

NISSAN

NISSAN NORTH AMERICA, INC.

Corporate Office
P.O. Box 685001
Franklin, TN 37068-5001
Telephone: 615.725.1000

Handwritten: 10/11/07

October 1, 2007

Mr. Jeffery L. Quandt, Chief
Vehicle Control Division
Office of Defects Investigation
National Highway Traffic Safety Administration
1200 New Jersey Avenue SE.
Washington, D.C. 20590

Faint vertical stamp: RECEIVED OCT 1 2007

Re: EA07-005; NVS-213aan

Dear Mr. Quandt:

Enclosed is Nissan's partial response to the referenced NHTSA Information Request concerning the Agency's investigation of 2005 through 2007 model year Nissan 350Z wheels.

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

Response to

EA07-005

INTRODUCTION

In accordance with conversations with the agency's Jeffery Quandt, the responses to questions 12,14,16 and 17 of this Information Request ("IR") have been limited in scope to include only the Japanese home market Fairlady Z (350Z). This document is a partial response to EA07-005; the complete response is forthcoming.

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 Request 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 request, 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, 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. Make;
- c. Model;
- d. Model Year;
- e. Date of manufacture;
- f. Date warranty coverage commenced; and
- g. 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." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

The information requested in 1.a through 1.g is provided, when known, in a file titled, "PRODUCTION DATA (EA07005).mdb" on a CD enclosed as Attachment A.

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 a crash, 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. Property damage claims;
- e. Third-party arbitration proceedings where Nissan is or was a party to the arbitration;

- f. Lawsuits, both pending and closed, in which Nissan is or was a defendant or codefendant; and
- g. Lawsuits, third party arbitration proceedings, or other proceedings (closed or pending) in which Nissan sought or is seeking indemnification from any of its dealers.

For subparts "a" through "g," 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 "d" through "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, field reports, and property damage claims, crashes and injuries which may relate to the alleged defect in the subject vehicles is contained on the CD enclosed as Attachment A in a file titled Claim Summary. This includes crash and injury information previously reported in response to PE06-050.

There are no reports involving a fatality, third-party arbitrations, lawsuits, or other proceedings.

Multiple report types of the same incident have been counted separately, so there are duplicate counts in several categories.

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 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 property damage is alleged;
- k. Number of alleged injuries, if any; and
- l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

The information requested in 3.a through 3.l is provided, when known, in the following file: "REQUEST NUMBER TWO DATA(EA07005).mdb", on a CD enclosed as Attachment A.

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Nissan used for organizing the documents.

Nissan understands this question to request copies of the specific consumer complaint documents, field report documents, and property damage claim documents for those items included within the response to Request No. 2 above. Where available, consumer complaint documents, field report documents, and the property damage claim documents are contained on a CD in Attachment A. The documents are organized by the date Nissan received the information.

5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Nissan to date that relate to, or may relate to, the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Nissan's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;
- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and
- k. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

The main purpose of the warranty system is to reimburse dealers for performing warranty repairs. Claims are submitted by dealers through an on-line computer system through the use of a set of codes. The codes are designed to allow flexibility for their use and, as such, do not supply a significant amount of information about why a particular repair was made, or specific details about the nature of the repair itself.

Within the limitations of our warranty system as it relates to the subject matter of this inquiry, the total count for all of the categories of paid warranty claims, as described in Request No. 5, is contained in

Attachment B. In addition, the information requested in 5.a and 5.c through 5.k is provided, when known, in a file titled, "WARRANTY DATA (EA07-005).mdb" on a CD enclosed in Attachment A. Owner information requested by item 5.b is not present in the warranty system.

6. Describe in detail the search criteria used by Nissan to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by make and model year, the terms of the new vehicle warranty coverage offered by Nissan on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Nissan offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.

The search criteria used by Nissan to identify the claims identified in response to Request No. 5 are outlined in Attachment B. Other information will be provided with the complete response.

7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles that Nissan has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Nissan is planning to issue within the next 120 days.

In addition to the documents provided in PE06-050, Nissan has sent letters to dealers regarding the aftermarket chroming of OEM wheels. Two versions of the letter were created. One version of

the letter was sent to dealers about which Nissan became aware in connection with NHTSA investigation. The other version went to all U.S. dealers.

The letters stated that chroming of Nissan OEM alloy wheels is not authorized. Nissan stated that the dealer or the aftermarket company performing the chroming would be responsible for compliance with all applicable Federal regulations pertaining to the wheels, including reporting and remedying any defects associated with these altered wheels. The letters are provided as Attachment E.

On September 24, 2007, Nissan issued a TSB titled, "Aftermarket chroming of Nissan alloy wheels not recommended". This TSB is enclosed in Attachment E.

12. Describe and explain the design, engineering, and manufacturing differences and similarities between the subject equipment used on the 350Z and U.S. and Japanese-market vehicles -- such as the Infiniti G35 and Nissan Skyline -- that share the same platform as the 350Z.

The subject wheels used on the U.S. 350Z are the same as the subject wheels used on the Japanese market Fairlady Z (350Z).

13. Describe and provide copies of all communications, including correspondence and e-mail, between Nissan and its dealers that relate in any way to the alleged defect in the subject vehicles.

Dealer communications stating that chroming of Nissan OEM alloy wheels is not authorized are provided in response to Question No. 7.

14. Identify the number of incidents of which Nissan Motor Co., Ltd. (Nissan Motor) is aware that relate to the alleged defect in Nissan Motor-produced vehicles that were manufactured from the beginning of 2002 to the present for the Japanese domestic market that share the same platform as the subject vehicle.

Nissan is not aware of any incidents that relate to the alleged defect in the Fairlady Z manufactured from the beginning of 2002 through the present time for the Japanese market.

15. Please summarize and describe each of the incidents that were identified in Request No. 14, above. As part of your summary and description for each incident, identify the vehicle model, model year, the circumstances of the incident (if known), the type of wheel involved (i.e., construction, original/optional equipment, and size) and the reported date and location of the incident.

Not applicable.

16. Describe and provide copies of all bulletins, notices, and other correspondence filed by Nissan Motor with the Ministry of Land, Infrastructure, and Transport of Japan that relate to the alleged defect in Japanese domestic market vehicles manufactured by Nissan Motor from the beginning of 2002 to the present that share the same platform as the subject vehicle.

There has been no correspondence filed by Nissan Motor Co., Ltd. with the Ministry of Land, Infrastructure, and Transport of Japan that relate to the alleged defect in Japanese domestic market vehicles manufactured by Nissan Motor from the beginning of 2002 to the present for the Fairlady Z.

17. Describe and provide copies of all bulletins, notices, and other correspondence between Nissan Motor and its Japanese-based dealers that relate to the alleged defect in Japanese domestic market vehicles manufactured by Nissan Motor from the beginning of 2002 to the present that share the same platform as the subject vehicle.

There has been no correspondence between Nissan Motor and its Japanese domestic dealers that relate to the alleged defect in Japanese domestic market vehicles manufactured by Nissan Motor from the beginning of 2002 to the present for the Fairlady Z.

18. Provide two samples of each of the following to NHTSA's Vehicle Research and Test Center at the address given below:

- a. Exemplar samples (excluding wheels rejected either by Nissan or its wheel supplier(s)) of each design version of the subject equipment; and
- b. Field return samples of the subject equipment exhibiting the subject failure mode.

Vehicle Research Test Center
10820 State Road 347
Building #60
East Liberty, Ohio 43319-0337

Exemplar wheel samples will be shipped to VRTC under separate cover. There are presently no field return samples of the subject equipment exhibiting the subject failure.

19. State the number of items of subject equipment that Nissan has sold that may be used in the subject vehicles by equipment name, part number (both service and engineering/production), model and model year of the vehicle in which it is used and month/year of sale (including the cut-off date for sales, if applicable).
For each equipment part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number).
Also identify by make, model and model year, any other vehicles of which Nissan is aware that contain the identical equipment, whether installed in production or in service, and state the applicable dates of production or service usage.

The information provided in response to this request reports the total number of parts sold. Parts may be ordered for appearance issues, repair, dealer stock, or vehicle collision repair. Therefore, we are unable to identify the specific use of parts that have been sold.

The total number of the above components or assemblies that have been sold is listed by component name, part number, supplier (name and address), and vehicle applicability by model, and model year on a CD enclosed as Attachment A in a file labeled Part Sales.

ATTACHMENT A
CD with Vehicle sales information

This attachment contains a CD containing the information related to Request Numbers 1, 2, 3, 4, 5 and 9. The information was obtained from the Consumer Affairs database, the Tech Line Database, and the field reports database as of September 14, 2007. Legal Department Files were searched on September 21, 2007. The databases and Legal Files are updated daily.

ATTACHMENT B
Warranty Claims Data

Warranty claims data were gathered from Warranty database as of September 14, 2007.

The total counts of warranty claims are as follows: 17

The search criteria used by Nissan to identify the claims identified in response to Request No. 5 is as follows:

PNC Codes

40300 = Road Wheel

Word Search in Comments

The following keywords were searched to identify claims in which the wheel may have cracked: "*CRACK*", "*FRACTURE*", "*BROKE*"

Descriptions of information in WARRANTY DATA response to Request No. 5 are as follows:

Labor Op Codes

PW10AA = RPL ONE ROAD WHEEL/TIRE

PW101A = RPL ONE ADDITIONAL WHEEL/TIRE

ATTACHMENT E
Technical Service Bulletins

Subject: **Genuine Nissan Original Equipment (OE) Wheels – Chroming**

Attention: **Dealer Principals, Sales, Parts and Service Manager**

Recently, Nissan was contacted by the National Highway Traffic Safety Administration (NHTSA) and advised that some dealers have had aftermarket companies chrome Genuine Nissan Original Equipment (OE) wheels and have then sold vehicles equipped with these altered wheels to other dealers and/or consumers. Nissan has previously published bulletins advising against this practice, pointing out that the chroming process may damage the wheels. (see Nissan Technical Service Bulletin Numbers NTB92-123 dated December 22, 1992 and NTB92-123a dated August 30, 2006.) This letter is intended to advise you again of those very significant concerns, and that NHTSA is investigating certain incidents that have resulted from this practice.

The aftermarket chroming of OE wheels may compromise the safety of the wheels. OE chromed wheels are created by chroming a wheel blank, and the finished product meets or exceeds specified design standards for road wheels. By contrast, aftermarket companies use a different process. Specifically, in order to chrome the wheels, they usually have to remove the factory finish often by "burning" or by "chemical" methods. These methods may change the heat treatment of the wheel alloy. Further, the application of chrome plating has the potential to affect the heat treatment of the OEM wheel, if it is not controlled correctly.

In short, Nissan North America (Nissan) strongly believes that attempts to chrome OE wheels in the aftermarket may compromise their integrity, and has previously advised you of such. We note again that several recent incidents involving OE wheels altered in the aftermarket are being investigated by NHTSA.












Because Nissan does not authorize its dealerships to modify the OE wheels, Nissan has not and will not defend or indemnify dealers who engage in this practice for any consequent claims or lawsuits related to wheels, which have been changed from their original OEM condition. All potential liability belongs to the dealer and/or the company performing the aftermarket chroming, as would sole responsibility for ensuring that the altered wheels still meet the applicable Federal motor vehicle safety standards. In our view, the dealer or the aftermarket company performing the chroming would also be responsible for compliance with all applicable Federal regulations pertaining to the wheels, including reporting and remedying any defects associated with these altered wheels. In addition, by the Nissan Dealer Sales and Service Agreement, Nissan would be entitled to defense and indemnification from the dealer should a claim or litigation be served upon Nissan.

We reiterate that it is our strongest recommendation that if your dealership is engaged in this practice, you discontinue doing so immediately.

Attached to this document is a listing of available Nissan OE chrome wheels as well as other accessory wheels.

Nissan Parts and Service Operations
07/30/2007

Nissan Accessory Wheels

Model		Size	Offset	PDC Part number	Application	Dealer net	MSRP
Maxima (Chrome)		18" x 7.5" JJ	+40mm	999W1-MQ000	All MY04-07 Maxima	\$ 245.50	\$ 367.25
350Z (Chrome)		18" x 8.0" JJ	+30mm	999W1-ZP000	All MY03 - 07 Coupe and Roadster	\$ 266.75	\$ 399.75
07 Murano (Chrome)		18 X 7.5 JJ	+50mm	999W1 CS000	MY 06-07	\$ 221.25	\$ 295.00
08 Murano (Chrome)	TBD	18 X 7.5 JJ	+50mm	999W1 CU000	MY08 Murano	Fall 07 release	
Titan (Chrome)		18" x 8.0" JJ	+25mm	999W1-WR000	All MY 05-08 2wd SE and LE	\$ 225.00	\$ 335.00
NISM							
TITAN (Diamond Cut Polished)		20" X 9.5"	+23mm	4030S-RN0A1	MY08	\$ 272.00	\$ 420.00
Frontier and Xterra (Diamond Cut Polished)		18" X 8.5"		4030S-RN0D0	MY05-07	\$ 251.50	\$ 360.00
350Z Forged (Silver)		18" & 19"		4030S-RN89312	MY03-07	\$ 500.00	\$ 670.00
350Z Forged (Bronze)		18" only		4030S-RN89220	MY03-07	\$ 431.25	\$ 575.00
Maxima Forged (Silver and Smoke)		19" x 8.5"	+35mm	4030S-RNA4010 4030S-RNA4030	MY05-07	\$ 385.00	\$ 550.00
2002-2007 Altima Forged (Silver and Bronze)		18" x 8.5"	+45mm	4030S-RSL1010 4030S-RSL1020	MY02-07	\$ 286.00	\$ 410.00
2002-2006 Sentra Cast (Silver and Bronze)		17"x7.5"	+40mm	4030S-RN75010 4030S-RN75020	MY02-06 SER SPEC V	\$ 170.00	\$ 240.00

Effective 8-1-2007



I N F I N I T I

Consumer Affairs
P.O. Box 685003
Franklin, TN 37068-5003
A Division of Nissan North America, Inc.

Subject: **Genuine Infiniti Original Equipment (OE) Wheels – Chroming**

Attention: **Dealer Principals, Sales, Parts and Service Manager**

Recently, Infiniti was contacted by the National Highway Traffic Safety Administration (NHTSA) and advised that some retailers have had aftermarket companies chrome Genuine Infiniti Original Equipment (OE) wheels and have then sold vehicles equipped with these altered wheels to other retailers and/or consumers. Infiniti has previously published bulletins advising against this practice, pointing out that the chroming process may damage the wheels. (see Infiniti Technical Service Bulletin Number ITB92-069a dated August 30, 2006.) This letter is intended to advise you again of those very significant concerns, and that NHTSA is investigating certain incidents that have resulted from this practice.

The aftermarket chroming of OE wheels may compromise the safety of the wheels. OE chromed wheels are created by chroming a wheel blank, and the finished product meets or exceeds specified design standards for road wheels. By contrast, aftermarket companies use a different process. Specifically, in order to chrome the wheels, they usually have to remove the factory finish often by "burning" or by "chemical" methods. These methods may change the heat treatment of the wheel alloy. Further, the application of chrome plating has the potential to affect the heat treatment of the OEM wheel, if it is not controlled correctly.

In short, Nissan North America (Infiniti Division) strongly believes that attempts to chrome OE wheels in the aftermarket may compromise their integrity, and has previously advised you of such. We note again that several recent incidents involving OE wheels altered in the aftermarket are being investigated by NHTSA.

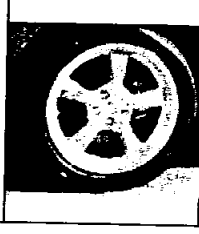
Because Infiniti does not authorize its dealerships to modify the OE wheels, Infiniti has not and will not defend or indemnify dealers who engage in this practice for any consequent claims or lawsuits related to wheels, which have been changed from their original OEM condition. All potential liability belongs to the dealer and/or the company performing the aftermarket chroming, as would sole responsibility for ensuring that the altered wheels still meet the applicable Federal motor vehicle safety standards. In our view, the retailer or the aftermarket company performing the chroming would also be responsible for compliance with all applicable Federal regulations pertaining to the wheels, including reporting and remedying any defects associated with these altered wheels. In addition, by the Infiniti Dealer Sales and Service Agreement, Infiniti would be entitled to defense and indemnification from the dealer should a claim or litigation be served upon Infiniti.

We reiterate that it is our strongest recommendation that if your dealership is engaged in this practice, you discontinue doing so immediately.

Attached to this document is a listing of available Infiniti OE polished as well as other accessory wheels.

Infiniti Parts and Service Operations
07/30/2007

Infiniti Accessory Wheels

Model	Size	Offset	PDC Part number	Application	Dealer net	MSRP
M45 (Diamond Cut Polished) 	18" x 8.0"	+50mm	999W1-QT000	MY07-08 M45	\$ 162.50	\$ 233.50

Effective 8-1-2007