



OFFICE OF DEFECTS &  
INVESTIGATIONS

2012 OCT 17 P 2:00

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October 15, 2012

Mr. D. Scott Yon, Chief  
Vehicle Integrity Division  
Office of Defects Investigation  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

Re: PE12 -023; NVS 212eer

Dear Mr. Yon:

Enclosed is Nissan's response to the referenced NHTSA Information Request of August 27, 2012 concerning the Agency's investigation of spiral cable pinching in 2012 model year Nissan Versa vehicles.

This submission includes appendices containing information that Nissan considers confidential. Nissan is submitting a confidentiality request to the Office of Chief Counsel pursuant to 49 C.F.R. Part 512 and is hereby requesting that the confidential attachments be permanently protected from public release.

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

Sincerely,

Donald Neff  
Manager  
Technical Compliance

Enclosures

**Response to**

**PE12-023**

## INTRODUCTION

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. Nissan has searched for and produced records that were created up to and on the date this Information Request was received, August 15, 2012.

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 2010, or a compatible format, entitled "PRODUCTION DATA."

**Table 1. Production Data Summary**

MODEL	MODEL YEAR	UNITS PRODUCED
VERSA (Hatchback)	2012	66,017
VERSA SEDAN	2012	80,241
Grand Total		146,258

The subject vehicles in the IR are "all 2012 Nissan Versa vehicles." We note that MY12 Versa Sedan and MY 12 Versa hatchback vehicles vary significantly in design and are equipped with different front air bag systems. Accordingly, we are providing the data for the two vehicles separately. For the remainder of this document, "VERSA" will refer the hatchback model and "VERSA SEDAN" will refer to the sedan model.

The information requested in 1.a through 1.g is provided, when known, in a table titled, "PRODUCTION DATA" within the database titled PE12-023 REQUEST DATA.mdb on a DVD 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;
  - 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 component, property damage claims, or field reports;
  - d. Property damage claims;
  - e. Third-party arbitration proceedings where Nissan is or was a party to the arbitration; and
  - f. 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 "f," 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 "c through f," 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.

a) Consumer complaints, including those from fleet operators:

- 1 Versa complaint from Nissan's Consumer Affairs database
- 13 Versa sedan complaints from Nissan's Consumer Affairs database

Of the 14 consumer complaints, 1 was related to a pinched spiral cable inside of the steering column.

b) Field reports, including dealer field reports:

- 0 Versa complaints
- 21 Versa sedan complaints

Of the 21 field reports, 2 were related to pinched spiral cables inside of the steering column.

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:

There were 3 reports of crash, injury or fatality found that were related to the alleged defect.

Nissan completed its investigation into the incidents referred to in response to Request No. 2c. Nissan denies that the vehicles involved were defective as alleged. See the documentation provided in response to Request No. 4 on the DVD enclosed as Attachment A.

c) Property damage claims, alleged to have resulted from alleged defect:

There are no property damage claims.

d) Third-party arbitration proceedings where Nissan is or was a party to the arbitration:

There are no third party arbitration proceedings.

e) Lawsuits, both pending and closed, in which Nissan is or was a defendant or codefendant:

There are no lawsuits in which Nissan was a defendant or codefendant.

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 the SRS warning lamp was allegedly illuminated;
  - j. Whether a diagnostic code was stored in the SRS system, and if so, the DTC number that was stored (if known);
  - k. Whether an inadvertent airbag deployment is alleged;
  - l. Whether a crash is alleged;
  - m. Whether an airbag non-deployment is alleged;
  - n. Number of alleged injuries, if any;  
and
  - o. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

The information requested in 3.a through 3.o is provided, when known, in a table titled, "REQUEST NUMBER TWO DATA" within the database titled PE12-023 REQUEST DATA.mdb on a DVD 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.

The requested documents are on a DVD enclosed as Attachment A. The documents are organized by category.

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 or replacement 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. Whether the SRS warning lamp was illuminated;
- k. Whether a diagnostic code was set in the SRS system, and if so, the DTC number;
- l. Whether the claim occurred subsequent to a recall repair;
- m. Concern stated by customer; and
- n. Comment, if any, by dealer/technician relating to claim and/or repair or replacement.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "WARRANTY DATA."

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. 6 that relate to repair or replacement of the subject component in the subject vehicles, is contained in Table 2 below.

**Table 2. Warranty Data Summary**

<b>MODEL</b>	<b>MODEL YEAR</b>	<b>WARRANTY</b>
VERSA (Hatchback)	2012	12
VERSA SEDAN	2012	97
Grand Total		109

None of the warranty claims responsive to Request No. 5 occurred subsequent to a recall repair.

Note that a quality assurance inspection activity was performed on dealer inventory vehicles on September 20, 2011 to check for a potential air bag quality issue unrelated to the alleged defect. Dealers were instructed to charge the warranty system when the inspection procedure was completed. Claims for this inspection activity were coded as OP Code PM1640 (as seen in the warranty claim data in Attachment A) in the warranty



system.<sup>1</sup> 972 vehicles were inspected and therefore there are 972 warranty claims that relate to this inspection as opposed to any field issue. Accordingly, this inspection-generated warranty data is separately provided in Attachment A but is excluded from the Table 2 above because this warranty data is unrelated to the alleged defect.

The information requested in 5.a through 5.n is provided, when known, in tables titled, "WARRANTY DATA" as prescribed on the pre-formatted table provided to Nissan by NHTSA, within the database titled PE12-023 REQUEST DATA.mdb on a DVD enclosed as Attachment A.

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.

Copies of the applicable warranty coverage for the subject vehicles are contained in Attachment C. There are no extended warranties applicable to the subject vehicles as we understand this request. Nissan offers "Security Plus" service contract plans on Nissan vehicles and are available for separate purchase by customers. There are 28,299 subject vehicles covered by Security Plus contracts as follows in table 3 below:

**Table 3. Service Plan Summary**

<b>Plan Description</b>	<b>2012 Versa</b>	<b>2012 Versa Sedan</b>
Nissan Security+Plus	9,636	18,663
	Total	28,299

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.

<sup>1</sup> We note that and in some cases, the inspection activity is incorrectly referred to as a "campaign performed" in the technician verbatims, when in fact these were not repairs performed in connection with or subsequent to any recall or service campaign.

There are no TSBs that relate to the alleged defect in the subject vehicles.

As explained in response to question 5, a dealer inventory quality assurance inspection activity was performed around September 20, 2011. The referenced dealer announcement and inspection instructions are on a DVD enclosed as Attachment D. That activity was unrelated to the alleged defect.

8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluation (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned or are being planned by, or for, Nissan. For each such action, provide the following information:

- a. Action title or identifier;
- b. The actual or planned start date;
- c. The actual or expected end date;
- d. Brief summary of the subject and objective of the action;
- e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
- f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provided copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

A spreadsheet containing the responses to Requests 8.a – 8.f is provided in Confidential Attachment E. Copies of documents related to the listed actions were previously provided in response to question 2 and are contained in Attachment A.

9. Describe all modifications or changes made by, or on behalf of, Nissan in the design, material composition, manufacture, quality control, supply warnings or instructions for the use of the subject component(s) that may impinge on or affect the subject components, from the start of production to date, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:

- a. The date or approximate date on which the modification or change was incorporated into vehicle production;
- b. A detailed description of the modification or change;
- c. The reason(s) for the modification or change;
- d. The part numbers (service and engineering) of the original component;
- e. The part number (service and engineering) of the modified component;
- f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
- g. When the modified component was made available as a service component; and
- h. Whether the modified component can be interchanged with earlier production components;
- i. The supplier of each modified component;
- j. The models and model years of vehicles affected by the modification

Also, provide the above information for any modification or change that Nissan is aware of which may be incorporated into vehicle production within the next 120 days.

Nissan initiated a quality control process change in production for the installation of the spiral cable harness on October 7, 2011. This change was implemented to eliminate the possibility of misrouting the spiral cable harness during installation. The details of the process change and copies of documents related to the process changes are contained in Attachment F.

There have been no modifications to the design, manufacture or material composition of the subject component relating to the alleged defect and there are no pending changes of which Nissan North America is aware in the next 120 days.

10. Furnish Nissan's assessment of the alleged defect in the subject vehicle, including:

- a. The causal or contributory factor(s);
- b. The failure mechanism(s);
- c. The failure mode(s);
- d. The risk to motor vehicle safety that it poses;
- e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and
- f. The reports included with this inquiry.

Upon review of available field information, Nissan believes there is no defect trend associated with the failure of the front air bag system in the subject vehicles resulting in SRS warning light illumination, an inadvertent driver frontal air bag deployment, and/or a driver frontal air bag non-deployment during a crash event.

Excluding unrelated quality assurance inspection which utilized warranty payment system and therefore generated warranty data, there are 109 warranty claims possibly related to the alleged defect.

Out of the 109 claims, only 9 warranty claims indicate a pinched spiral cable assembly inside the steering column which caused the air bag warning light to illuminate. The remaining claims were unrelated to the pinched cable issue, and included various issues, including some no-trouble-found. .

The incident rate associated with the spiral cable pinched inside of the steering column is (0.0083%).

In addition to normal warranty, there were a total of 5 reports of SRS airbag light illumination caused by a misrouted spiral cable being pinched inside of the steering column: two dealer technical reports that were discovered at the dealer prior to delivery of vehicle to customers; two field incident reports; and one consumer complaint. Nissan believes these 5 incidents were the result of isolated operator

errors. A production countermeasure (See attachment F) was implemented on October 7, 2011 to help prevent this error from occurring in the future.

Subsequent review of field data and consumer complaint data did not show any new reports of routing issues resulting in a pinched spiral cable. This supports that the spiral cable misrouting issue has been resolved and there is no defect trend.

Two of the three reports of injuries as a result of a crash event include a claim that the air bag warning lamp was not illuminated prior to the accident. For all three of these claims, Nissan maintains that the vehicles involved were not defective as alleged and has provided documentation in support of that conclusion.

Finally, if an electrical short does occur, the red air bag warning lamp is designed to continuously flash to alert the driver to take the vehicle in for service. In addition, the Owner's Manual contains two separate warnings that inform the vehicle operator to have the vehicle checked as soon as possible if the air bag warning lamp is illuminated.

### **Conclusion**

In consideration of the above, Nissan believes that the subject 2012 Model Year Versa vehicles are not defective: (1) there is no defect trend and the warranty rate is 0.0083%; (2) a production countermeasure was implemented to correct the potential for isolated operator errors related to spiral cable misrouting and these issues have not reoccurred in the field as evidenced by warranty data; and (3) in those cases where a short is detected, the air bag warning lamp continuously flashes to alert the driver when the alleged condition occurs and provides warning that the driver should take his vehicle to a dealer for repair.

**ATTACHMENT A**

CD with Information Related to Requests Nos. 1 through 5 and 8

This attachment contains a CD containing the information related to Request Nos. 1 through 5 and 8. The information was obtained from the Consumer Affairs database, the Tech Line Database, the legal department database and the field reports database as of August 15, 2012. The databases and Legal Files are updated daily.

**ATTACHMENT B**

Warranty Claims Data

Warranty claims data were gathered from Warranty database as of August 15, 2012.

The total counts of warranty claims are as follows: 109

The search criteria used by Nissan to identify the claims identified in response to Request Nos. 6 is as follows:

For the purpose of this response the customer and technician verbatim as well as part and operation names of each claim were searched for the following combinations of keywords. Items with at least one keyword from each of the following lists were identified as responsive to the inquiry. The resultant set was then matched with the appropriate part number codes for the subject components

**Subject Components**

**Keyword List A**

STEERING COLUMN  
AIR%BAG  
SPIRAL%CABLE

**Keyword List B**

SRS%LIGHT  
AIR%BAG%LIGHT  
DEPLOY  
PINCH

**ATTACHMENT C**

DVD with Information Related to Request No. 6

This attachment contains a DVD containing the information related to Request No. 6, warranty coverage options in .pdf format:

- Nissan Model Year 2012 Warranty Information Coverage
- Nissan Security+Plus

**ATTACHMENT D**

DVD with Information Related to Request No. 7

This attachment contains a DVD containing the information related to Request No. 7.



**CONFIDENTIAL ATTACHMENT E**

DVD with Information Related to Request No. 8

This attachment contains a DVD containing the information related to Request No. 8:

**ATTACHMENT F**

DVD with Information Related to Request No. 9

This attachment contains a DVD containing the information related to Request No. 9.

**NISSAN NORTH AMERICA, INC.**

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Mr. D. Scott Yon, Chief  
Vehicle Integrity Division  
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Re: PE12 -023; NVS 212eer

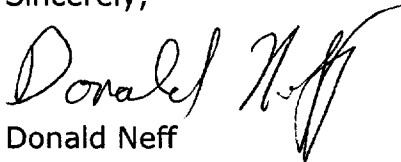
Dear Mr. Yon:

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

Sincerely,



Donald Neff  
Manager  
Technical Compliance

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