

NISSAN

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January 18, 2006

Mr. Jeffery L. Quandt, Chief
Vehicle Control Division
Office of Defects Investigation
National Highway Traffic Safety Administration
400 Seventh Street S.W.
Washington, D.C. 20590

Re: PE05 -050; NVS - 213

Dear Mr. Quandt:

Enclosed is Nissan's response to the referenced NHTSA Information Request of September 30, 2005 concerning the Agency's investigation of 2004 and 2005 model year Nissan Murano vehicles.

The attached reply responds by first stating each question, then the response. Please contact us if you have any questions.

Sincerely,



Frank D. Slaveter
Senior Manager
Technical Compliance

Enclosures

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Response to

PE05-050

INTRODUCTION

In accordance with discussions with the Agency's Jeffery Quandt, an extension of time was granted to respond to this Information Request ("IR") and only responses to requests 1 (modified to report only total population), 2, 3 (with modified spreadsheet) and 10a - e are required. There will be no response to the peer portion of the IR as the investigation is closed. Nissan appreciates the Agency's courtesy in this regard.

In responding to this Information Request ("IR"), information has been obtained from those places within Nissan likely to contain such information in the regular and ordinary course of business. When a particular Request seeks "documents" as defined in the IR, reasonable, good faith searches have also been made of corporate records in those places likely to maintain them in the regular and ordinary course of business.

The definitions of "documents" and "Nissan", however, are unreasonably broad, vague and ambiguous in the context of the information sought by this IR. For example, "calendars", "appointment books", "financial statements" and "personnel records" would not contain owner complaints, field reports or other information sought by Question 2 pertaining to the alleged defect. Therefore, searches were not made for such "documents", inasmuch as they would not likely contain responsive information. In addition, Nissan has not provided information from persons or entities over which it does not ordinarily exercise control. Nissan understands this IR to seek information on vehicles manufactured for sale in the United States.

Responses are provided after each question, and Attachments are utilized as appropriate. The source of information used as a basis for the data in each Attachment, including the date the data were updated and retrieved, is identified at the beginning of each Attachment, as applicable. If a document itself is the source for the requested information and it is provided, we assume no further source identification is called for. If a document, drawing or component is requested, or if no responsive information is available, we assume no further source identification is called for.

With regard to claims of privilege, Nissan understands that it is acceptable to the Agency for Nissan to identify specific categories of privileged documents rather than any specific document. These specific categories are: 1) communications between outside counsel and Nissan Legal Department employees, other Nissan employees, or other Nissan-represented parties in litigation and claims; 2) communications between Nissan Legal Department employees and other Nissan employees or other Nissan-represented parties in litigation or claims; 3) notes and other work product of outside counsel or of Nissan Legal Department employees concerning communications with Nissan employees or consultants, and the work product of those employees or consultants done for or at the request of outside counsel or Legal Department employees; and 4) other categories to be identified later as necessary. For any privileged documents that are not included in these categories, such documents, if any, will be specifically identified on a separate privilege index at a later time. To the extent that a document is furnished, Nissan is not asserting a privilege claim for that document, although the disclosure of such document does not waive the attorney-client privilege or work-product protection with respect to other documents prepared in connection with the specific litigation or claim or other litigation or claims. In addition, in submitting such documents, we reserve our right to claim the attorney-client privilege and/or work-

product protection with respect to analyses that may be prepared subsequently in connection with these and other cases. Also, we understand documents specifically related to the preparation of the responses are not sought.

Nissan believes NHTSA's policy is to protect the privacy of individuals under exemption 6 of the Freedom of Information Act, 5 U.S.C. Section 552(b)(6). We understand that name, address, and other personal information of owners or other individuals, including Nissan personnel, contained in any of the attachments in this response will not be made available to the public. Therefore, Nissan is not requesting confidential treatment for this information pursuant to 49 CFR, Part 512, but we believe any private information concerning individuals should not be made public.

* * * * *

1. State, by model and model year year, the number of subject vehicles Nissan has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Nissan, state the following:

- a. Vehicle identification number (VIN):
- b. Model Year:
- c. Date of manufacture:
- d. Date warranty coverage commenced; and:
- e. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA."

The number of subject vehicles manufactured for sale or lease in the United States as of November 24, 2005 is 209,079.

2. State the number of each of the following, received by Nissan, or of which Nissan is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:

- a. Consumer complaints, including those from fleet operators;
- b. Field reports, including dealer field reports;
- c. Reports involving an injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
- d. Reports involving a fire, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
- e. Property damage claims;
- f. Third-party arbitration proceedings where Nissan is or was a party to the arbitration; and
- g. Lawsuits, both pending and closed, in which Nissan is or was a defendant or codefendant.

For subparts "a" through "d," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "g," provide a summary description of the alleged problem and causal and contributing factors and Nissan's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "f" and "g", identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

The number of consumer complaints in response to 2a as of December 31, 2005 is 31.
There are no reports in response to 2b through 2g.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
- a. Nissan's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
 - d. Vehicle's VIN;
 - e. Vehicle's make, model, classification and model year;
 - f. Vehicle's mileage at time of incident;
 - g. Incident date;
 - h. Report or claim date;
 - i. Whether a crash is alleged;
 - j. Whether a fire is alleged;
 - k. Whether property damage is alleged;
 - l. Number of alleged injuries, if any; and
 - m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA".

See attachment A

10. Provide the following information concerning the subject fuel tank assemblies:

- a. Drawings showing the nominal and minimum (full jounce) design ground clearance of the subject fuel tank assembly and the corresponding location(s) on the tank assembly - state all assumptions (e.g., tire inflation pressure);
- b. Identify all subject vehicle components that have lower ground clearances for each condition cited in "10.a" than the subject fuel tanks and state the location and ground clearance dimension of each;
- c. State the minimum design ground clearance for each condition cited in "10.a" for the subject vehicles, the bases for that dimension, the associated component/structure, and the location;
- d. Provide a bottom view drawing or picture showing the undercarriage of the vehicle in the fully built configuration with the fuel tank and the locations of all components identified in "10.b" and "10.c" clearly marked;
- e. Copies of all engineering specifications relating to the packaging, shielding, ground clearance, and/or puncture resistance of the subject fuel tanks;
- f. Copies of all engineering standards, design guides, or similar documents that relate in any way to the packaging, shielding, ground clearance, and/or puncture resistance of fuel tanks in passenger cars or light trucks (including vans and utility vehicles);
- g. A detailed description of the fuel tank material composition and manufacturing process, including material type and material specifications;

- h. Nominal, maximum and minimum design thicknesses in the forward and bottom sections of the tank;
- i. State the purpose of the shield above the rear drive shaft and below the fuel tank (in vehicle upright position);
- j. State the capacity of the subject fuel tank and the amounts of fuel that could leak from punctures in the each side (left and right) of the tank;
- k. Provide a picture or diagram of the subject fuel tank indicating the locations of all punctures known to Nissan; and
- l. Any kits that have been released, or developed, by Nissan for use in service repairs to the subject component/assembly which relate, or may relate, to the alleged defect in the subject vehicles.

Nissan's response is provided under separate cover in Confidential Attachment B.

ATTACHMENT A

Response to Question 3

VIN	Report Type	Manufactured Date	In-service Date	Incident Date	Incident Mileage
JN8AZ08TX3W1	CC	10/22/02	2/22/03	NA	41,000
JN8AZ08W13W1	CC	11/6/02	1/17/03	NA	24,000
JN8AZ08T13W1	CC	11/16/02	3/1/03	NA	21,000
JN8AZ08W03W1	CC	11/21/02	3/19/03	NA	4,000
JN8AZ08W73W1	CC	11/26/02	1/31/03	NA	3,300
JN8AZ08W53W1	CC	12/9/02	2/8/03	NA	45,000
JN8AZ08W23W1	CC	1/30/03	12/11/03	NA	24,000
JN8AZ08W93W1	CC	2/10/03	4/30/03	NA	10,000
JN8AZ08T63W1	CC	3/3/03	5/29/03	NA	800
JN8AZ08T73W1	CC	3/4/03	9/23/03	NA	40,000
JN8AZ08W73W1	CC	4/11/03	8/17/03	NA	100
JN8AZ08W13W1	CC	6/27/03	10/16/03	NA	45,000
JN8AZ08W63W1	CC	7/18/03	9/29/03	NA	9,000
JN8AZ08T73W1	CC	7/28/03	2/3/04	NA	5,000
JN8AZ08T64W2	CC	8/23/03	1/15/04	NA	NA
JN8AZ08W14W1	CC	9/8/03	11/3/03	NA	18,000
JN8AZ08W24W1	CC	10/27/03	1/9/04	NA	4,000
JN8AZ08W24W1	CC	11/25/03	8/13/04	NA	15,000
JN8AZ08T84W2	CC	12/12/03	4/21/04	NA	21,000
JN8AZ08T34W2	CC	12/15/03	4/2/04	04/07/2004	500
JN8AZ08W74W1	CC	12/19/03	4/23/04	07/01/2005	15000
JN8AZ08T74W2	CC	2/3/04	9/11/04	NA	12,000
JN8AZ08W14W1	CC	2/9/04	4/16/04	08/05/2004	500
JN8AZ08TX4W2	CC	8/23/04	12/4/04	NA	29,000
JN8AZ08T45W3	CC	9/23/04	12/31/04	NA	1,400
JN8AZ08T55W3	CC	11/10/04	3/29/05	04/01/2005	100
JN8AZ08T85W3	CC	11/25/04	5/22/05	NA	21,000
JN8AZ08T35W3	CC	12/22/04	3/15/05	07/07/2005	NA
JN8AZ08W05W1	CC	2/7/05	7/5/05	08/01/2005	2,600
JN8AZ08T05W3	CC	4/13/05	6/8/05	NA	NA
JN8AZ08W35W1	CC	7/11/05	8/16/05	NA	1,000

Notes:

CC = Consumer Complaint

NA = Not available

CONFIDENTIAL ATTACHMENT B

Response to Request No. 10

[Submitted pursuant to 49 CFR Part 512]