



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, DC 20590

MAY 20 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Don Neff, Senior Manager
Nissan North America, Inc.
Product Investigation & Campaigns
800 Nissan Drive - CIMS 482-00-91
Auburn Hills, MI 48326-2757

NVS-213ps
PE15-019

Dear Mr. Neff:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened Preliminary Evaluation PE15-019 to investigate allegations of front coil spring fracture in model year (MY) 2008 through 2010 Nissan Versa vehicles manufactured by Nissan, and to request certain information.

This office has received 93 complaints (VOQs) alleging incidents of front suspension coil spring fracture in MY 2008 through 2010 Nissan Versa vehicles. The complaints indicate that coil spring failures occur without warning and can happen at any speed. One complaint reported that the passenger-side coil spring fractured while traveling 65 mph and caused a sudden tire failure by cutting the inner sidewall (VOQ 10663102). Another complaint reported the passenger-side coil spring fractured while traveling 40 mph and resulted in a punctured tire and brake line failure (VOQ 10680740). In addition, ODI has identified EWR field report data related to possible coil spring failures in the subject vehicles.

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

- **Subject vehicles:** all MY 2008 through 2010 Nissan Versa vehicles manufactured for sale or lease in the United States or federalized territories.
- **Peer vehicles:** MY 2007 and 2011 Versa vehicles manufactured for sale or lease in the United States or federalized territories.
- **Subject component:** All front coil springs used as original equipment or service parts in the subject vehicles.
- **Subject system:** Front suspension system.

- **Subject bulletin:** Nissan technical service bulletin NTB11-032, 2007-2011 Versa; Front Suspension Noise When Turning.

- **Nissan:** Nissan Motor Corporation, Nissan North America, Inc., all past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Nissan (including all business units and persons previously referred to), who are or, in or after January 1, 2008, were involved in any way with any of the following related to the alleged defect in the subject vehicles:
 - a. Design, engineering, analysis, modification or production (e.g. quality control);
 - b. Testing, assessment, technical service bulletins, or evaluation;
 - c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., customer complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
 - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.

- **Alleged defect:** Front suspension coil spring fracture.

- **Subject failure modes:** 1) Spring fracture with no tire or brake line damage; 2) Tire damage with no air loss or brake line damage; 3) Tire damage resulting in air loss, with no brake line damage; 4) Brake line damage with no tire damage; and 5) Tire damage resulting in air loss and brake line damage.

- **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 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-built, 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, 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 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 has previously provided a document to ODI, Nissan 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's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model year, the number of subject and peer vehicles Nissan has manufactured for sale or lease in the United States and federalized territories. Separately, for each subject and peer 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." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

2. State, by model year and failure mode, 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 and peer vehicles:
 - a. Consumer complaints (with customers verbatim), including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury or fatality;
 - 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 "e" and "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.

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. Subject failure mode;
 - j. Whether a crash 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 2010, 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.

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.
5. State, by model year and subject failure mode, total counts 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 and peer 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. Vehicle's VIN;
- d. Vehicles model and model year;
- e. Repair date;
- f. Vehicle mileage at time of repair;
- g. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- h. Labor operation number;
- i. Problem code;
- j. Replacement part number(s) and description(s);
- k. Subject failure mode;
- l. Concern stated by customer;
- m. Diagnostic trouble code(s) identified during the repair;
- n. Cause and Correction stated by dealer/technician; and
- o. Additional comments, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "WARRANTY DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table that provides further details regarding this submission.

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. Indicate which extended service plans provide coverage for the subject component.

7. Produce copies of all service, warranty, and other documents that relate to the subject component in the subject and peer 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.

For each such document, including the subject bulletin, explain the reason for the communication and whether the issue addressed is, or may be, related to the alleged defect in any way.

8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject and peer 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.

The response to this request should include a detailed description of all past, present and future actions or interactions by any and all engineering working groups (e.g., vehicle dynamics, comfort and convenience) of which Nissan is aware. This includes, at a minimum, all of the information requested in items "a" through "f."

For each action identified, provide 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.

9. Describe all modifications or changes made by, or on behalf of, Nissan in the design, material composition, manufacture, quality control, supply, or installation of the subject component or subject system, 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 number(s) (service and engineering) of the original component;

- e. The part number(s) (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.

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.

10. State the number of subject components that Nissan has sold for use in the subject vehicles by component 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 cutoff date for sales, if applicable).

For each component 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 component, whether installed in production or in service, and state the applicable dates of production or service usage.

11. Provide the following information regarding the subject system and subject component in the subject vehicles:
- a. Provide front, top and side view CAD drawings showing the wheel, tire, coil spring, strut, brake line orientation with no steering angle and static/curb suspension travel for both the left and right side front suspension assemblies;
 - b. Describe and provide copies of all documents related to all studies done to identify the range of locations, and most common locations, of spring fracture for both left and right side springs;
 - c. Describe the transient effects on vehicle direction from a fractured spring while driving in the following conditions: 1) straight at highway speeds; and 2) outboard side spring fracture in a curve;
 - d. Describe the conditions necessary for a fractured coil spring to interact with the tire on the left or right front side to produce: 1) a sudden puncture; and 2) rub through the sidewall gradually;
 - e. Describe the driving conditions under which the conditions described in 11.d are possible;
 - f. Describe the transient effects on vehicle direction from a sudden tire puncture by a fractured spring in the following conditions: 1) straight at highway speeds; and 2) outboard side spring fracture in a curve;
 - g. Describe the changes in vehicle handling from normal system operation to operation with broken spring and punctured tire, e.g., understeer gradient (ISO 4138) and lateral transient response (ISO 7401);
 - h. Describe the conditions necessary for a fractured coil spring to cause a brake line failure on the left or right front side; and
 - i. Describe the driving conditions under which the conditions described in 11.h are possible.

12. Furnish Nissan's assessment of the alleged defect in the subject vehicle, including:
- a. The root cause and contributory factor(s);
 - b. The failure mechanism(s);
 - c. The actual (if applicable) and statistically estimated failure rates for both left and right side springs at 3, 6 and 10 years in service;
 - d. The likelihood of each of the subject failure modes for both left and right side springs (express in terms of per 100 spring fractures);
 - e. The risk to motor vehicle safety posed by each of the subject failure modes;
 - f. What warnings, if any, the operator would have that the alleged defect was occurring or subject component was malfunctioning; and
 - g. The complaints referenced in this information request letter.

Legal Authority for This Request

This letter is being sent to Nissan 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.

Civil Penalties

Nissan's failure to respond promptly and fully to this letter could subject Nissan 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.) The Vehicle Safety Act, as amended, 49 U.S.C. § 30165(b), provides for civil penalties of up to \$7,000 per day, with a maximum of \$35,000,000 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 77 Fed. Reg. 70710 (November 27, 2012)). This includes failing to respond completely to ODI information requests. The maximum civil penalty of \$7,000 per violation per day is established by 49 CFR 578.6(a)(3). The maximum civil penalty of \$35,000,000 for a related series of daily violations of 49 U.S.C. § 30166 is authorized by 49 U.S.C. § 30165(a)(3) as amended by § 31203(a)(1)(B) of the Moving Ahead for Progress in the 21st Century Act, Public Law 112-141.

If Nissan 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, Nissan does not submit one or more requested documents or items of information in response to this information request, Nissan 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.

Confidential Business Information

All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office. In addition, do not submit any business confidential information in the body of the letter submitted to this office. Please refer to PE15-019 in Nissan's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

If Nissan 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, Nissan 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, to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Nissan is required to **submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.** Please remember that the phrase "ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION" or "CONTAINS CONFIDENTIAL BUSINESS INFORMATION" (as appropriate) must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 49 CFR 512.6. If you submit a request for confidentiality for all or part of your response to this IR, that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the new requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats. *See* 49 CFR 512.6(c) (as amended by 72 Fed. Reg. 59434 (October 19, 2007)).

If you have any questions regarding submission of a request for confidential treatment, contact Otto Matheke, Senior Attorney, Office of Chief Counsel at otto.matheke@dot.gov or (202) 366-5253.

Due Date

Nissan's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by July 10, 2015. If Nissan finds that it is unable to provide all of the information requested within the time allotted, Nissan must request an extension from me at (202) 366-5207 no later than five business days before the response due date. If Nissan 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 Nissan then has available, even if an extension has been granted.

Please send email notification to Paul Simmons at paul.simmons@dot.gov and to ODI_IRresponse@dot.gov when Nissan sends its response to this office and indicate whether there is confidential information as part of Nissan's response.

If you have any technical questions concerning this matter, please call Paul Simmons of my staff at (202) 366-2315.

Sincerely,



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

Enclosure 1, one CD-ROM titled Data Collection Disc containing 93 VOQs and 7 Field Reports.

The VOQs associated with this information request are:

10236143, 10443746, 10452956, 10491553, 10497737, 10500820, 10503060, 10504557,
10508072, 10511536, 10512390, 10512657, 10512975, 10514582, 10516024, 10516085,
10522261, 10522262, 10524296, 10524809, 10532856, 10533856, 10537404, 10537407,
10548678, 10556214, 10559853, 10565283, 10572591, 10578519, 10583059, 10583154,
10583496, 10583673, 10584979, 10585040, 10585327, 10585377, 10585751, 10585826,
10586397, 10586444, 10587480, 10587798, 10588347, 10588427, 10592366, 10592498,
10592780, 10593373, 10593621, 10595215, 10595426, 10595929, 10596679, 10596802,
10598877, 10605757, 10606859, 10606998, 10618059, 10628631, 10644269, 10645075,
10649515, 10653189, 10659632, 10660067, 10660915, 10662158, 10663102, 10667071,
10667845, 10669949, 10670829, 10671894, 10676522, 10680544, 10680740, 10682397,
10691419, 10691692, 10692629, 10693193, 10693347, 10694369, 10694420, 10701250,
10702765, 10705882, 10706351, 10712045, 10712922