

# NISSAN

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December 23, 2015

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

*Received 12/29/15  
MJLee*

Re: EA15-004; NEF-120mjl

Dear Mr. Yon,

Enclosed is Nissan's response to the referenced NHTSA Information Request of November 19, 2015 concerning the Agency's investigation of allegations involving Occupant Classification Systems in certain Nissan and Infiniti vehicles.

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**  
**EA15-004**

## 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 that are likely to contain responsive information in those places where such records are likely to be found. We have not checked such documents as "calendars", "appointment books", "financial statements" and "personnel records" even though they are included in the definition of "documents" because such documents would not contain owner complaints, field reports or other information sought by Request 2 pertaining to the alleged defect. We have also searched for responsive documents and information only with respect to vehicles manufactured for sale in the United States, which we understand to be the scope about which the IR seeks information. Nissan has searched for and produced records that were created up to and on the date the IR was released, November 19, 2015. Nissan appreciates the agency's consideration in granting a two week extension for the full response.

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 or 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, and unless the production of that document is inadvertent, 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. By make, model, model year and production period (month/year), separately state for the subject vehicles, similar vehicles and peer vehicles, the number of vehicles that 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."

The production data summary, listed by make, model, model year, and production period (month/year), is provided in a Microsoft Access table titled "EA15-004\_PRODUCTION\_SUMMARY" on a DVD enclosed as Attachment A.

The information requested in 1.a through 1.g is provided, when known, in a Microsoft Access table titled "EA15-004\_PRODUCTION DATA" on a DVD enclosed as Attachment A.

2. Separately, By model and model year, separately state for the subject vehicles, similar vehicles and peer vehicles, 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 and the alleged condition in the similar and peer vehicles:
  - a. Consumer complaints, 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 "f," 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, 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.

Nissan will supplement this response at a later date.

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. Reported weight of the front passenger occupant(s) allegedly being misclassified resulting in the turning off of the passenger air bag;
  - 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." Provide the data separately for the subject vehicles, similar vehicles and peer vehicles.

Nissan will supplement this response at a later date.

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately for the subject vehicles, similar vehicles and peer vehicles and separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Nissan used for organizing the documents. Describe in detail the search methods and search criteria used by Nissan to identify the items in response to Request No. 2.

Nissan will supplement this response at a later date.

5. By model and model year, separately state for the subject vehicles, similar vehicles and peer vehicles, a total count for all of the following categories of claims (excluding recall remedy repair claims for the subject recall), collectively, that have been paid by Nissan to date that relate to, or may relate to, the alleged defect in the subject vehicles and the alleged condition in the similar 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), street address, email address and telephone number;
- c. Vehicle's VIN;
- d. Vehicle's make, 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(s);
- i. Problem code(s);
- j. Diagnostic trouble code( s ), if any;
- k. Replacement part number(s) and description(s);
- l. Concern stated by customer;
- m. Cause as stated on the repair order;
- n. Correction as stated on the repair order; and
- o. Comment, 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." Provide the data separately for the subject vehicles, similar vehicles and peer vehicles.

Table 1. Warranty Data Summary for 2-sensor OCS Systems (subject and similar vehicles)

MODEL	MODEL YEAR	WARRANTY COUNT
ALTIMA	2013	2,949
ALTIMA	2014	966
JX	2013	575
QX60	2014	194
LEAF	2013	46
LEAF	2014	8
NV200 S 2WD	2013	11
PATHFINDER	2013	1,042
PATHFINDER	2014	586
Q50	2014	108
SENTRA	2013	811
SENTRA	2014	120

**SUBJECT VEHICLES**

MODEL	MODEL YEAR	WARRANTY COUNT
ALTIMA	2014	844
ALTIMA	2015	441
LEAF	2014	4
LEAF	2015	16
NV200 S 2WD	2013	1
NV200 S 2WD	2014	20
NV200 S 2WD	2015	10
PATHFINDER	2014	484
PATHFINDER	2015	150
Q50	2014	19
Q50	2015	16
QX60	2014	96
QX60	2015	43
SENTRA	2014	618
SENTRA	2015	83

**SIMILAR VEHICLES**

The information for 2-sensor OCS systems (subject vehicles) requested in 5.a through 5.o is provided, when known, in a Microsoft Access table titled "EA15-004\_2-SENSOR\_WARRANTY DATA\_SUBJECT\_VEHICLES" on a DVD enclosed as Attachment A.

The information for 2-sensor OCS systems (similar vehicles) requested in 5.a through 5.o is provided, when known, in a Microsoft Access table titled "EA15-004\_2-SENSOR\_WARRANTY DATA\_SIMILAR\_VEHICLES" on a DVD enclosed as Attachment A.

The warranty claims shown in Table 2 above and the attached data tables on DVD may be over-inclusive. In the interest of transparency, Nissan has included these claims even if there is not enough information to be certain the claim is responsive.

Information for 4-sensor OCS systems (peer vehicles) will be provided in a supplemental response at a later date.

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 lists of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles and the alleged condition in the similar and peer vehicles. State, by model and model year, the terms of the new vehicle warranty coverage offered by Nissan on these 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 these 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 2-sensor OCS claims (subject and similar vehicles) identified in response to Request No. 5 are set forth in Attachment B. Descriptions of each labor operation code, problem code, and part number are given in the Warranty Data tables on a DVD in Attachment A. Search criteria for 4-sensor OCS system vehicles (peer vehicles) will be provided in a supplemental response at a later date.

The requested new vehicle warranty coverage documents for subject, similar and peer vehicles are on a DVD enclosed as Attachment C.

The extended warranty coverage options offered for subject, similar and peer vehicles along with a table indicating the number of vehicles covered under each extended warranty option is provided in Appendix B.

7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles and the alleged condition in the similar 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.

The requested dealer communication and service bulletin documents are on a DVD enclosed as Attachment D.

**ATTACHMENT A**

DVD with Information Related to Requests 1 and 5

This attachment contains a DVD containing the information related to Request Numbers 1 and 5. The information was obtained from the production database and the warranty database December 8, 2014. The databases are updated daily.

## ATTACHMENT B

### Warranty Claims Data

Warranty claims data were gathered from Warranty database December 8, 2015.

The search criteria used by Nissan to identify the claims regarding 2-sensor vehicles (subject and similar vehicles) identified in response to Request No. 5 is as follows:

Model Codes: L33 (ALTIMA), R52 (PATHFINDER), L50 (JX/QX60), B17 (SENTRA),  
ZEO (LEAF), M20 (NV200), M30 (TAXI), V37 (Q50)

Open Date: Greater than April 4, 2014

Warranty Code: Exclude ZZ (recall repair)

Customer or Technician Verbatim must contain at least one word from the following list:

KeyWord
PASS%AIR%BAG%
ODS
OCCUPANT DETECT
AIR%BAG%OFF%LIGHT
OCS

For subject vehicles, claims matching the keywords as specified above were then filtered against the recall repair records to include only claims received after the vehicle had the subject recall performed. For similar vehicles, claims matching the keywords as specified above were unfiltered and include claims responsive to this request. The resulting data were reviewed for relevancy to the request. Any documents that were obviously a different issue or otherwise non-responsive were removed. Any documents in which relevancy could not be determined because the verbatim was too vague were included in the submission.

Descriptions of the parts, trouble codes, and labor operation codes are included in the data on a DVD in Attachment A responsive to Request 5.

Table 1 – Extended Warranty Summary

MODEL	MODEL YEAR	SERVICE PLAN OPTION							
		GOLD	GOLD PREFERRED	INFINITI ELITE	NCV POWERTRAIN	NCV SILVER PREFERRED	POWERTRAIN PREFERRED	SILVER	SILVER PREFERRED
VEHICLES COVERED									
ALTIMA	2013	51	90,895				397	2	2,224
ALTIMA	2014	36	65,340				112	1	1,473
ALTIMA	2015	3	74,374			1	88		1,740
ALTIMA	2016		74						3
PATHFINDER	2013	6	17,365				88		496
PATHFINDER	2014	5	17,674				47		525
PATHFINDER	2015		11,108				20		275
PATHFINDER	2016		1						
SENTRA	2013	12	48,294				165		1,268
SENTRA	2014	20	46,305				90		1,391
SENTRA	2015		26,535				37		868
LEAF	2011		2,337						28
LEAF	2012		1,614						10
LEAF	2013		2,064						26
LEAF	2014		720						7
LEAF	2015		2,103						31
LEAF	2016		16						
JX	2013			4,857					
QX60	2014			2,712					
QX60	2015			1,621					
Q50	2014			2,552					

		SERVICE PLAN OPTION									
MODEL	MODEL YEAR	GOLD	GOLD PREFERRED	INFINITI ELITE	NCV POWERTRAIN	NCV SILVER PREFERRED	POWERTRAIN PREFERRED	SILVER	SILVER PREFERRED		
VEHICLES COVERED											
Q50	2015			695							
NV200 S 2WD	2013				24	424					
NV200 S 2WD	2014				14	310					
NV200 S 2WD	2015				7	148					
CUBE	2009	1,576	7,371				43	119	140		
CUBE	2010	909	4,527				15	67	90		
CUBE	2011	490	2,882				13	19	60		
CUBE	2012	47	1,673				4	3	70		
CUBE	2013	1	1,410				3		40		
CUBE	2014		615				2		17		
FX	2009			3,050							
FX	2010			1,856							
FX	2011			1,936							
FX	2012			1,370							
FX	2013			588							
QX70	2014			414							
QX70	2015			300							
QX70	2016			21							
JUKE	2011	2,031	13,987				38	63	211		
JUKE	2012	658	13,113				33	21	255		
JUKE	2013	12	14,170				39	1	339		
JUKE	2014	1	7,947				8		219		
JUKE	2015		4,312				2		119		
JUKE	2016		9								
QUEST	2011	392	2,853				7	9	43		

MODEL	MODEL YEAR	SERVICE PLAN OPTION							
		GOLD	GOLD PREFERRED	INFINITI ELITE	NCV POWERTRAIN	NCV SILVER PREFERRED	POWERTRAIN PREFERRED	SILVER	SILVER PREFERRED
VEHICLES COVERED									
QUEST	2012	168	4,159				50	13	164
QUEST	2013	1	2,228				13		72
QUEST	2014		1,571				3		63
QUEST	2015		1,026				2		39
QX	2011			2,055					
QX56	2011			1,140					
QX	2012			2,867					
QX	2013			1,015					
QX80	2014			1,630					
QX80	2015			1,024					
QX80	2016			11					
VERSA	2014	5	11,634				40		426
VERSA	2015	1	8,614				14		336
VERSA	2016		39						
VERSA SEDAN	2012	2,228	18,642				91	100	590
VERSA SEDAN	2013	8	13,974				62	2	562
VERSA SEDAN	2014	15	16,763				55	1	836
VERSA SEDAN	2015	4	15,968				37		841
VERSA SEDAN	2016		294						20
Up to 8 years and 120,000 miles									
COVERAGE									

**ATTACHMENT D**

DVD with Dealer Communication and Service Bulletin Documents