

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Frank Slaveter,
Manager, Technical Compliance
Nissan North America, Inc.
P. O. Box 191
Gardena, CA 90248-0191

NSA-11ntn
SQ99-018

Dear Mr. Slaveter:

The Office of Defects Investigation (ODI) is conducting a review of a safety recall conducted by the Nissan Motor Corporation (Nissan) in Canada, of approximately 11,100 1994 through 1996 Sentra 2 door models because the front coil springs can fracture from corrosion fatigue. The failures occur from a loss of the protective paint coating on the springs and exposure to heavy road salt. Corrosion can cause pits to form on the spring surface, which can result in fatigue failure. A broken spring could puncture the adjacent tire, possibly causing a loss of vehicle control.

ODI has received a report of an alleged front coil spring failure in a 1996 Sentra 4 door, reportedly manufactured at Nissan's Aguascalientes, Mexico assembly plant, which appears to be related to this issue. A copy of this report is enclosed for your information.

The purpose of this letter is to advise you that we are opening an investigation to determine whether the safety defect identified in the Canadian safety recall is applicable to Nissan Sentra cars sold in the United States and to obtain certain applicable information.

Unless otherwise stated in the text, the following definitions and instructions apply to this request for information:

- **Nissan**: Nissan North America, Inc., its parent Nissan Motor Company, Ltd., and all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under

SQ99-018 - Nissan, Sentra front coil springs .wpd

the control of Nissan (including all business units and persons previously referred to), who in or after 1992, were involved in any way with any of the following related to the alleged defect in the subject vehicles:

- (a) design, engineering, analysis, modification, or production (e.g. quality control);
- (b) testing, assessment, or evaluation;
- (c) consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
- (d) communication to, from, or intended for zone representatives, fleets, dealers, or other field locations, including, but not limited to, people who have the capacity to obtain information from dealers.

- **Subject vehicles:** all 1993 through 1996 model Nissan Sentra vehicles manufactured in Nissan's Aguascalientes, Mexico assembly plant.
- **Canadian safety recall 99-069:** the safety recall filed by Nissan in Canada identified by 99-069 and dated April 28, 1999. The recall involves 11,100 1994 through 1996 Sentra 2 door models, manufactured at Nissan's Aguascalientes, Mexico assembly plant, because the front coil springs can fracture from corrosion fatigue. The failures occur from a loss of the protective paint coating on the springs and exposure to heavy road salt. Corrosion can cause pits to form on the spring surface, which can result in fatigue failure. A broken spring could puncture the adjacent tire, possibly causing a loss of vehicle control.
- **Alleged defect:** (1) the failure, malfunction, or other unsatisfactory performance of the front coil spring protective paint coating which could result in the formation of corrosive pits and corrosion fatigue, and (2) the failure, fatigue, fracture, or similar unsatisfactory performance of the front coil springs
- **Document:** "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all nonidentical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work

orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Nissan, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a nonidentical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by Nissan or not. If a document is not in the English language, provide both the original document and an English translation of the document.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Please repeat the applicable request verbatim above each response. After Nissan's response to each request, identify the source of the information and indicate the last date the source updated the information prior to the preparation of the response. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the Information Request letter (including the subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

If Nissan cannot respond to any specific request or subpart thereof, please state the reason why it is unable to do so. If Nissan claims that any document or other information or material responsive to any of the following items need not be provided to NHTSA because it is privileged or the work product of an attorney, separately by information request number, for each document or other information or material, state the nature of that information or material and identify any document in which it is found by date, subject or title, name and position of the person from, and the person to whom it was sent, and the name and position of any other recipient. Nissan must also describe the basis for the claim, and explain why Nissan believes it applies.

1. State the total number of subject vehicles manufactured for sale in the United States by body style and model year.

2. Furnish the number and copies of all the following:

- a. owner, consumer, and fleet reports or complaints; and
- b. field reports, other reports and similar documents, from all sources either received or authorized by Nissan, or of which Nissan is otherwise aware;

pertaining to the alleged defect in the subject vehicles. This would include, but not be limited to, complaints or information provided by various fleets, consumer groups, government agencies, insurance companies, and other entities which would have provided such information to Nissan.

3. Furnish the number and copies of all documents related to each of the following:

- a. all crashes and injury incidents;
- b. all subrogation claims;
- c. third-party arbitration proceedings (where Nissan is a party to the arbitration); and
- d. all lawsuits, both pending and closed, in which Nissan is or was a defendant (or codefendant), or of which Nissan is otherwise aware.

This includes all those which have occurred or may have occurred, at least in part, due to circumstances, conditions, or problems caused by the alleged defect in the subject vehicles.

Provide a brief synopsis of each case including Nissan's analysis of the alleged incident, a description of any injuries and property damage involved, the identification of the vehicle (model, model year, and VIN), and the vehicle owner (name and address). Furnish a copy of all police reports, accident/fire reports, documents by or for insurance companies and their agents and contractors, and all other documents related to a crash, injury incident, or fire. Identify all parties involved in each lawsuit and arbitration proceeding, including the caption, court, docket number, filing date, nature of the claim(s) as related to the alleged defect and the final disposition, if any.

- 4. State the total number of (a) warranty claims, including extended warranty claims, and (b) requests for "good will," field, zone, or similar adjustments received by Nissan that relate, or could relate, to the alleged defect on the subject vehicles by make, model, model year, model series code, calendar month and year, state or territory, and problem claim code. Each problem claim code must be identified. Furnish a copy of each of the claims or adjustments.
- 5. State the number of front coil springs sold for use on the 1994 through 1996 Sentra cars (including those manufactured at Aguascalientes, Mexico assembly plant, but not limited to those cars) from January 1, 1993, by part name, part number (including engineering, production and service, as applicable), supplier(s) (and supplier part number if different from Nissan), by state and U.S. territory or distribution center sold (if the information is provided by distribution center, identify the applicable territory of the center), and calendar month/year of sales, whether the application was optional, and model/model year of the

vehicles. For each supplier, furnish the corporate name, address, telephone number, and the name and title of the chief executive officer.

6. Furnish a copy of each service, warranty, or technical document(s) Nissan has prepared, including (but not limited to), bulletins, advisories, informational documents, training documents, or other communications, that were sent to any dealers, regional or zone offices, or field offices, or were sent to any such entities or offices, related to the following:
 - a. the alleged defect in the subject vehicles;
 - b. a similar potential defect in other vehicles with the same or substantially the same components as in the subject vehicles; or
 - c. at least in part, to the installation, attachment, replacement, or performance of the front coil springs in the subject vehicles.
7. Furnish Nissan's opinion of the alleged defect in the subject vehicles. Please include an assessment of the following:
 - a. how the front coil spring of the 2 door Sentra differs from the 4 door or station wagon;
 - b. the report included with this inquiry; and
 - c. Nissan's rationale for conducting Canadian safety recall 99-069 without similarly conducting a safety recall in the United States.
8. Furnish the total number of reports of front coil spring failures on 1994 through 1996 Nissan 2 door Sentra cars, manufactured at Nissan's Aguascalientes, Mexico assembly plant, in Canada at the time Nissan informed the Canadian Ministry of Transport (CMOT) of the safety defect in the protective paint coating. Furnish copies of all documents relating in any way to meetings, discussions, correspondence, or similar communications between Nissan and CMOT that pertain in any way to the alleged defect in the front coil springs. This includes, but is not limited to, all documents pertaining to the alleged defect, recall population scope, remedy, and notification.
9. If there are other Nissan vehicles which contain front coil springs with the identical or substantially identical protective paint coating, identify each by model, model year, body style, applicable part number(s) (including applicable engineering, production, and service), whether the spring was available for installation in production or service, whether the application for the spring was optional, and the applicable dates of usage.

This letter is being sent to Nissan pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to make reports to NHTSA. Nissan's failure to respond promptly and fully to this letter could subject Nissan to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. Other remedies and sanctions are available as well.

Nissan's response to this letter, in duplicate, must be submitted to this office **by February 17,**

2000. Please include in Nissan's response the identification codes referenced on page one of this letter. If Nissan finds that it is unable to provide all of the information requested within the time allotted, Nissan must request an extension from me at (202) 366-5226 no later than five business days before the response due date. If Nissan is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Nissan then has available, even if Nissan has received an extension.

If Nissan considers any portion of its response to be confidential information, 49 CFR Part 512, "Confidential Business Information," requires that Nissan submit two copies of those document(s) containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted, to the Office of Chief Counsel, National Highway Traffic Safety Administration, Room 5219 (NCC-30), 400 Seventh Street, SW, Washington, DC 20590. In addition, Nissan must provide supporting information for the request for confidential treatment in accordance with part 512.4(b) and (e) and include the name, address, and telephone number of a representative to receive a response from the Chief Counsel.

If you have any technical questions concerning this matter, please contact Mr. Nha Nguyen at (202) 366-6280 or by fax at (202) 366-7882.

Sincerely,

Jonathan D. White, Chief
Recall Analysis Division
Office of Defects Investigation

Enclosure:

1 Consumer complaint - ODI No. 833877

NHTSA:ODI:NSA

NSA-11:JWhite:kjs:65226: December 22, 2008

cc: NSA-11 subj/chron

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