

August 27, 2013

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)

SEP -4 2013

CL-10510244-9329

Dear National Highway Traffic Safety Administration:

I write this letter in regards to Nissan Automakers unwillingness to stand behind a design defect in the 2003 Nissan Altima (vin #1N4BL11DX3C [REDACTED]). I am requesting that Nissan cover the cost of the repairs due to the design defect and an investigation be launched into the serious safety concerns with the Nissan Altimas and the number of vehicles affected by this problem. A failure to provide adequate warning to consumers of this problem may cause a serious injury or even death.

On April 9, 2013, our 2003 Nissan Altima was taken into a local garage for a routine oil change, tire rotation, and yearly Pennsylvania inspection. We were told by the manager that the vehicle failed inspection because the floor boards on both the driver and passenger side were rusted out. When obtaining multiple estimates from local body shops, we were told that this type of damage should not happen in a 10 year old car, and the rest of the bottom of the car looked "really good". Nissan opened a claim (Case #11257984) and instructed us to take it to the local Nissan dealer for a diagnosis. In the attached estimate from Blaise Alexander Nissan, the service manager stated that he "cannot say what caused the floor to rust" and we were told by him that a design flaw could not be ruled out until the work was done. After giving this information to Nissan Consumer Affairs, I was told that Nissan would not cover the repairs to the vehicle. I then filed a complaint with the National Highway Traffic Safety Administration (NHTSA).

After performing research on my own, the NHTSA website (NHTSA.gov) includes over 200 claims/complaints in 2002-2006 Nissan Altimas of the driver and passenger side floor board prematurely rusting. Fifty five of these complaints are from 2003 Nissan Altimas. Since doing this initial research in April, a number of other complaints have been filed with the NHSTA at an alarming rate, especially over the two months. There are also numerous complaints regarding the same issue on carcomplaints.com and nissanforums.com. Nissan has been contacted numerous times about the issue.

A diagnostic letter is attached from the Vice President of the garage that performed the repair stating that "poor placement of sunroof drains allowing moisture to enter the vehicle through the rocker area, then pool on the passenger and drivers side floor areas" and "floor boards are double layered which traps moisture between the two layers" are the "issues causing premature floor board corrosion." He goes on to state that "This could become a major structural issue if not addressed. Corrosion could infest inner rocker panels, this would cause the vehicle to loose structural integrity in certain types of accidents." After receiving this information, at the request of Nissan Regional Consumer Affairs, I faxed the diagnostic letter and estimates and was again denied reimbursement for the cost due to the car being out of warranty and the high miles. A similar letter to this along with the included pictures of the damage, and repair costs were then sent via certified mail to Nissan Automakers in mid July of 2013 for reconsideration. I received a call again from the regional consumer affairs specialist stating the Nissan would not cover the repair and that the case has been closed, and there was nothing more they would do.

In this day and age, floor panels are not expected to rust or corrode after 10 years. Design defects are not subject to warranties and the manufacturer is responsible for correcting the problem. This manufacturers design defect needs to be addressed prior to someone being seriously injured or even killed. On a side note, Nissan recently sent us a letter stating specifically that their "2003 Nissan Altima used inventory is low". I wonder if they have internally identified there is a problem and this is their way of trying to fix it which seems completely irresponsible. Thank you for your time and consideration in this matter and I look forward to your response.

Sincerely,

[REDACTED]
Winfield, PA
[REDACTED]

NAM
9/6/13
SMD



CATHERMAN'S GARAGE & AUTO BODY INC.

Year: 2003

Make: Nissan

Model: Altima

VIN: 1N4BL11DX3C [REDACTED]

Mileage: 132,462

Writing this letter to address a factory design flaw in 2003 Nissan Altima vehicles floor boards, these issues are causing premature floor board corrosion. The two issues are as follows. 1.) Poor placement of sunroof drains allowing moisture to enter vehicle through rocker area, then pool on passenger and drivers side floor areas. 2.) Floor boards are double layered which traps moisture between the two layers, causing floor boards to corrode. This could become a major structural issue if not addressed. Corrosion could infest inner rocker panels, this would cause vehicle to lose structural integrity in certain types of accidents.

Sincerely,

Dustin Pauling

Vice President

Catherman's Garage & Auto Body Inc.

Williamsport-Montoursville-Lewisburg

2233 Royal Ave, Williamsport, PA 17701

570-323-3705 | 570-323-2451

cathermansauto@yahoo.com | www.cathermansauto.com



BLAISE ALEXANDER BODY SHOP
THE QUALITY YOU EXPECT- THE SERVICE YOU
DESERVE
560 FAIRFIELD ROAD, MONTGOMERY, PA
17754
Phone: (570) 433-4750
FAX: (570) 433-4756

Workfile ID:
Federal ID:

219f2af9
232148614

(C)

Preliminary Estimate

Customer: [REDACTED]

Job Number:

Written By: GARY CUDA, 132086

Insured: [REDACTED]
Type of Loss:
Point of Impact:

Policy #:
Date of Loss:

Claim #:
Days to Repair: 0

Owner:

Inspection Location:

Insurance Company:

WINFIELD, PA [REDACTED]

Business

BLAISE ALEXANDER BODY SHOP
560 FAIRFIELD ROAD
MONTGOMERY, PA 17754
Repair Facility
(570) 433-4750 Day

VEHICLE

Year: 2003
Make: NISS
Model: ALTIMA SE
Color: Int:

Body Style: 4D SED
Engine: 6-3.5L-FI
Production Date:
Condition:

VIN: 1N4BL11DX3C [REDACTED]
License:
State:
Job #:

Mileage In: 130000
Mileage Out:
Vehicle Out:

TRANSMISSION

5 Speed Transmission
Overdrive

POWER

Power Steering
Power Brakes
Power Windows
Power Locks
Power Driver Seat
Power Mirrors
Heated Mirrors
Power Trunk/Tailgate

DECOR

Tinted Glass
Body Side Moldings
Dual Mirrors
Console/Storage
Overhead Console

CONVENIENCE

Air Conditioning
Rear Defogger
Tilt Wheel
Cruise Control
Telescopic Wheel

Intermittent Wipers

Keyless Entry

Alarm

Steering Wheel Controls

RADIO

AM Radio
FM Radio

Stereo

Search/Seek

CD Player

SAFETY

Driver Air Bag

Passenger Air Bag

4 Wheel Disc Brakes

SEATS

Cloth Seats
Bucket Seats
Recline/Lounge Seats

WHEELS

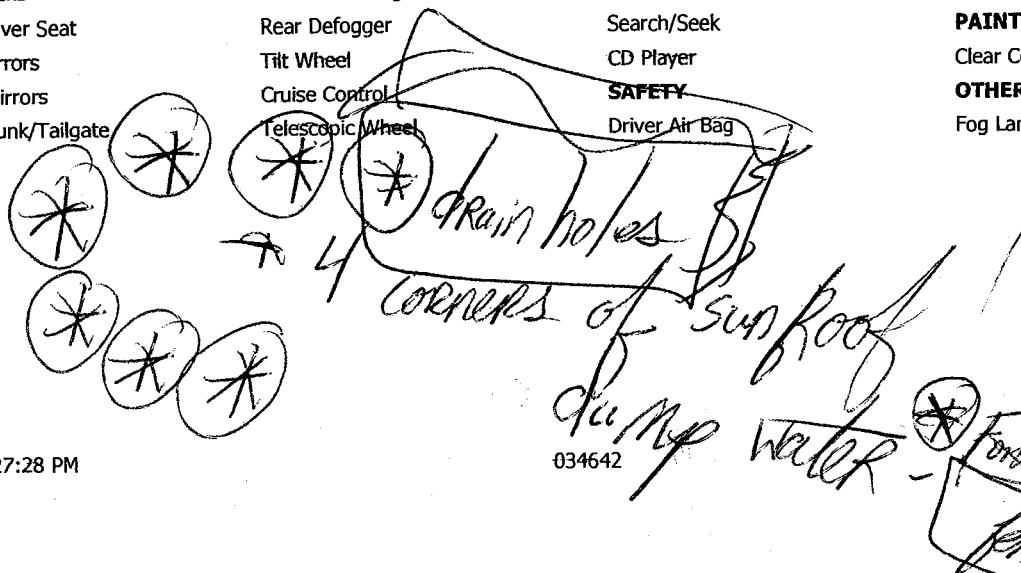
Aluminum/Alloy Wheels

PAINT

Clear Coat Paint

OTHER

Fog Lamps



Preliminary Estimate

ner: [REDACTED]

Job Number: C

Vehicle: 2003 NISS ALTIMA SE 4D SED 6-3.5L-FI

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1	#	R&I LT AND RT FT SEATS				1.0	
2	#	R&I REAR SEAT				0.5	
3	CONSOLE						
4	*	R&I R&I console assy				1.1	
5	#	R&I CARPET				3.0	
6	#	Rpr LT FLOOR AREA				5.0	1.0
7	#	Rpr RT FLOOR AREA				5.0	1.0
8	#	Repl GALVANIZED SHEET METAL		1	40.00		
9	#	Repl SEAM SEALER		1	20.00		
10	#	Repl MASK FOR OVERSPRAY		1	5.00	0.2	
11	#	UNDERCOAT		1	12.00	0.5	
SUBTOTALS					77.00	16.3	2.0

NOTES

Estimate Notes:

LT AND RT FLOOR PANELS AT FRONT SEATS RUSTED OUT, THE REST OF FLOOR AREA UNDER VEHICLE LOOKS GOOD, CUT OUT RUSTED METAL AND COVER WITH GALVANIZED SHEET METAL.CANNOT SAY WHAT CAUSED FLOOR TO RUST.

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			77.00
Body Labor	16.3 hrs @	\$ 50.00 /hr	815.00
Paint Labor	2.0 hrs @	\$ 50.00 /hr	100.00
Paint Supplies	2.0 hrs @	\$ 28.00 /hr	56.00
Subtotal			1,048.00
Sales Tax	\$ 1,048.00 @	6.0000 %	62.88
Grand Total			1,110.88
Deductible			0.00
CUSTOMER PAY			0.00
INSURANCE PAY			1,110.88

Winfield, PA

CHECK

TOP OF ENVELOPE TO THE RIGHT
ADDRESS, FOLD AT DOTTED LINE

REGISTERED MAIL™



7012 2210 0002 2733 7630



U.S. POSTAGE
PAID
LEWISBURG, PA
17837
AUG 28, 13
AMOUNT

\$4.22
00038920-07

US Department of Transportation
National Highway Traffic Safety Administration
Office of Defect Investigation, NHTSA-210
1200 New Jersey Ave SE
Washington, DC

20077-9382

W48-226