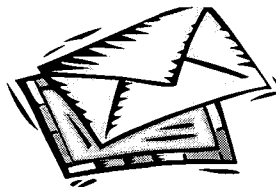


NHTSA ccmMercury Routing Slip



Printed: 11/13/2006

NHTSA #: ES06-007250

XREF #:

Delivery: REG

Rec'd Date: 11/13/2006

Doc Type: GEN

Address To: NHTSA

Referred By: NPO-011

Doc Date: 10/23/2006

Due Date: 12/12/06

S10 #:

DOT/I #:

RMP #:

Subject: COURTESY COPY FROM [REDACTED] RE DEFECTIVE 2003 NISSAN ALTIMA. SHE IS SEEKING REMIBURSEMENT FROM NISSAN

Ack Date:

Sign Office: ENFORCEMENT

Cleared Date:

File Loc:

Added By: BMILLINGS x62775

Ack By:

Signature: DEMETER

Cleared By:

XREF File:

Modified By:

BERNADETTE.MILLINGS

Signed For:

Cleared For:

Closed Date:

Most Recent Comment:

Author:

[REDACTED]

LAS VEGAS, NV [REDACTED]

Tel: Fax: E-mail:

10174302

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	APPROPRIATE	11/13/2006		11/13/2006
NVS-010	INFORMATION	11/13/2006		11/26/2006

ODI

Ana Mari
11/14/06

[REDACTED]
Las Vegas, NV [REDACTED]

October 23, 2006

National Affairs Consumer Department
Nissan North America, Inc.
P.O. Box 685003
Franklin, TN 37068-5003

To Whom It May Concern:

I would like to inform you that I was sold a vehicle that was manufactured defectively and am requesting reimbursement of \$1,280.72 for repair costs.

I purchased the following vehicle from Stephen Wade Nissan in St. George, Utah:

2003 Nissan Altima
Purchase Date: May 31, 2003
Manufactured Date: September 2002
VIN#: 1N4AL11D13C [REDACTED]

Please allow me to explain the problems I have had with my vehicle:

1. It started in November 2005. My vehicle was making movement like it about to stall. This happened 3-4 times daily. This happened as I accelerated and as I drove at various speeds. This happened on side streets and on freeways. My vehicle cut out on me it came to a stop or when it was roll (i.e. moving into a parking space, coming to a stop light), but I was able to re-start the ignition. The check engine light finally comes on after a couple weeks.

I arrived at Planet Nissan on November 16, 2005 (see enclosure #1). Upon a test drive and diagnosis, Service Writer Brian Parker was unable to determine the cause of my problem. He did not bother to consult with any other staff nor did he check any documents for past histories of such problems. I don't know how he made this determination, but Parker insisted that my problem would be resolved if I get a 45,000 mile service maintenance, along with a transmission flush to because I was past-due for the service and my engine is very dirty. Parker said to give it a month. He advised me that there is debris in my fuel line, and that I should give it a month for them to burn away. However, the problem persisted and I continue to drive my vehicle in this condition.

2. On March 7, 2006, my vehicle cut out on me as I pulled out of a shopping complex and into a busy street and did not start. I arrived at Douglas Nissan the day after (see enclosure #2). Service Writer Lloyd Dobson hooked up my car to their computer and the stated that I needed a new crank sensor, an adjustment on my throttle sensor, a fuel injection flush, power steering flush, and brake fluid flush. He told me that all these things are mandatory for my vehicle.

In researching Nissan Recalls, I noted Campaign ID# R0606, NHTSA #06V-242, for a 2003 Nissan Altima and Sentra with QR25DE Engine Crank Angle Sensor that applies to 1N4AAL113C 100000 - 355207 (see enclosure #3). MY VEHICLE FALLS WITHIN THIS RANGE. I spoke with Mike Fotie, Service Manager of Planet Nissan and Lloyd Dobson of Douglas Nissan and both**

ES06-007250

gentlemen insisted that my vehicle was not part of the recall and that I had to pay full retail price for all services rendered.

Nevada Revised Statute (N.R.S.) 482.363105 states that any registered and authorized dealer must forward to the registered owner of a vehicle sold by the dealership any notice received from the manufacturer of the vehicle regarding a defect in the vehicle. Implicit in this statute is that the dealership should have notice of any recalls or any other defects that the manufacturer makes public. Further, the significance of this statute is that if Nissan did issue a recall, and I did not receive it, then the dealership (Douglas Nissan, Planet Nissan, and Stephen Wade Nissan) acted negligently in attempting to inform me, which is in violation of the statute above.

3. September 6, 2006. My check engine light came on as I start the car in the morning. As I started to drive, my vehicle was not accelerating more than 1500rpm, nor did it drive any faster than 15mph at any gear. I took it immediately to Planet Nissan. I had recommended that they check for recalls relating to my problem before the diagnosis, and they found a bulletin RO0606 QR25 EMC Reprogram NTB-06-051 (see enclosure #4).

Had I not recommended that the Service Writer check for recalls, I would have been charged for this repair too.

4. September 13, 2006. My check engine light came on AGAIN, and again, I brought it into Planet Nissan. Apparently, my vehicle had a faulty chamber, which resulted in a throttle chamber replacement. Fortunately, Service Writer Amber Thompson was aware that of bulletin related to such a problem and my vehicle was they repaired at no charge (see enclosure #5).

What I have dealt with and still have to deal with has caused me great distress. Based on discussions with at least three Service Writers, I feel that they were inattentive, unknowledgeable, and unfriendly. Had it not been for my suggestions, the Service Writer at Planet Nissan would not have thought to verify any recalls on my vehicle related the problems I described on September 6, 2006. Except for Amber, none of them checked for recalls when I took my car for repairs.

My vehicle continues to malfunction and I believe that for the rest of its useful life, it will continue to malfunction. I fear that operating this vehicle will result in a car accident and crash without warning. I can be seriously injured and even killed.

I believe that Nissan has sold me a defective vehicle. My vehicle is only 3.5 years old and should not be breaking down already. Because I am an Asian female, I believe that I have been intentionally victimized by the Service Writers; they have not been forthright with me in any instance and I feel they have been defrauding me. All these repairs have cost me a total of \$1,280.72, plus all the time wasted and emotional stress. Of all my friends and family, I am the first to purchase a Nissan. I have had such a disheartening experience that sadly; I do not believe in Nissan products anymore and will ensure that everyone I know hears of what I had gone through in hopes that they don't ever purchase a Nissan.

According to NRS 597.690, part (1), every manufacturer of a vehicle who furnishes notification to the registered owner of the vehicle of any defect in the vehicle related to vehicle safety shall, notwithstanding the limitations of any warranty relating to such vehicle, correct such defect at the manufacturer's expense and without charge to the registered owner of the vehicle if the vehicle is returned to any vehicle dealer franchised by the manufacturer to market the vehicle, or, at the election of the manufacturer, reimburse the registered owner for the actual cost of making such correction.

In accordance with the NRS 597.690, part (1), Nissan (the manufacturer) did furnish notification of the recall (reference enclosure #3, NHTSA's recall report), and as the recall deals with vehicle safety, Nissan must correct the defect at the Manufacturer's Expense (Nissan's) and without charge

to the registered owner of the vehicle (me) if the vehicle was returned to any authorized dealer. Hence, Nissan must reimburse me for the costs of correction. By forcing me to pay the costs, and by dealerships' negligence, Nissan is violating Nevada trade regulations.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
Las Vegas, NV

Email: [REDACTED]

Phone: [REDACTED]

Enclosures

Cc: National Highway Traffic Safety Administration
Nissan North America, Inc.:
James C. Morton, Jr. - Vice Chairman
Dominique Thormann – Sr. Vice President, Administration and Finance
Tsuyoshi Yamaguchi - President, Nissan Technical Center North America, Inc. and
Senior Vice President, Nissan North America, Inc.
Douglas Nissan, Henderson NV
Planet Nissan, Las Vegas NV
Stephen Wade Nissan, St. George UT

**VOLUNTARY RECALL CAMPAIGN 2003 NISSAN ALTIMA AND SENTRA WITH
QR25DE ENGINE CRANK ANGLE SENSOR / ECM REPROGRAMMING**

CAMPAIGN I.D. # R0606
NHTSA #: 06V-242
APPLIED VEHICLES: 2003 Altima (L31) with QR25DE Engine
2003 Sentra (B15) with QR25DE Engine
APPLIED VINS: Altima: 1N4AL11**3C 100000 - 355207
Sentra: 3N1AB51**3L 716572 - 736783

NOTE: Use Service Comm to determine campaign eligibility

INTRODUCTION

Nissan has determined that on some 2003 Altima and Sentra vehicles with the 2.5 liter engine the operation of the crank angle sensor is significantly affected by variations in temperature that occur due to the unique location of the sensor in the engine. Under certain driving conditions, these variations in temperature can be large enough to cause a brief interruption in the signal output from the sensor. If the interruption in the signal from the sensor is so brief that the Electronic Control Module (ECM) logic does not have time to diagnose the condition, the engine may stop running without warning while the vehicle is driven at low speed.

IDENTIFICATION NUMBER

Nissan has assigned identification number R0606 to this campaign. This number must appear on all communications and documentation of any nature dealing with this campaign.

NUMBER OF VEHICLES POTENTIALLY AFFECTED

The number of vehicles potentially affected is approximately 200,500

DEALER RESPONSIBILITY

It is the dealers responsibility to check Service Comm for the campaign status on each vehicle falling within the range of this voluntary safety recall which for any reason enters the service department. This includes vehicles purchased from private parties or presented by transient (tourist) owners and vehicles in a dealer's inventory. **Federal law requires that new vehicles in dealer inventory which are the subject of a safety recall must be corrected prior to sale. Failure to do so can result in civil penalties by the National Highway Traffic Safety Administration.** While federal law applies only to new vehicles, Nissan strongly encourages dealers to correct any used vehicles in their inventory before they are retailed.

OWNER'S LETTER

Dear Nissan owner:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act. Nissan has decided that a defect which relates to motor vehicle safety exists in some 2003 model year Nissan Altima and Sentra vehicles equipped with the 2.5 liter engine. Our records indicate that you own the Nissan vehicle identified by the Vehicle Identification Number on the cover of this notice.

Reason for Recall

On some 2003 model year Nissan Altima and Sentra vehicles equipped with the 2.5 liter engine, there is a possibility that the engine might stop running while being driven due to an electrical problem between the crank angle sensor and the Electronic Control Module (engine computer). This may also result in the "Service Engine Soon" light coming on. If the engine stops running while driving, this could result in a crash without warning.

What Nissan Will Do

In order to prevent this incident from occurring, your Nissan dealer will reprogram the Electronic Control Module. This free service should take about one hour to complete, but your Nissan dealer may require your vehicle for a longer period of time based upon their work schedule, or parts availability.

What You Should Do

Contact your Nissan dealer at your earliest convenience in order to arrange an appointment to have your vehicle repaired. **If the "Service Engine Soon" light comes on, contact your dealer as soon as possible to have your vehicle inspected.** Please bring this notice with you when you keep your service appointment. Instructions have been sent to your Nissan dealer. If the dealer fails, or is unable to make the necessary repairs free of charge, you may contact the National Consumer Affairs Department, Nissan North America, Inc., P.O. Box 685003, Franklin, TN 37068-5003. The toll free number is 1-800-NISSAN1 (1-800-647-7261). You may also contact the Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590; or call the toll-free Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9153); or go to <http://www.safercar.gov>.

If you have paid to have a crank position sensor replaced prior to this campaign, you may be eligible for reimbursement of the related expense. Contact Nissan Consumer Affairs at the numbers listed above for additional information on how to obtain a reimbursement.

Federal law requires that any vehicle lessor receiving this recall notice must forward a copy of this notice to the lessee within ten days.

Thank you for your cooperation. We are indeed sorry for any inconvenience this may cause you.

THE ATTACHMENTS TO THIS
DOCUMENT HAVE BEEN REMOVED
TO PROTECT UNWARRANTED
INVASION OF PERSONAL PRIVACY
PURSUANT TO EXEMPTION 6 OF
THE FREEDOM OF INFORMATION
ACT (FOIA), 5 U.S.C. 552(b)(6).