely yours,

Original Signed By

Jeffrey W. Runge, M.D.

Enclosure

cc: Washington Office

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