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February 23, 2010

Office of Defects Investigation  
NHTSA Headquarters  
1200 New Jersey Avenue, SE  
West Building  
Washington, DC 20590

Re: Citizen's Letter to the National Highway Traffic Safety Administration Requesting Rule Change for Power Windows

To Whom It May Concern:

Please see enclosed Citizen's Letter.

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Enclosure  
4971/001/232019.1

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CITIZEN'S LETTER TO THE NATIONAL HIGHWAY TRAFFIC SAFETY  
ADMINISTRATION REQUESTING RULE CHANGE FOR POWER WINDOWS

Attention: Office of Defects Investigation

This letter is submitted on behalf of [REDACTED] and her daughter [REDACTED] of Rochester, Washington. Ms. [REDACTED] little finger was amputated when the open window of the passenger-side door on which she was leaning was raised by the driver.

Ms. [REDACTED] was leaning on the open door of a 2007 Nissan Sentra (VIN 3N1AB61EX7L [REDACTED]) saying goodbye to her grandchildren when the driver began closing the window in preparation for leaving.

There are regulations for one-touch power-operated windows in Federal Motor Vehicle Safety Standard No. 118 section 5(a)(1), such that

While closing, the window, partition, or roof panel must reverse direction before contacting, or before exerting a squeezing force of 100 newtons [approximately 22.5 pounds] or more on a semi-rigid rod from 4 mm to 200 mm in diameter that has the force-deflection ratio described in S5(c) and that is placed through the window, partition or roof panel system opening at any location, in the manner described in S5(b).

This standard unfortunately appears not to apply to *non* one-touch *non* driver-side windows whose closure is activated by the driver, and who may not be aware of an obstruction.

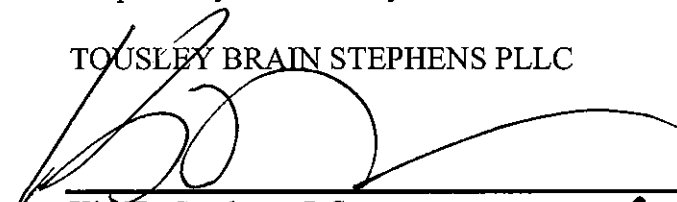
Nissan has taken the position that it has fully complied with all applicable regulations regarding power windows, and that there are no regulations that would apply to this situation. It is denying all responsibility for this accident.

Ms. [REDACTED] and Ms. [REDACTED] feel that any circumstance in which a finger can be severed is *ipso facto* dangerous, and they urge NHTSA to consider rule changes that would apply the above standard to all automatic window closures, such that whenever a window in a vehicle is raised, the window would be required to automatically reverse direction upon encountering the force indicated in Section 5(a)(1).

Respectfully submitted by

TOUSLEY BRAIN STEPHENS PLLC

LIEFF CABRASER HEIMANN &  
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Kim D. Stephens, P.S.

  
Fabrice N. Vincent

on behalf of [REDACTED] and [REDACTED]

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