

NEF-010

JUL 11 2018

July 03, 2018

CL - 1112715-8611

[Redacted]
Modesto, CA [Redacted]

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Tel. [Redacted] (mobile 24/7)

NHTSA Headquarters (Postal mailed 'Certified' 07/05/18)
Auto Hazard Complaint Investigation Dept.
1200 New Jersey Ave, SE
West Building
Washington, DC 20590

Subject: This is my Complaint about my 2015 NISSAN Versa SV Sedan :

VIN # 3N1CN7AP0FL [Redacted]

CA Lic. # [Redacted]

(I bought NEW Feb 3-11, 2015)

From day One of Coast NISSAN/San Luis Obispo, CA dealer pushed Sales, unfortunately, I've become aware & continue to experience, one or more, of these several 2015 Nissan Versa Sedan SV DESIGN/Built DEFECTS; which have resulted in 'scary/panic driving' & worry about possible 'Crash' situations!

Even after returning within a couple days after purchase... to Coast NISSAN service dept. with 'droning noise complaint' and 'Hwy 101 lane slight, but caringly noticeable swerving in

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7-20-18
led

JDZ

wind', and 'their fix' was to re-glue upper left door insulation strip (Note: it didn't get rid of droning noise!)

I've slowly realized over several months, I've been 'Driving a vehicle of questionable SAFETY!

The several design defects are serious driving DISTRACTIONS; which have or can cause unpredictable multiple hazardous driving conditions! Note: I have taken the vehicle to local Modesto CA Dealer with a written LIST of problems; which were not resolved

(e.g. eliminated). Since the Modesto NISSAN Service Dept did not solve my items I listed in writing (Note: See copy of my Service Requested List attached at end this letter), I decided to use the vehicle for limited purposes! However, not wanting to further have driving RISK, I currently have the vehicle parked permanently, and registered it in a DMV "non-operational status"!

Based on my 'unsuccessful' prior '3rd day attempt at SLO Coast NISSAN Service Dept to FIX the 'droning noise' and with my again taking a List of even more 'risky service items' to Modesto, CA NISSAN, I have serious doubt

any NISSAN Dealer Service Dept. will FIX or can evaluate to make SAFETY design changes! Therefore, I'd made an earlier extensive 'Buy-Back' DEMAND to NISSAN Corporate in Tennessee! [Note: I DO NOT want an even Exchange, or some other NISSAN Product!]

I share my NOTES about 'DESIGN DEFECTS' hopefully requiring NISSAN Research to affect complete elimination of these 'hazards' in 'recalls', and future models!

My 'Risk Notes' for Suggested NISSAN Managements' ... PRODUCT IMPROVEMENTs!

- 1. The Electronic KEY "HOLD" Button activates/opens, 'unwantingly', quite often the Trunk Lid. The 'HOLD" button is positioned on key WRONGLY; which accidentally allows/causes ...many weekly accidental trunk-lid openings.** The Trunk Opening Key HOLD Button is extremely sensitive to any touch! I find it almost impossible to remember every time I use key to try to avoid pressing the HOLD Button on the Key before I drive off or return from driving to remove the key from ignition switch and avoid touching the HOLD Button! First Day after driving away from Dealer, I returned with complaint about 'hazardous key design' to service dept., and to Jackson - Salesman, and Customer service lady pointing and showing how I get into auto and turn on key clockwise involves touching the HOLD Button causing trunk lid to open, and many unwanted openings at other 'out of car' times. I returned to SLO Dealer, many times within 3 weeks (while requesting, "PLEASE take this auto back", and to "please give me my old 2014 Versa Hatchback back!" and showed & Discussed with Service Mgr. the KEY problem. None of the other various COASTAL involved employees, I showed the problem key to initially, offered an immediate solution to this 2015 Versa Sedan 'hazardous' imposition.

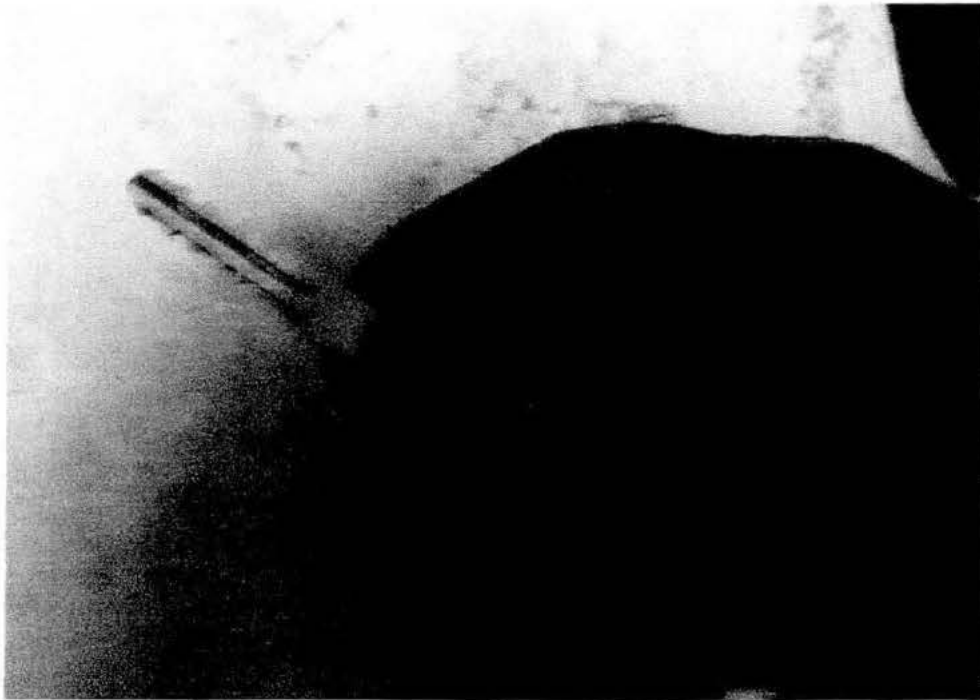
Any NISSAN Customer should never have to DAILY remember or be frustrated by constant thoughts, day and night, driving and added worry

when not driving as to whether the Trunk Lid is OPEN. Who will next knock on my door at night or day, asking me, "is that your car in the Apt. parking lot with the trunk lid open", or just tell me, "...your trunk lid is open!" Or, even more seriously is when I'm driving and very often wonder and turning my head to rear view mirror, to see if my trunk lid is partially open. To briefly CONSTANTLY on each trip, to look into my rear-view mirror OFTEN to determine if my trunk lid is open. This now embedded **hazardous DISTRACTION** takes my eyes away from safely driving forward, a continuing "risky hazardous driving movement"!

Many times, a driver next to my vehicle, while this Nissan is moving or waiting at stop sign will call out or point to my trunk as being open. I promptly and precariously, look for a spot to pull over and park to get out of vehicle and again close the trunk lid! I'm suffering a mental condition to drive in lane nearest curb; so, I can easily pull over to close the trunk! Worrying whether a vehicle coming from rear might impact me when I pull over and open & exit driver's door to close trunk should NOT be a faulty aspect of Versa Design!

There is a 1/2 key turn lock on backside of trunk. It takes a Key turning only 1/2 way clockwise. It is located on the backside of Trunk Lid. When putting the 'universal common one key' into trunk lock keyhole, one can only turn the key clockwise 1/2 way. This seems a Design Defect NOT being able to turn the key counter-clockwise at all! **Redesign Suggestion:** RETROFIT the trunk lock; which should be designed to fully lock trunk, and at same time turns off the main KEY "HOLD" button for trunk lid to OPEN function...Thus, many NISSAN Versa Owners will NOT worry whether trunk lid is open! End forever!





Thumb inadvertently pushes key HOLD Button when key is put into ignition & turned causing trunk lid to OPEN! The word "HOLD" on main key button is meaningless! Equally 'bad placement of trunk opening button on a key on a chain or also loose in a pants pocket or in a jingling purse causes trunk to open within several yards after leaving or walking towards vehicle. The "HOLD" button is very sensitive to accidental pushing!

2. Defective GAS PEDAL PART(S) in ASSEMBLY CAUSING INFREQUENT MALFUNCTION of

Immediate Release of Gas to Engine Function! Upon going through SLOW process to Stop at a street intersection, the main process step has involved my removing my foot from the Gas Pedal and quickly applying same right foot to the brake, all within seconds. Unpredictably, the engine will infrequently, but HAZARDOUSLY keep REVING AT SAME or seemingly Greater RPM's, while I'm pressing about $\frac{3}{4}$'s of right side of brake pedal. At unpredictable infrequency, Engine rapid slowdown during vehicle Braking Process seems to FAIL upon a slowed Stop! Scary! ... especially during two times during 1st experiencing, I was dragged by Revving engine beyond STOP Line into intersection, guessing about 3-5+ feet. On each of those occurrences, I experienced within nanoseconds immediate PANIC, Confusion and Alertness to quickly determine any possible oncoming vehicle(s) and bracing myself as I tried to figure out who's behind me and what's oncoming from left side, and where

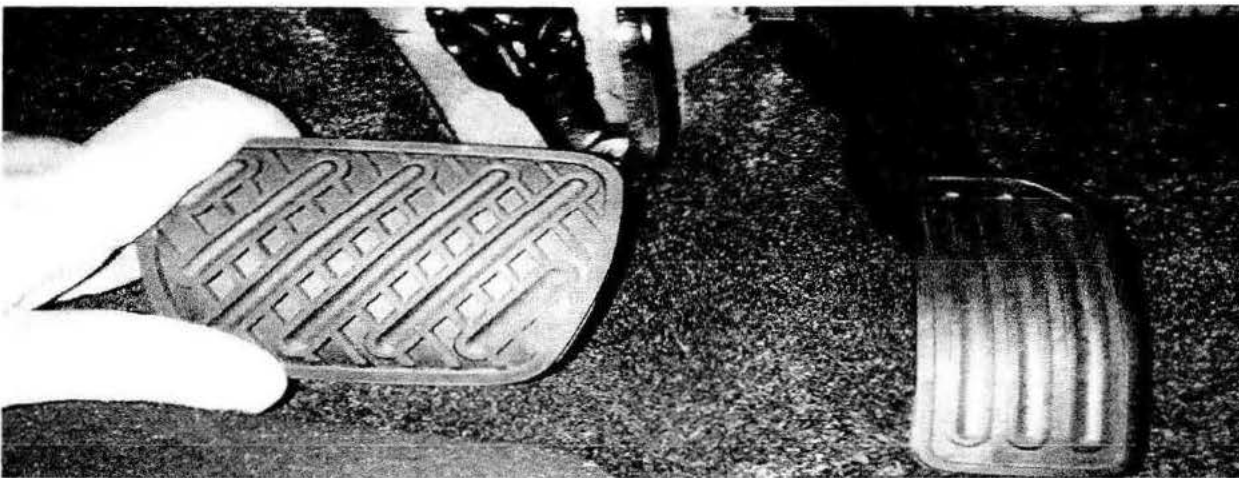
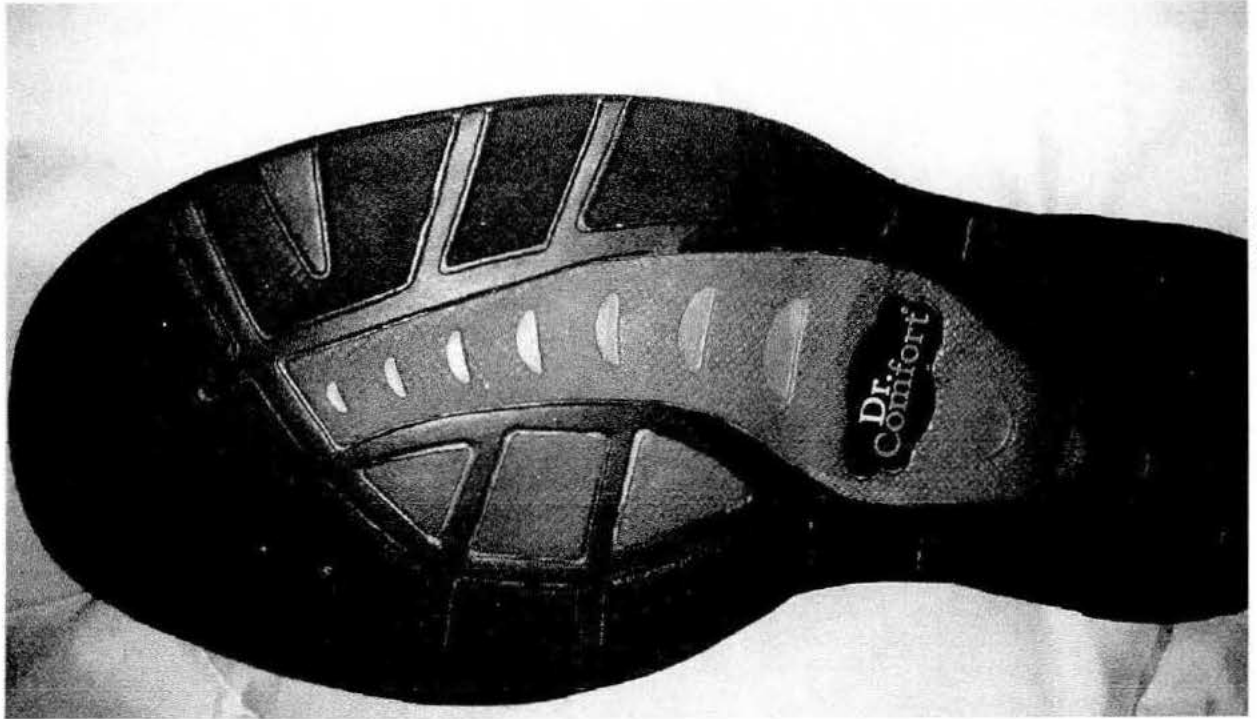
& how to try and move! I had uncontrollable PANIC to overcome? I've taken this problem to Dealer Service Mgrs., and I was advised this is a "NISSAN Factory Recall FREE FIX", and I was explained Dealer FIX (and they did it) is to CUT away some plastic on the console tunnel near the Gas Pedal where an edge of a shoe front sole might get caught; thus NOT Release shoe to allow shoe to quickly get to brake pedal while supposedly still forcing the old push on the Gas pedal.

During a bright 'Sun' day inspection of the 2015 Versa Sedan Gas Pedal/Brake Pedal Area, I took a few pictures of involved questionable vehicle parts & my shoes. ... see Pictures embedded in this letter, below. My shoe size is "11" double DD wide.

The Dealer 'plastic console cap trim cut-away' FIX has been completed. **Note: latter was done under directions found in NHSTA campaign 15V507000.**

However, I have had one more "Engine Revving, stuck gas pedal or gas injection

'faulty release function" occur! After this 'Last FIX occurrence', I got my flashlight and looked with intensity & closely at the external features of the Gas Pedal Assembly, and to see if CARPET or something else is impinging on Gas Pedal Function. I do not believe it's the Carpet causing impinging the Gas Pedal quick movement. I can only guess if any PARTS of the internal (NOT visible?) Gas Pedal Parts Assembly or integrated computer control, or whatever is causing this DESIGN hazard to be DEFECTIVE OPERATIONALLY, or if there is any DEFECTIVE Manufacture of 1 or more Gas Pedal Part in the Gas Pedal Functional Assembly?



I measured distance between right edge brake pedal and left edge gas pedal to be approx. 2-1/2 inches. Widest width of bottom of my shoe sole is 4-3/4 inches. Nissan Engineers need to determine if brake pedal right edge is too close to left edge gas pedal; especially for wide soled shoes? Also, when I press brake pedal, it goes down to even, same top height as gas pedal unpressed height; and I'm wondering if I still had partial right-side shoe sole on gas pedal while braking?

Wide shoe soles need to clear the space between left edge gas pedal and right edge brake pedal!! [See corresponding picture attached to this letter!]

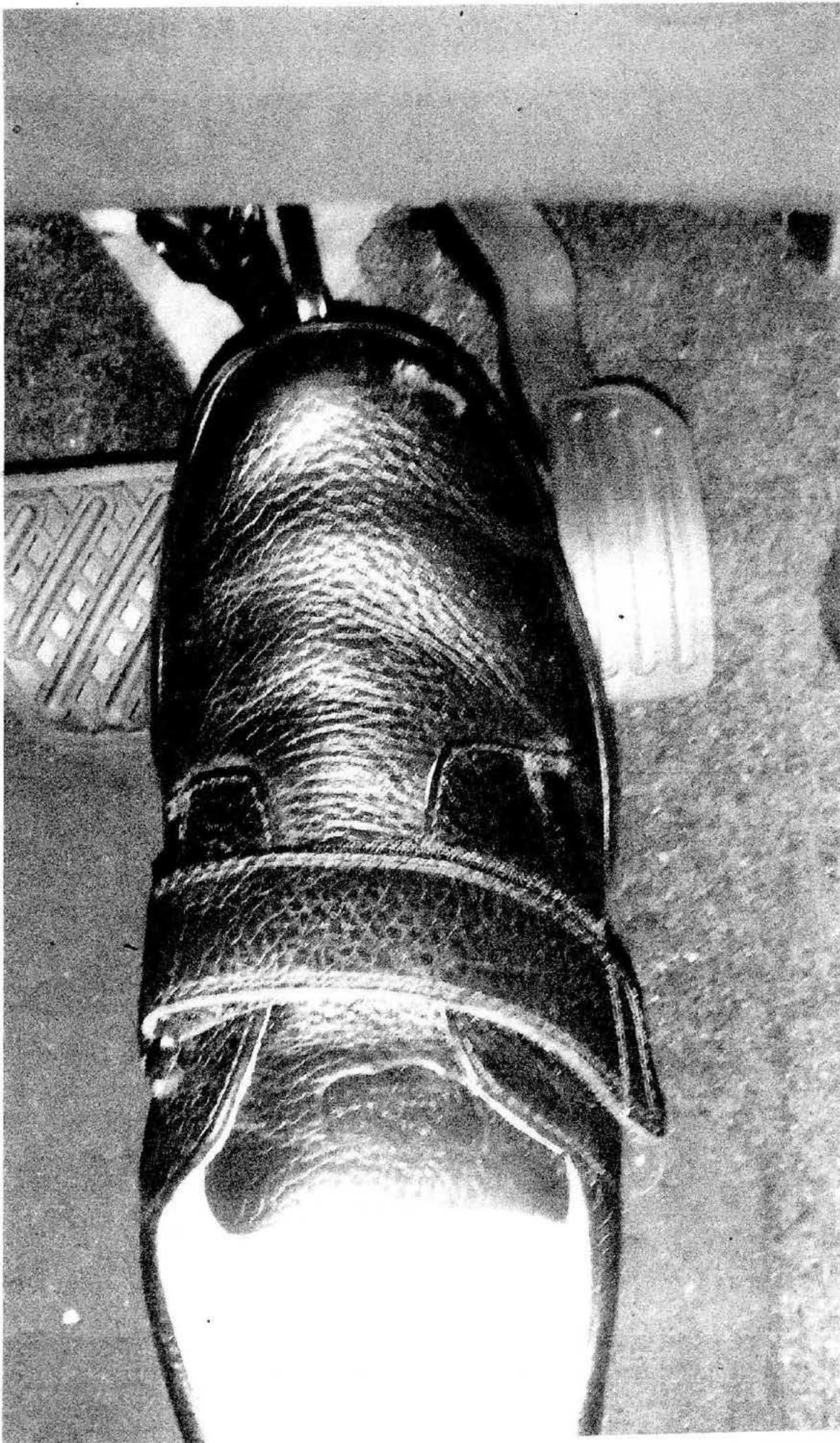
Observe shoe picture: **My shoe(s) DO NOT have any under-sole extending outward beyond upper shoe cover to possibly catch under the, before cutting away, the plastic console over-wrap. I believe the "engine revving when applying/pressing on brake pedal" is because gas pedal and brake pedal are designed/built to close together; thus, NOT ALLOWING a large American sized shoe (e.g. mine: 11-1/2" long by 'DD' to fully clear both pedals 'instantly' and whereas, when the brake pedal is pressed to point of fully causing braking ... I note the brake pedal is matched in height as to the same level as unpressed gas pedal (e.g. both pedals equidistant in height causing one foot to press on edges of both pedals at one moment in time!) However, subsequently when re-assuring my brake pedal was fully depressed by fully moving it over the entire brake pedal, the engine seemed for split second to continue to "REV", then quickly un-revving!**

Real Question is to NHTSA Engineering Research Expert on Pedal Distance Minimum Distance Expert, is this NISSAN Model within Pedal Design minimum "Distance Between" Tolerance specification. Should the

specification 'Between Pedals... Distance Tolerance' be widened?

Secondly, I was coming to STOP, slowly with CRUISE CONTROL operating prior to stop; but it should have disengaged while 1st applying brake to come to slow stop , I hope?



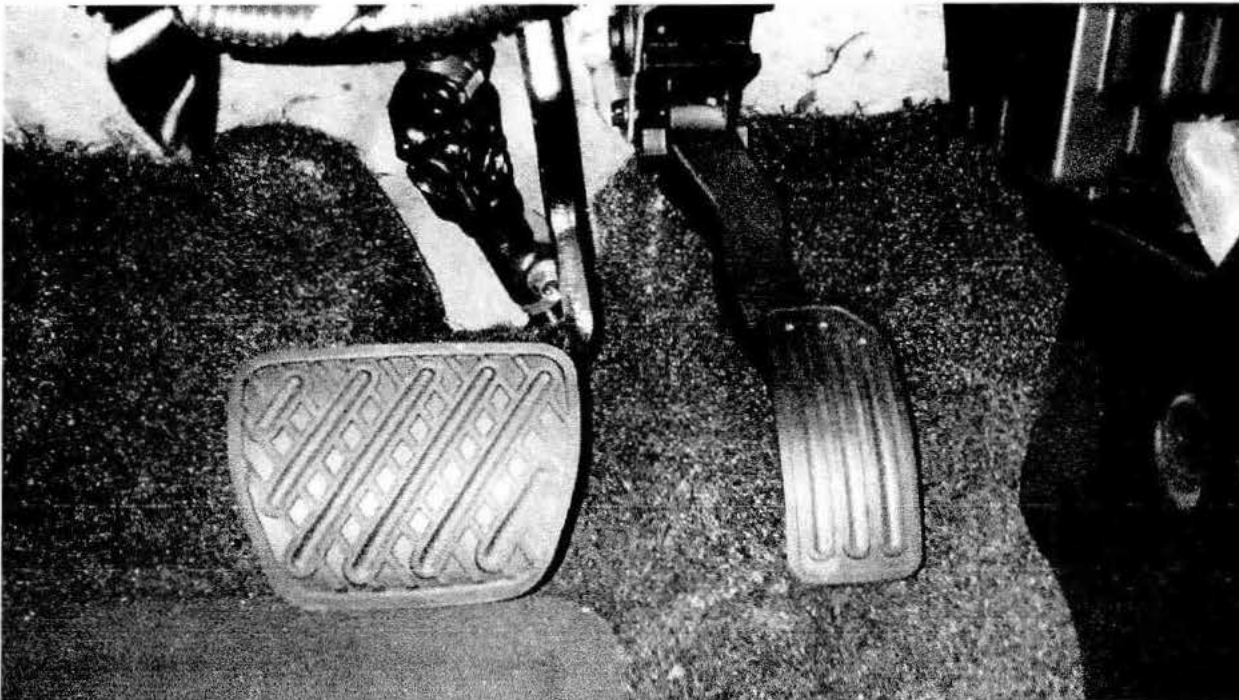


Distance btw
brake pedal
(Right side) and
the gas pedal
(Left side) is
ALMOST $\frac{1}{2}$
NARROWER than
the width
of my DD (double
front of side
to side shoe.

Brake pedal
& gas pedal are
too close to-
gether for
WIDE SHOES.
(?)

DL

Shoe size:
11 1/2" DD



Above Photo taken before right-side plastic trimmed. Observe: Front edge of Carpet is trimmed to edge of floor; thus, does not climb up the, at all, the driver's compartment side of the engine fire & noise elimination frontal wall!

Also, observe the "Console Plastic Overwrap" extends DOWN beyond the up end TOP of Gas Pedal making it almost impossible for an 'extended shoe sole' to dig down under the bottom edge of the plastic.

3. When awaiting in Left Turn lane(s), passing vehicles cause 2015 NISSAN Versa Sedan & Driver to **WOBBLE Left to Right & Right to Left!**

Suggestion: NISSAN Mgm't needs to FIX or Develop a STABILIZATION System to eliminate undesirable Side-to-Side nauseating motion.

As my brain floats in fluid in my skull, there is disturbing feeling of significant minuscule brain movement side-to-side, something like sitting thru a tiny Earthquake. While awaiting Left-Turn as regular size autos and Pickup trucks, and larger Trucks w/40 ft. Trailer(s) create pushing waves of Air against this 2015 NISSAN Versa Sedan. I estimate these vehicles whiz by at around 40+ mph as I sit awaiting Left-TURN from less than a minute to up to 2 minutes. Estimating, I make around 5 Left-Turns per Day! Thus, I can est. there are CUMULATIVE unwanted 'Bodily Effects!' caused by about 5,000 Plus impacts of WOBBLING per 3 years! Length of Time while parked awaiting a Left Turn is a major Factor!

WOBBLE -Side-to-Side? Is there a side to side STABILIZER System that's loose or needs adjusting to get rid of WOBBLE? My local Nissan Dealer Serviceman just answers my written description of 'Wobble' & my trying to describe by saying, "This Auto is Just to Light in Weight!" Is this True????

**SUGGESTION for NISSAN RESEARCH Team:
Develop STABILIZATION System to prevent 'Side-
To-Side 'WOBBLE Affect'!**

A somewhat related 'wobble' symptom I've experienced, and worried & continue to worry about after 1st Day I drove on State Highway 101 in a moderate Wind at 65+ mph, the vehicle seemed & continues to have difficulty (e.g., 'fish-tailing?') in holding a straight line on the highway; especially in moderate (est. 20 +mph) or high-speed weather wind ... not counting vehicle body design generated cross wind affects!

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- 4. Chrome Ring around the speedometer gauge caused, one time, a near minute of SUN Reflection blinding of my eyes; as I was driving toward West at around 3:00 pm ... the SUN shined through my left drivers rolled up window and shined intensely on the speedometer gauge ring. The chrome on the left-side ring reflected the Sun as an intense blinding light into my eyes. I had to look away as it was so bright! I had a few moments of not seeing road and objects (e.g. vehicles) in front of me, as I was driving 5-30 mph. I was also passing parked cars!
SUGGESTION: Redesign RING by using 'non-reflective Ring' material. Talk to supplier of the RING Part! See Photo, next page!**



Chrome Ring of Speedometer Gauge on 2015 NISSAN Versa Sedan SV. This is not a photo of earlier described chrome ring reflection; but photo taken with just a little SUN mirroring only a little, non-blinding SUN reflection onto steering wheel cover at lower left corner!

- 5. There is a LOW FREQUENCY constant Humming NOISE (e.g. low frequency BASS like DRONING Noise centered in middle of my driver's seat always experienced at approx...over 30+ mph.) (Observation NOTE: If I move my upper body naturally to left or right, the noise I hear dissipates in my hearing, a little!) The NOISE distraction is possibly cumulatively harmful in long drives with DRONING hum NOISE**

in my ears/head/brain starting at higher speeds (around 40+ mph), especially on highways at 65 or 70 mph is extremely distracting and bothersome. The faster I drive, the louder it gets. Indicates **NOISE ENGINE CAUSED?**

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A friend told me it might be a front wheel bearing?
Modesto Dealer MultiPoint Inspection indicated "NO!"
brakes problem.

Observation: The back-of-left-front door to jamb seems to be wider space ¼"+ as compared to right front rear door jamb! Maybe there is a leaking door fit air noise?
Dealer says, "Normal!"

In addition, front floor **Carpet lays only on the floor** to the bottom drivers-side firewall between the engine compartment and the drivers compartment. It seems to me **there should be SOUND PROOFING CARPET, or Sound-Proofing Barrier all way up the interior described Fire-Wall! ... to probably eliminate hearing DRONING Engine NOISE. See next Photo:**



Upper, near white portion of Photo shows lack of interior thick sound proofing Carpet or Sound Proofing Barrier.

Suggestion: NISSAN Research Mgm't test several Sound Proofing 'Acoustic Reduction Materials' from major manufacturers of 'such materials'.

Recall/Retrofit by Dealers with tested, adapted Sound Proofing Material for especially NISSAN 2015 Versa Sedans to guarantee 'Engine Noise' will never be heard in Drivers compartment!

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6. Inadvertently, I left Key in Ignition after manually locking inside door, and delayed exiting of driver's seat!

Three times over a year's period, I had parked in front of a Mall Store, and took a few contemplating minutes for what I was about to do in store(s). Then, exited front driver's seat, and closed inside locked door. Each time I had to call expensive TOWING Service!

NISSAN 'Door Lock' Research Experts: Consider designing-in a Sensor in Driver's Seat that 'Beeps' when Key is left in Ignition and Driver raises body weight off Seat. This Alarm 'Beep' should be enough to Alert/WARN "Ignition Key is still in the Ignition switch", and prompt to remove KEY and exit vehicle with it! Or, don't allow the vehicle doors to 'lock' from outside the vehicle if the ignition KEY is still in the ignition!

7. BLACK colored Deck above and continuous to all of lower frontal Dashboard REFLECTS onto ALL inside/upper windshield! REFLECTS especially if I am driving South in Mid-Morn, or Mid-Afternoon. This causes 'risky driving' as deck Reflection SHADOW

causes 'Impaired Visibility' for accurate Driving.

Clip-On Polaroid Sunglasses remove Glare!

Product Improvement Suggestion:

NISSAN Glass Research Dept. identify, specify GLARE-PROOF GLASS!

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I had written most of the above, over time, and 'certified' mailed Feb. 14, 2017 as a 'helpful' complaint

**To: NISSAN USA Corporate,
Nissan Consumer Affairs**

NISSAN Case #

P.O. Box 685003

Franklin, TN 37068-5003

Unfortunately, I finally received a letter explaining why a phone call, essentially disregarding any Comment about SAFETY situations ... rejected my DEMAND/Request they buy back the unsafe auto. See COPY the letter attached to this letter. Where NISSAN 'Arbitrator' unnecessarily slammed the door on my entire SAFETY research and 'Buy Back' Request without any explanation!

Can NHSTA demand NISSAN Dealer take back the subject "UNSAFE Auto" and prorate some fair refund, and/or just payoff the approx... \$8,000.+ they presumed I still owe on an auto I'm NOT driving?

I THANK ALL those at NHSTA involved in the follow-up on this my letter of detailed SAFETY concerns; especially as there are 1,00's of similar models on the road, reportedly having experienced similar hazardous "Dangerous" conditions!

I await to hear about the SUCCESS of NHSTA Investigative results, and applied Research concerning the above unsafe situations.

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In particular Sincerity, my .. THANK YOU All ! .. for all the valuable work done to Keep our Highway Transportation Vehicles and related systems SAFE!



CC:

- 1. The actual Owner of San Luis Obispo, CA Coast NISSAN dealership is:**

Cardinal Automotive Group

Personal Attn: Mr. Joe Cardinale c/o Corporate Office

3239 Imjin Rd, Suite 300

Marina, CA 93933

Website: www.cardinale-group.com/

- 2. Customer Service**

NISSAN Motor Acceptance Corporation

P.O. Box 660360

Dallas, TX 75266-0360

(Customer Relations - 800-456-6622)

May 31, 2016

DMG LIST to for sure include in "Modesto NISSAN Dealer"

"Complimentary Multi-Point Inspection of

2015 NISSAN SV 4 Door Sedan

- Door/Alarm KEY has a too SENSITIVE "HOLD BUTTON"; so, Trunk Lid is very frequently OPENING TRUNK LID. Happens when I hold key on thumb side and starting auto engine, or HOLD BUTTON accidentally bumped upon pulling key from ignition switch or when bumped key in pocket, etc. I go to sleep at night wondering if a neighbor going to knock on my door and say, "Is that your car with the trunk lid open? How would you like to be driving along in cities and have other driver(s) yell and point to your trunk being open, then have to pull over, etc.
- GAS PEDAL seems to stick, infrequently upon a slowed Stop while also braking with my right foot on left side of brake. Couple scary times I was trying to STOP at a stop light with brake and engine would rev and keep running. Scary! FIX stuck gas pedal, or computer control, or whatever is causing this DESIGN hazard!
- There is a LOW FREQUENCY constant Humming (e.g. low frequency BASS like droning Noise that's centered in middle of my driver's seat (If I move my upper body in-naturally to left or right, the noise dissipates. The NOISE distraction is possibly harmful in long drives hums in my ears/head starting at higher speeds (around 40+ mph), especially on highways at 65 or 70 mph is extremely distracting and

bothersome. The faster I drive, the louder it gets! A friend told me it might be a front wheel bearing? [Note: The back-of-left-front door jamb seems to be wider space ¼"+, maybe causing leaking door fit air noise?]

- There is a terrible GLARE on front window when driving into Sun! Quality of Vision significantly reduced for Safe Driving! Glare seems to be caused by BLACK DASHBOARD reflecting on inside, and NOT having Glare proof windshield Design Defect! I bought glare reducing Sun Glasses seems to eliminate GLARE!
- Seems there is a Missing STABILIZATION System for Side-to-Side WOBBLE. As when I am stopped in a left-turn lane and many small/large vehicles are passing me, or passing a truck, there is a very worrisome WOBBLE from Right to Left/Left to Right. As my brain floats in fluid in my skull, there is brain movement back and forth something like a tiny Earthquake several times. Is there a side to side STABILIZER System that's loose or needs adjusting to get rid of WOBBLE? Another symptom is from day one driving on highway at 65+, the vehicle seems to have difficulty holding a straight line; especially in moderate or high wind.



NISSAN GROUP
OF NORTH AMERICA



Nissan North America, Inc.
Consumer Affairs
PO Box 685006
Franklin, TN 37068-5006
Telephone 1-800-647-7267

May 9, 2017

[REDACTED]
Modesto, CA [REDACTED]

Case: [REDACTED]

VIN: 3N1CN7AP0FL [REDACTED]

Dear Mr. [REDACTED]

I am in receipt of your letter to Nissan North America dated February 18, 2017. We sincerely appreciate you taking the time to contact Nissan regarding your situation. As a company interested in winning lifelong customers, Nissan apologizes for any inconvenience you may have experienced.

Nissan carefully considered your request during a review of all available facts pertaining to your situation. Nissan is not in the position to correspond via letter. Any additional correspondence received on behalf regarding this matter, via email or mail, will be documented in your case and no further contact from Nissan will be rendered.

Sincerely,

A handwritten signature in black ink, appearing to read "Lakisha Benedict".

Lakisha Benedict
Arbitration Specialist
Nissan North America, Inc.



Coast NISSAN

www.coastnissan.com
jarmstrong@coastnissan.com

JIM ARMSTRONG
Sales Manager, Olm

Main (805) 202-4754
Cell (702) 376-9463
Fax (805) 543-8294



12150 LOS OROS VALLEY RD. • SAN LEAS OROSP, CA 93405



Coast NISSAN

12150 LOS OROS VALLEY RD. • SAN LEAS OROSP, CA 93405

JAMES JACKSON
Nissan Sales

www.coastnissan.com
(805) 202-4754
Cell (805) 305-3397



Coast NISSAN

12150 LOS OROS VALLEY RD. • SAN LEAS OROSP, CA 93405

CHET D. DAWSON
General Sales Manager

www.coast-nissan.com
cdawson@coast-nissan.com
(805) 202-4754
Cell (714) 745-3694
Fax (805) 543-8294



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PAULINA SANSONE
F & I Manager

(805) 543-4423
Fax (805) 543-2721
psansone@cardinaleway.com
www.coast-nissan.com



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HYUNDAI 559-444-1111

CELL 559-940-3349

FAX 559-444-1111

NISSAN HYUNDAI
OF FRESNO
5580 N Blackstone Ave
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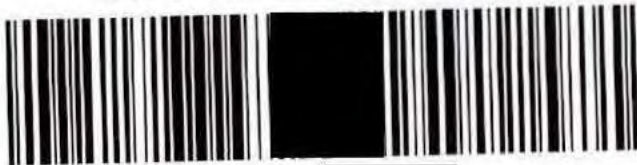
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Washington, DC 20590**



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