



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

ODI RESUME

Investigation: DP 19-001
Prompted by: Defect Petition
Date Opened: 04/08/2019 **Date Closed:** 09/16/2019
Investigator: Joseph Oxenham **Reviewer:** Scott Yon
Approver: Stephen Ridella
Subject: False Automatic Emergency Braking

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: Nissan North America, Inc.
Products: Model Year 2017-2018 Nissan Rogue
Population: 674,742
Problem Description: Unintended braking due to Automatic Emergency Braking (AEB) system engaging with no apparent obstruction in the path of the vehicle.

FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
Complaints:	129	750	843**
Crashes/Fires:	3	12	14**
Injury Incidents:	3	4	5**
Number of Injuries:	3	4	5**
Fatality Incidents:	0	0	0

** Total eliminates duplicates received by ODI and manufacturer.

ACTION / SUMMARY INFORMATION

Action: Defect Petition DP19-001 has been granted. Preliminary Evaluation PE19-010 has been opened.

Summary:

NHTSA received a letter from the Center for Auto Safety (CAS) on March 21, 2019 alleging that the Automatic Emergency Braking (AEB) system on Model Year (MY) 2017-2018 Nissan Rogue and Rogue Sport vehicles was engaging in cases where there was no obstruction in the path of the vehicle. The CAS petition additionally alleged that, based on Nissan's actions, the manufacturer was aware of the issue due to issuing a Technical Service Bulletin (TSB) launching two "Quality Actions," and initiation of a "Customer Service Initiative" in relation to it. CAS contended that Nissan's actions do not represent an adequate long-term solution to the problem, as the action is only available during the basic coverage period of the warranty. CAS also argued that the alleged failures are an unreasonable risk to safety and views Nissan's communications as not acknowledging the potential safety issue involved, instead treating the alleged problem as a performance update.

The Office of Defects Investigation (ODI) analyzed Vehicle Owner Questionnaire (VOQ) complaints received from consumers and identified a total of 129 unique subject vehicle reports (for all submission dates) alleging a false positive triggering of AEB. Of these complaints, three were identified that contained allegations of a collision resulting from the activation of the system, and all three indicating related injuries.

In response to ODI's April 15, 2019 Information Request letter, Nissan provided data indicating that it has received 750 unique subject vehicle complaints relating to false positive activation of the AEB system. Of these complaints, 12 were identified that contained allegations of a collision resulting from the activation of the system. Four complaints contained allegations of injuries, three of which were the result of a collision. These complaints included duplicates of complaints that ODI received. The injury allegations were limited to soft tissue type injuries such as whiplash and bruising.

Based on its review of the information identified to date, ODI grants this petition and has opened preliminary evaluation PE19-010 in order to evaluate the cause, scope and frequency of AEB false positive activations, as well as to evaluate the suitability of the manufacturer's campaign to address the concern or improve performance of the AEB system.

The complaints cited can be viewed at NHTSA.gov under the following ODI identification numbers: 11230875, 11230481, 11230361, 11229400, 11229302, 11229294, 11228994, 11223074, 11222925, 11222644, 11220499, 11218713, 11218608, 11217157, 11210334, 11210256, 11210148, 11209127, 11209032, 11207333, 11205931, 11205717, 11205661, 11205172, 11205124, 11205027, 11204803, 11204349, 11204324, 11196805, 11196561, 11196466, 11196091, 11195938, 11195574, 11194380, 11193989, 11192761, 11192283, 11192063, 11190855, 11190840, 11189976, 11187374, 11186903, 11185890, 11185883, 11185132, 11183406, 11180813, 11174713, 11173666, 11173302, 11172299, 11171331, 11170989, 11165434, 11164646, 11162898, 11162502, 11162396, 11161413, 11161230, 11155985, 11155209, 11155181, 11154181, 11153607, 11153334, 11151373, 11151028, 11142595, 11142557, 11142386, 11141775, 11141433, 11141387, 11141347, 11140604, 11139711, 11139226, 11133402, 11132376, 11130998, 11130662, 11129949, 11128704, 11124099, 11123564, 11123353, 11123321, 11122783, 11119475, 11119300, 11118604, 11115088, 11113479, 11113371, 11112371, 11111659, 11111057, 11110919, 11110689, 11104075, 11103844, 11103437, 11102715, 11102333, 11100117, 11099313, 11091006, 11089960, 11089798, 11089533, 11088815, 11088718, 11081072, 11079453, 11073644, 11072718, 11065505, 11061598, 11057739, 11056061, 11055766, 11048349, 11035301, 11033225, and 10972343.