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By Recall Management Division at 2:36 pm, Jul 22, 2010

**NISSAN**

**NISSAN NORTH AMERICA, INC.**

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10V-330  
(3 Pages)

July 21, 2010

Associate Administrator for Enforcement  
National Highway Traffic Safety Administration  
Attn: Recall Management Division (NVS-215)  
Room W48-302  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Dear Sir:

We are transmitting the enclosed Noncompliance Information Report in accordance with 49 CFR Part 573. A voluntary recall campaign will be initiated and your office provided with the notices. Nissan is notifying dealers today (July 21, 2010) and will notify owners on August 30, 2010. We will not include information in the Part 577 owner notification concerning reimbursement for the cost of obtaining a pre-notification remedy as these vehicles are under warranty.

Very truly,



John Gibbons  
Senior Manager,  
Technical Compliance

Encl.

## NONCOMPLIANCE INFORMATION REPORT

1. Manufacturer:

Nissan Motor Company, Ltd.

2. Vehicles Potentially Involved:

MY2009 and MY2010 Nissan Cube vehicles manufactured from January 30, 2009 through July 30, 2010.

3. Total Number of Vehicles Potentially Involved:

Approximately 46,000.

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

Unknown

5. Description of the Noncompliance:

S6.4 of FMVSS No. 301 specifies that, when a vehicle is rotated on its longitudinal axis to each successive increment of 90 degrees following a rear moving barrier crash test, the fuel spillage cannot exceed the limits specified in S5.6. After a rear moving barrier crash test performed under S6.2(b), when the vehicle was rotated 90 degrees, the amount of fuel spillage exceeded the limits specified in S5.6 of FMVSS No. 301.

6. Basis for Determination of the Existence of a Noncompliance

On July 9, 2010 NHTSA conducted a rear moving barrier crash test (S6.2(b) of FMVSS No. 301) on a 2010 Nissan Cube. There was no fuel spillage immediately after the crash test. However, when the vehicle was rotated 90 degrees on its longitudinal axis, the test lab observed that there was fuel spillage and the amount exceeded the limits set forth in S5.6 of FMVSS No. 301.

Nissan sent an investigation team to the test laboratory and also initiated an internal investigation of this issue. During the course of the initial onsite investigation (which included an investigation of the test conditions and also inquiry about other testing previously conducted on the subject vehicle), Nissan determined that there were no apparent test anomalies that contributed to the observed results.

The differences in the test results are still under investigation. Nissan notes that it previously conducted internal certification testing, which did not result in any fuel leakage.

7. Description of Corrective Action:

Owners of all potentially affected vehicles will be notified to take their vehicle to a Nissan dealer. Nissan has developed a special protector to be attached to the gasoline recirculation tube at the location of the filler neck connection.

8. Copy of Notices:

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