

NISSAN

NISSAN NORTH AMERICA, INC.

Corporate Office
18501 South Figueroa St.
Gardena, California 90248-4500
Mailing Address: P.O. Box 191
Gardena, California 90248-0191
Telephone: 310.592.3111

May 25, 2006

05V-338
Amended
(3 pages)

Mr. Ron Medford
Acting Associate Administrator for Safety Assurance
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Dear Mr. Medford:

In light of NHTSA's decision to deny Nissan's petition for an exemption from the recall requirements of 49 U.S.C. Chapter 301 on the basis that a noncompliance with FMVSS 225 is inconsequential to motor vehicle safety, Nissan is filing the enclosed amended Noncompliance Information Report. Nissan plans to notify dealers by June 8, 2006 and to begin owner notification for the affected vehicles on July 24, 2006.

Very truly,



Frank D. Slaveter
Senior Manager,
Technical Compliance

Encl.

NONCOMPLIANCE INFORMATION REPORT

1. Manufacturer:

Nissan Motor Company, Ltd.

2. Vehicles Potentially Involved:

2005 model year Infiniti FX vehicles manufactured from September 1, 2004 to July 13, 2005; 2005 model year Infiniti Q45 model vehicles equipped with power rear seat manufactured from September 1, 2004 to June 30, 2005 (end of production); and 2005 model year Nissan Maxima vehicles produced from September 1, 2004 until July 11, 2005.

3. Total Number of Vehicles Potentially Involved:

Approximately 24,655 2005 model year Infiniti FX35 and FX45 vehicles, 167 2005 model year Infiniti Q45 vehicles, and 65,361 2005 model year Nissan Maxima vehicles (90,183 total).

4. Percentage of Vehicles Estimated to Actually Contain the Noncompliance:

Unknown

5. Description of the Noncompliance:

The vehicles fail to comply with Federal Motor Vehicle Safety Standard 225, S9.2.2 (a). All other requirements under FMVSS 225 are met.

6. Basis for Determination of the Existence of a Noncompliance

In late June 2005 NHTSA conducted a compliance test for FMVSS 225 on a 2005 Infiniti FX and notified Nissan of an apparent noncompliance concerning the requirement in S9.2.2 (a). Nissan initiated an investigation. In July 2005 it evaluated the location of the lower anchorage bar in a sample of 2005 Infiniti FX and Q45 vehicles and in 2005 Nissan Maxima vehicles. Based on this evaluation, Nissan determined that the subject vehicles do not meet the requirement in FMVSS 225, S9.2.2 (a).

7. Description of Corrective Action:

Nissan will conduct a safety recall campaign to correct the noncompliance for the Infiniti FX and Nissan Maxima vehicles. A recall campaign for the Infiniti Q45 vehicles was initiated in October 2005. In the case of the Infiniti FX and Nissan Maxima vehicles, Nissan plans to notify dealers by

June 8, 2006 and begin owner notification on July 24, 2006. The lower anchorage bars will be replaced with modified ones.

8. Copy of Notices:

Copies of all notices will be provided to NHTSA as they become available.