

Response to

PE24-007

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, technical analyses or other information sought by Requests 2, 5, and 8-11 pertaining to the Subject Component in the Subject Vehicles. 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 for which the IR seeks information. Nissan has searched for and produced records that were created through May 21, 2024.

By email dated July 1, 2024, NHTSA granted an extension of time through July 19, 2024 for Nissan to respond to requests 9-15 that require additional time for analysis.

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.

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The National Highway Traffic Safety Administration (NHTSA) in its Preliminary Evaluation PE24-007 investigation of allegations of reduced motive power in certain model year (MY) 2022-2024 Nissan Versa vehicles has requested information from Nissan North America, Inc. ("Nissan"). In regards to NHTSA's questions and requests for PE24-007, NHTSA is seeking information on Subject Vehicles identified as "all 2022-2024 Model Year Nissan Versa equipped with the Subject Component manufactured for sale or lease in the United States, including, but not limited to, the District of Columbia and current U.S. territories and possessions." The Subject Component has been identified as "powertrains utilizing a manual transmission and the associated powertrain control module hardware and software." NHTSA has specifically requested information related to the Alleged Defect defined as "Following the restart of a stalled subject vehicle, the vehicle enters a reduced motive power mode."

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 (17-character VIN);
 - b. Make;
 - c. Model;
 - d. Model Year;
 - e. Powertrain control module software version number and level number;
 - f. Date of manufacture (MM/DD/YYYY);
 - g. Date warranty coverage commenced (MM/DD/YYYY); and
 - h. The State in the United States where the vehicle was originally sold or leased, or delivered for sale or lease (postal abbreviation).

If multiple subject components exist, provide a separate field for each component. If subject components are not associated with a specific VIN, estimate based on the subject component usage start date.

Provide the table in Microsoft Access 2010, or a compatible format, entitled "PRODUCTION DATA."

Table 1. Production Data Summary

MAKE	MODEL	Production Code	2022	2023	2024
Nissan	Versa	N18	526	816	1239

The information requested in 1.a through 1.h, when known, is being uploaded to the NHTSA designated SFTP site as Attachment A in a Microsoft Access database titled "PE24-007_DATA" that contains a table titled "PRODUCTION_DATA."

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:

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 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/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;

Table 2. Consumer Complaints Summary

Make	Model	Production Code	Total Consumer Complaints
Nissan	Versa	N18	36

- b. Field reports, including dealer field reports;

Table 3. Field Reports Summary

Make	Model	Production Code	Total Field Reports
Nissan	Versa	N18	62

- c. Reports involving a crash, injury or fatality;

Table 4. Crash, Injury & Fatality Reports

Make	Model	Production Code	Total Reports of All Crashes	Total Reported Injuries	Total Reported Fatalities
Nissan	Versa	N18	0	0	0

Nissan found zero (0) reports of crashes and zero (0) reported injuries.

Nissan is not aware of any reports involving a fatality.

- d. Property damage claims; and

NNA found zero (0) reports of property damage claims relating to the Subject Component in the Subject Vehicles.

- e. Third-party arbitration proceedings, both pending and closed, where Nissan is or was a party to the arbitration; and

Nissan found zero (0) third party arbitration proceedings where Nissan is or was a party to the arbitration, which relate to, or may relate to, the Subject Component in the Subject Vehicles.

- f. Lawsuits, both pending and closed, in which Nissan is or was a defendant or codefendant.

Table 5. Lawsuits

Make	Model	Production Code	Total Lawsuits
Nissan	Versa	N18	1

Nissan found one (1) lawsuit in which Nissan is or was a defendant or co-defendant, which relate to, or may relate to, the Alleged Defect in the Subject Vehicles. The cause of action is an alleged breach of warranty.

A summary description of one lawsuit is being uploaded to the NHTSA designated SFTP site as CONFIDENTIAL Attachment B in a folder titled "REQUEST NUMBER 2 DOCUMENTS" stored as an Adobe pdf file titled "CONFIDENTIAL BUSINESS INFORMATION - REQUEST_NUMBER_2F_SUMMARY."

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:
- Nissan's file number or other identifier used;
 - The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - Vehicle owner or fleet name (and fleet contact person), email address and telephone number (please use distinct fields for each data type);
 - Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);
 - Vehicle's 17-character VIN;
 - Vehicle's make, model and model year (please use distinct fields for each data type);
 - Vehicle's mileage at time of incident (numeric data type);
 - Incident date (MM/DD/YYYY);
 - Report or claim date (MM/DD/YYYY);
 - Whether a crash is alleged;
 - Whether the vehicle was towed;
 - Approximate duration the vehicle was in reduced power mode;
 - The speed of the vehicle during the alleged incident;
 - The speed limit of roadway when the alleged incident occurred;
 - Weather conditions when the alleged incident occurred;
 - DTCs, warning lights, messages, chimes, or any other sign produced by the vehicle that occurred during or immediately after the alleged incident;
 - How reduced power mode was restored;
 - Whether property damage is alleged;
 - Number of vehicle occupants when the alleged incident occurred;
 - Number of alleged injuries, if any; and
 - Number of alleged fatalities, if any.

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

The information available to Nissan requested in 3a through 3u, when known, is being

uploaded to the NHTSA designated SFTP site as Attachment A in a Microsoft Access database titled "PE24-007_DATA" which contains a table titled "REQUEST_NUMBER_TWO_DATA."

For subparts k-q and s, Nissan does not typically collect this information. Information responsive to these items is not clearly discernable from the verbatim, which can be found in the documents supplied in response to Question 4.

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. Describe in detail the search methods and search criteria used by Nissan to identify the items in response to Request No. 2.

Documents requested within the scope of "Request No. 2" are being uploaded to the NHTSA designated SFTP site as Attachment A in a folder titled "REQUEST NUMBER 2 DOCUMENTS". The documents are organized by category and stored as Adobe pdf files.

The search criteria used by Nissan to identify the documents in response to "Request No. 2" are set forth below.

Nissan searched for all documents related to Production Code N18 (Versa) between model years 2022 – 2024 (inclusive) with the Transmission Type Description of 5-SPEED MANUAL TRANS (5-speed manual transmission) that contained the following words (case insensitive). Commas below represent an "OR" statement.

- Loss of power, lost power, lose power, loose power, power loss, power drop, reduced power, low power, limp home, limp mode, failsafe, fail safe, stall, P2615

The documents must also have been opened/created on or before May 21, 2024.

Nissan manually reviewed all of the resulting documents and is reporting those relevant to this investigation.

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:

- Nissan's claim number;
- Vehicle owner or fleet name (and fleet contact person), email address and telephone number (please use distinct fields for each data type);
- Vehicle owner or fleet street address, city, state (postal abbreviation), and ZIP code (please use distinct fields for each data type);
- 17-character VIN;
- Repair date (MM/DD/YYYY);
- Vehicle mileage at time of repair (numeric data type);
- Repairing dealer's or facility's name, telephone number, city and state or ZIP code (please use distinct fields for each data type);

- h. Labor operation number(s);
- i. Problem code(s);
- j. Diagnostic trouble code(s);
- 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. 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."

Table 5. Warranty Data Summary

Make	Model	Production Code	Total Warranty Claims
Nissan	Versa	N18	74

The information available to Nissan requested in 5a through 5o, when known, is being uploaded to the NHTSA designated SFTP site as Attachment A in a Microsoft Access database titled "PE24-007_DATA" that contains a table titled "WARRANTY_DATA."

- 6. Describe in detail the search methods and search criteria used by Nissan to identify the claims in response to Request No. 5, including the labor operations, problem codes, diagnostic trouble codes, part numbers and any other pertinent parameters used.

The search criteria used by Nissan to identify the documents in response to "Request No. 5" are set forth below.

Nissan searched warranty records for all documents related to Production Code N18 (Versa) between model years 2022 - 2024 (inclusive) with the Transmission Type Description of 5-SPEED MANUAL TRANS (5-speed manual transmission) that contained the following words (case insensitive). Commas below represent an "OR" statement.

- Loss of power, lost power, lose power, loose power, power loss, power drop, reduced power, low power, limp home, limp mode, failsafe, fail safe, stall, P2615

The documents must also have been opened/created on or before May 21, 2024.

Nissan manually reviewed all of the resulting documents and is reporting those relevant to this investigation.

- 7. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions, diagnostic trouble codes and diagnostic trouble code descriptions applicable to the alleged defect in the subject vehicles. State whether the diagnostic trouble codes are automatically reported to the warranty database electronically or manually entered into the warranty database by a claims administrator.

Descriptions of each labor operation code and problem code are being uploaded to the NHTSA designated SFTP site as Attachment A and are contained within the "WARRANTY_DATA" table included in the Microsoft Access database entitled "PE24-007_DATA."

8. 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.

Table 6. New Vehicle Warranty Coverage

	Nissan Versa 2022-2024
Basic Coverage	36mo/36,000mi
Corrosion Coverage	60mo/unlimited mileage
Powertrain Coverage	60mo/60,000mi
Federal Emission Performance	24mo/24,000mi
Federal Emission Defect	36mo/36,000mi
Federal Emission Long Term Defect	96mo/80,000mi
California Emission Performance	36mo/50,000mi
California Emission Defect	36mo/50,000mi
California Emission Long Term Defect	84mo/70,000mi
Seat Belt	120mo/unlimited mileage

Nissan has also provided new vehicle warranty coverage documents outlining vehicle systems covered as part of the new vehicle warranty coverage. Those documents are being uploaded to the NHTSA designated SFTP site as Attachment A in a folder titled "REQUEST NUMBER 8 DOCUMENTS." The documents are stored as Adobe pdf files.

Table 7. Extended Warranty Summary

Make	Model	Model Year	Gold Preferred	Silver Preferred	Coverage
NISSAN	Versa	2022	46	2	Up to 8 years, 120,000 miles
NISSAN	Versa	2023	53	2	
NISSAN	Versa	2024	71	4	

9. 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.

To date, Nissan has not issued any documents related to the Alleged Defect in the Subject Vehicles to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities.

Nissan does not currently have a draft copy of any communication to dealers, regional or zone offices, field offices, fleet purchasers, or other entities that relate to, or may relate to, the Alleged Defect in the Subject Vehicles which it plans to issue within the next 120 days.

10. 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 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, 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.

The information available to Nissan requested in 10.a through 10.f, when known, is being uploaded to the NHTSA designated SFTP site as CONFIDENTIAL Attachment C in an Adobe PDF file titled "CONFIDENTIAL BUSINESS INFORMATION - REQUEST NUMBER 10 RESPONSE."

Documents requested within the scope of "Request No. 10.a through 10.f" are being uploaded to the NHTSA designated SFTP site in CONFIDENTIAL Attachment C.

11. 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, 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; and
 - h. Whether the modified component can be interchanged with earlier production components.

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.

The information available to Nissan requested in 11.a through 11.h, when known, is being uploaded to the NHTSA designated SFTP site as CONFIDENTIAL Attachment C in an Adobe PDF file titled "CONFIDENTIAL BUSINESS INFORMATION - REQUEST NUMBER 11 RESPONSE."

Nissan is not aware of any modification or change which may be incorporated into vehicle production within the next 120 days.

12. Identify by make, model, and model year, any other vehicles, produced in the past 10 model years of which Nissan is aware that are equipped with a substantially similar manual transmission or engine in the subject vehicles, whether installed in production or in service, and state the applicable dates of production or service usage.

When compared to the Subject Vehicles, the following vehicles are equipped with a substantially similar combination of manual transmission and engine. Although substantially similar with respect to hardware (the physical manual transmission and engines installed in the vehicles), the software installed in control units of the manual transmission and engine in the vehicles below differs considerably from the software installed in Subject Vehicle's control units.

**Table 8. Substantially Similar Vehicles
(with respect to transmission/engine combination)**

<u>Make</u>	<u>Model</u>	<u>Model Years</u>	<u>Dates of Production</u>
Nissan	Versa	2020-2021	6/1/2019 - 11/8/2021

13. Regarding the subject vehicle response to the alleged defect, please provide the following:
- a. Describe in detail any atypical vehicle behavior that occurs during the alleged defect; to include but not limited to the following:
 - i. Warning lights, messages, DTCs, or chimes;
 - ii. Gear shift response;
 - iii. Clutch response;
 - iv. Acceleration pedal response;
 - v. Brake pedal response;
 - vi. Steering wheel response;
 - vii. Powertrain performance;
 - viii. Steering performance; and
 - ix. Braking performance;
 - b. State all possible repairs, actions, or remedies that allow subject vehicles to recover from the alleged defect;
 - c. State whether any of the associated DTCs are erased after the vehicles has recovered from the alleged defect.

The information available to Nissan requested in 13.a through 13.c, when known, is being uploaded to the NHTSA designated SFTP site as CONFIDENTIAL Attachment C in an Adobe PDF file titled "CONFIDENTIAL BUSINESS INFORMATION - REQUEST NUMBER 13 RESPONSE."

14. Regarding the subject vehicles motive power capabilities during the alleged defect; provide the following:
- a. Maximum incline possible while maintaining forward motion at curb weight;
 - b. Maximum incline possible while maintaining forward motion at gross vehicle weight rating (GVWR) weight;
 - c. Maximum incline possible while maintaining forward motion at gross combined weight rating (GCWR) weight;
 - d. Maximum speed on a level road (0% grade) at curb weight;
 - e. Maximum speed on a level road (0% grade) at GVWR weight;
 - f. Maximum speed on a level road (0% grade) at GCWR weight;
 - g. Maximum speed on a 7% grade at curb weight;
 - h. Maximum speed on a 7% grade at GVWR weight;
 - i. Maximum speed on a 7% grade at GCWR weight;
 - j. Maximum speed on a 15% grade at curb weight;
 - k. Maximum speed on a 15% grade at GVWR weight;
 - l. Maximum speed on a 15% grade at GCWR weight.

The information available to Nissan requested in 14.a through 14.l, when known, is being uploaded to the NHTSA designated SFTP site as CONFIDENTIAL Attachment C in an Adobe PDF file titled "CONFIDENTIAL BUSINESS INFORMATION - REQUEST NUMBER 14 RESPONSE."

15. Furnish Nissan's assessment of the alleged defect in the subject vehicles, 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; and
 - 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.

HR16DE Engine & Control Units

Beginning with the 2020 model year, Nissan introduced the Nissan Versa with the MZY1 manual transmission and HR16DE engine. The HR16DE engine is equipped with a twin Continuously Variable Timing Control System comprised of hardware found within the HR16DE engine and software installed in the VTC Control Unit (VTC-CU). This system allows continuous electronic control of the timing of valves opening and closing improving vehicle response during low and medium speeds.

Control units and their associated software are developed to operate vehicle systems according to design intent and frequently include failsafes to protect vehicle systems. If a system malfunction were to occur, these failsafes may be used to protect hardware from damage and to help keep the driver in control of the vehicle.

Alleged Defect – Cause, Mechanism, Failure Mode

The alleged defect of a reduced power mode following a stalled vehicle is the result of an error detected by the crank and camshaft position sensors (DTC = P2615) indicating a

disagreement between the expected cam rotation and crank rotation in the engine. The restart event must take place within five seconds of the stall in order for the failsafe to be generated. As such, the P2615 failsafe, once generated, results in reduced acceleration performance to help protect the engine from potential damage or a potential stall caused by rough running which results from using what is erroneously detected to be a cam and crank out of sync. When P2615 is generated, the valve timing control is set to 0° with no variation permitted. This failsafe mode helps prevent damage to the engine and a potential complete loss of motive power.

In the Subject Vehicles, an error in the logic used to evaluate cam rotation relative to crank rotation during a post-stall engine restart can cause the VTC-CU to erroneously detect a gap in the crank rotation which then triggers a count of cam rotation. If the count of cam rotation isn't sufficient, the logic generates P2615 and the failsafe timing control described above.

The failsafe mode is easily identified by drivers or passengers as a change in vehicle performance and potentially includes illumination of a Malfunction Indicator Lamp (MIL).

Once the vehicle enters the failsafe mode, engine torque is limited, which reduces acceleration performance. However, there is no set limit to engine or vehicle speed and the vehicle remains capable of reaching highway speeds. This reduction in torque, while noticeable, allows the driver to safely operate the vehicle and exit the roadway if needed.

The vehicle will leave the failsafe mode once the engine has been restarted after a key off event longer than five seconds.

VTC-CU Design Changes

The VTC-CU implemented in model year 2020 and 2021 Nissan Versa vehicles was modified for model year 2022 and later. As previously mentioned, this modification unintentionally allowed the VTC-CU to erroneously detect a gap in crank rotation which could lead to generation of the P2615 DTC and its associated failsafe mode.

Although Nissan was aware of some changes made to the control unit's software for model year 2022 and beyond, it was not aware of the increased potential for reduced performance due to P2615 until it began investigating incidents from the field.

Nissan's Assessment

Nissan believes the Alleged Defect in the Subject Vehicles poses no unreasonable risk to motor vehicle safety for several reasons:

Among Subject Vehicles involving claims of the Alleged Defect, Nissan has received reports of zero (0) accidents, zero (0) injuries, zero (0) fatalities, zero (0) property damage, and zero (0) significant thermal events.

Control unit failsafes are designed and implemented into vehicles to help protect vehicle systems and to help keep the driver in control of the vehicle. This is done using different approaches according to design intent, severity of potential damage, and other factors. Erroneously implementing the P2615 failsafe results in vehicle behavior no different than that which would occur if it were implemented appropriately.

While the failsafe is active, the acceleration performance of the vehicle is affected and should be noticeable to the driver either via a MIL on or drivability. This failsafe does not put any limits on the maximum speed or distance driven while it is active. This reduced performance, while noticeable, should allow the driver to effectively maneuver the vehicle

to a safe location outside of the roadway.

Nissan recognizes that, in the Subject Vehicles where the failsafe is activated erroneously, the Alleged Defect represents a customer satisfaction concern. As such, Nissan is actively developing a countermeasure to alleviate this issue. Nissan will keep the agency informed as our progress on this issue advances.

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