



U.S. Department  
of Transportation

National Highway  
Traffic Safety  
Administration

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

1200 New Jersey Avenue, SE  
Washington, DC 20590

April 11, 2018

The Honorable Susan Davis  
Member, U.S. House of Representatives  
2700 Adams Avenue, Suite 102  
San Diego, CA 92116

NEF-109 rrr  
Ref. No. 10995567

Dear Congresswoman Davis:

Thank you for your correspondence on behalf of your constituent, [REDACTED] concerning his model year (MY) 2008 Infiniti G37 vehicle. I am pleased to respond.

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 motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. We also monitor the completion rates and adequacy of manufacturers' recall campaigns.

We appreciate the report you provided. Reports from motorists are a very important source of information for NHTSA. We are aware of NHTSA Safety Recall Campaign No. 08V-521, which addresses a problem with passenger air bag occupant classification system (OCS) in certain MY 2008 Infiniti G37 vehicles. The OCS control units located in the passenger seat cushion may have been manufactured out of specification. Under certain conditions, this could cause an interruption of the signal between the OCS and air bag control module.

Please note that recalls are very specific in regards to vehicle build dates, affected vehicle identification numbers (VIN), assembly plants, remedy procedures, and defective components. We know that under Recall 08V-521, the affected G37 vehicles were produced between June 20, 2007 to October 31, 2007 (approximately 9,131 vehicles). However, according to [REDACTED] VIN, his G37 was produced on December 21, 2007. Nissan advised that vehicles manufactured prior to and after these dates are not affected by this defect. Therefore [REDACTED] vehicle is not eligible for a free remedy under the Recall 08V-521.

We understand why [REDACTED] feels that the air bag problem he experienced has the same symptoms as Recall 08V-152, such as a flashing air bag warning light. We looked at the repair order he provided and the technician identified diagnostic trouble code (DTC) B1018, which indicates a failure in the seat sensor. However, the failure mode associated with the recall, which relates to a specific component known as a "varistor" produces DTC B1022. We recommend that [REDACTED] continue to work with Nissan/Infiniti or his dealer for an amicable resolution to his problem.

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The information you provided has been entered into our database. It will be considered with future reports to identify any safety defect trends that may require our attention. For [REDACTED] information, explanation of NHTSA's investigation and recall process is on our web site at [www-odi.nhtsa.dot.gov/recalls/recallprocess](http://www-odi.nhtsa.dot.gov/recalls/recallprocess).

[REDACTED] may consider contacting his local Consumer Protection Agency or the California Office of the Attorney General regarding his problem and rights under the State laws. He may also ask his dealership for a meeting with a Infiniti district manager regarding his problem. In addition, the Federal Trade Commission (FTC) has jurisdiction over non-safety defects, paint, fraud or deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways to contact the FTC: by toll free telephone at 877-382-4357; by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at [www.ftccomplaintassistant.gov](http://www.ftccomplaintassistant.gov).

[REDACTED] may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. [REDACTED] can visit their website at [www.bbb.org](http://www.bbb.org) to file a complaint and review eligibility information, or call the BBB Auto Line at 800-955-5100.

I hope this information is helpful. If you have any questions, please feel free to contact me or Mr. Jeffrey M. Giuseppe, Associate Administrator for Enforcement at 202-493-2631.

Sincerely,



Brian Barnard  
Director, Governmental Affairs,  
Policy and Strategic Planning

cc: Washington Office