



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

DEC 27 2006

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. John Anderson  
Dealer Principle  
Nissan of Thousand Oaks  
3755 Auto Mall Drive  
Thousand Oaks, CA 91362

NVS-213aan  
PE06-050

Dear Mr. Anderson:

The Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) is responsible for investigating allegations of safety defects in motor vehicles and motor vehicle equipment. This letter is to inform you that ODI is conducting a Preliminary Evaluation (PE06-050) to investigate allegations of wheel separation due to spoke fracture in model year (MY) 2005 through 2007 Nissan 350Z vehicles manufactured by Nissan Motor Co., Ltd (Nissan). To assist us in our investigation, we are requesting information concerning vehicles sold, leased and/or traded from your dealership.

ODI has received two reports of wheel separation due to spoke fracture in MY 2006 Nissan 350Z vehicles, including one traded to Nissan of Thousand Oaks from Raceway Nissan. A copy of that complaint is included for your information.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject vehicles:** all MY 2006 Nissan 350Z sold, leased, and/or traded in the United States.
- **Alleged defect:** Cracking or fracture of one or more wheel spokes.
- **Wheel modification:** Any alteration of a Nissan Original Equipment or Genuine Accessory wheel, including re-chroming.
- **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 non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard



DOT AUTO SAFETY HOTLINE  
888-DASH-2-DOT  
888-327-4236

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 of Thousand Oaks, 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 non-identical 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 of Thousand Oaks or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

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. Insofar as Nissan of Thousand Oaks has previously provided a document to ODI, Nissan of Thousand Oaks may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and 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.

Please repeat the applicable request verbatim above each response. After Nissan of Thousand Oaks' response to each request, identify the source of the information and indicate the last date the information was gathered.

1. Provide a list of subject vehicles that have been sold by Nissan of Thousand Oaks or are currently in Nissan of Thousand Oaks' inventory. Include the following information in the list:
  - a. Vehicle identification number;
  - b. Delivery date;
  - c. Sales/lease/dealership trade date (if sold/leased/traded);
  - d. Original equipment (OE) wheels - descriptions and part numbers;
  - e. Whether the OE wheels were replaced with approved Nissan replacement wheels before sale (yes/no);
  - f. If the answer to 1.e is yes, descriptions and part numbers of the replacement wheels;
  - g. State whether the vehicle was sold/leased/traded with wheels that were modified or replaced with aftermarket wheels before sale/lease/trade (yes/no);
  - h. If the answer to 1.g is yes, describe the replacement wheels or modifications (e.g., re-chromed) and provide the business/vendor name, address, telephone number and name of a point of contact who is knowledgeable about the process and transaction;
  - i. State whether the vehicle has experienced the alleged defect in one or more wheels and provide a short summary of the condition of each wheel by position (LF – left front, RF – right front, LR – left rear; and RR – right rear); and
  - j. For all vehicles that have been sold or leased, provide the name, address and telephone number of the customer.
2. For all alleged wheel failures identified in response to 1.i, provide the following additional information:
  - a. Wheel position(s);
  - b. Description of the failure(s);
  - c. Description of the condition of the other wheels on the vehicle;
  - d. Incident date;
  - e. Incident mileage;
  - f. Crash (yes/no); and
  - g. Number of injuries.
3. For all alleged wheel failures identified in response to 1.i, provide copies of all relevant documents in Nissan of Thousand Oaks' possession (e.g., correspondence, police report, repair invoices, photographs, etc).
4. Describe, and provide copies of all documents relating to, all communications between Nissan of Thousand Oaks and each supplier of modified wheels concerning the alleged defect, including incidents identified in response to 1.i.
5. Provide a summary of all communications between Nissan of Thousand Oaks and Nissan concerning: (a) the alleged defect; (b) wheel modification; and (c) any of the specific

incidents identified in 1.i. Provide copies of all documents related to such communications, including any bulletins or advisories.

6. Identify by name, title and telephone number a representative from your dealership whom ODI can contact to discuss the information in your response or to request additional information.

This letter is being sent to Nissan of Thousand Oaks 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 request reports and the production of things. It constitutes a new request for information. Thousand Oaks's failure to respond promptly and fully to this letter could subject Thousand Oaks 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.) Please note that maximum civil penalties under 49 U.S.C. § 30165 have increased as a result of the recent enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Public Law No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$6,000 per day, with a maximum of \$16,375,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 CFR 578.6 (as amended by 71 Fed. Reg. 28279 (May 16, 2006)). This includes failing to respond to ODI information requests.

If Thousand Oaks cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Thousand Oaks does not submit one or more requested documents or items of information in response to this information request, Thousand Oaks must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

Thousand Oaks's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by February 9, 2007. Please refer to PE06-050 in Thousand Oaks's response to this letter. If Thousand Oaks finds that it is unable to provide all of the information requested within the time allotted, Thousand Oaks must request an extension from me at (202) 366-5207 no later than five business days before the response due date. If Thousand Oaks 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 Thousand Oaks then has available, even if an extension has been granted.

If Thousand Oaks claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Thousand Oaks must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended (69 Fed. Reg. 21409 et seq; April 21, 2004), to the Office of Chief Counsel (NCC-113), National Highway Traffic

Safety Administration, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590. Thousand Oaks is required to submit two copies of the documents containing allegedly confidential information (accept only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.

If you have any technical questions concerning this matter, please call Andrea A. Noel of my staff at (202) 493-0210.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey L. Quandt". The signature is fluid and cursive, with a large initial "J" and "Q".

Jeffrey L. Quandt, Chief  
Vehicle Control Division  
Office of Defects Investigation

Enclosure: Dealership Database



U.S. Department of Transportation  
**National Highway Traffic Safety Administration**

**DOT Auto Safety Hotline**  
**Vehicle Owner's Questionnaire**  
**To Report Vehicle Safety Defects**  
**1-888-DASH-2-DOT**  
**(1-888-327-4236)**  
**INTERNET:www.nhtsa.dot.gov/hotline**

FOR AGENCY USE ONLY 100148

Date Received

07-AUG-2006

Repository

Reference No.  
10164822

**OWNER INFORMATION (Type or Print)**

Name

Address

City

Telephone Number

Evening Telephone Number

Do you

In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.

clear?  YES  NO

Signature of Owner

Date / /

**VEHICLE INFORMATION**

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side

Make

NISSAN

Model

350Z

Model Year

2006

Date Purchased  
31-MAY-06

Dealer's Name and Telephone Number  
NISSAN OF THOUSAND OAKS 805 497 4515

Engine:

No: Cylinders 6

Fuel Type:

Gas

Original Owner

Dealer's City  
THOUSAND OAKS

State

CA

Zip Code

91362

Transmission Type

Antilock Brakes

Powertrain

Vehicle Component Code

201000 WHEELS:RIM

AUTOMATIC

Cruise Control

FRONT WHEEL DRIVE

Multiple Failure: 1

**FAILED COMPONENT(S)/PART(S) INFORMATION**

Incident Date(s)  
30-JUL-2006

Failure Mileage  
3877

Failure Speed  
65

**ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE**

Tire Make

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM19ABC036)

Original Equipment  
 Prior Repair

Failure Location:

Tire Component Code

Tire Failure Type

**ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE**

Make:

Date Manufactured:

Model No./Name:

Seat Type:

Installation System:

Child Seat Component Code:

Failed Part:

**APPLICABLE INCIDENT INFORMATION**

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies).)

Crash

Yes  No

Fire

Yes  No

Number of Persons Injured

Number of Deaths

Reported to Police

N

**Narrative Description of Incident(S), Crash(es), and Injury(ies).**

Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

DT\*: THE CONTACT STATED WHILE DRIVING 65 MPH ON NORMAL ROAD CONDITIONS, THE FRONT RIGHT WHEEL SEPARATED FROM THE VEHICLE AND HIT THE RIGHT PASSENGER DOOR. THE CHROME WHEEL CENTER WAS OBSERVED TO BE STILL ATTACHED TO THE BASE WITH THE FIVE NUTS. WHEN THE OTHER WHEELS WERE INSPECTED, CRACKS APPEARED IN THE FRONT AND REAR WHEELS ON THE DRIVER SIDE. THE DEALER STATED THE CRACKS FROM THE WHEELS WERE DUE TO THE CHROMING PROCESS. UPDATED 08/29/06

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.