



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

ODI RESUME

Investigation: AQ 12-003
Prompted by: 12V-076
Date Opened: 10/25/2012
Investigator: Alexander Ansley
Approver: Frank Borris
Subject: Gwinnett Place Nissan / Quest Recall

Date Closed: 12/12/2014
Reviewer: Jennifer Timian

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: Nissan North America, Inc.
Products: MY 2011-2012 Nissan Quest Vehicles
Population: 28

Problem Description: NHTSA received information suggesting that Gwinnett Place Nissan, located in Duluth, GA, sold and delivered at least one new vehicle to a customer without having had all required safety recall repairs performed on that vehicle.

ACTION / SUMMARY INFORMATION

Action: Close AQ

Summary:

NHTSA opened Audit Query (AQ) 12-003 to determine whether Gwinnett Place Nissan of Duluth, Georgia complied with the requirements of the National Traffic and Motor Vehicle Safety Act, 49 U.S.C. Chapter 301 (Safety Act) and its implementing regulations. The Safety Act requires, among other things, that a manufacturer notify its dealers of defects related to motor vehicle safety and noncompliances with Federal Motor Vehicle Safety Standards and, in turn, that a dealer not sell a new vehicle subject to a recall unless the recall remedy has been performed. 49 U.S.C. § 30120(i).

NHTSA issued an information request (IR) to Gwinnett Place Nissan on October 31, 2012. Gwinnett Place Nissan responded to this request on November 19, 2012. NHTSA then issued an IR to Nissan North America, Inc. on March 11, 2013. Nissan North America, Inc. responded to this request on April 5, 2013.

NHTSA's investigation indicated that Gwinnett Place Nissan sold and delivered 28 recalled vehicles that did not have the recall remedy completed at the time the vehicles were delivered to the customers. Gwinnett Place Nissan did not contest this finding. NHTSA therefore concluded that Gwinnett Place Nissan was liable for civil penalties for violations of the Safety Act, pursuant to 49 U.S.C. § 30165. Under a Settlement Agreement dated November 24, 2014, Gwinnett Place Nissan paid compromised civil penalties in the amount of \$110,000.

This AQ is closed.