



NISSAN NORTH AMERICA, INC.

Corporate Headquarters
One Nissan Way
Franklin, TN 37068

Mailing Address: P.O. Box 685001
Franklin, TN 37068-5001

Telephone: 615.725.1000

November 18, 2020

Mr. Stephen Hench
Trial Attorney, Litigation & Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

RE: Use of the Expanded Other Category for Takata Recalls

Dear Mr. Hench:

This communication serves to notify NHTSA of Nissan's intent to expand utilization of the 'Other' category in reporting completion in the dashboard submission and quarterly reports pursuant to Paragraph 47 in the Third Amendment to the Coordinated Remedy Order (ACRO) and additional instructions provided by NHTSA in June 2019. Nissan intends to apply the expanded 'Other' category to the following Takata recall campaigns:

- Recall 15V-226
- Recall 15V-287
- Recall 16V-349
- Recall 17V-028
- Recall 17V-068
- Recall 17V-449
- Recall 18V-044
- Recall 18V-401
- Recall 18V-452
- Recall 20V-008

At this time, expanded utilization of the "Other" category adds the following sub-categories, each described in more detail below.

- Deployed, missing, or incorrect airbag
- Retrieved through salvage

VIN counts for each sub-category provided in the discussion below are estimates and will be confirmed prior to final document submission by NHTSA recall ID. It is important to note that a particular VIN may qualify for accounting under multiple data sources and/or sub-categories in the breakdown below. In such a case, Nissan would select the most appropriate category based on all available information. For example, a Takata passenger airbag was

recovered and destroyed through salvage yard collection in January 2020. Nissan received notice that the subject vehicle was seen at auction in March 2020 and has not been registered by a new owner yet. While the VIN shows recent in-commercial transit status, Nissan has evidence the recalled airbag has previously been removed from the vehicle and is no longer a safety risk. Therefore, Nissan will disposition the VIN as 'Retrieved through salvage'.

For the purposes of this explanation, Nissan has attempted to remove the majority of VIN duplication across sub-categories to illustrate the expected impact and distribution across each NHTSA recall ID. Upon implementation of the expanded 'Other' category, each VIN will receive a unique disposition based on the most recent data and analysis.

Recall ID	Deployed, Missing, Incorrect					Retrieved through Salvage
	RAS	DRN/MS	Dealer Deferment	HBP	Incident reports (Deployment Claims)	RAS
15V-226	10	0	0	20	0	166
15V-287	763	35	33	1,547	25	15,953
16V-349	134	4	0	789	2	4,574
17V-028	32	0	0	277	0	1,531
17V-068	0	0	0	0	0	0
17V-449	240	4	12	2,374	9	6,366
18V-044	13	0	0	246	0	589
18V-401	22	0	0	565	0	943
18V-452	0	0	0	0	0	1
20V-008	364	7	0	1,538	2	3,498

While this volume of VINs is relatively small in relation to the overall Takata affected population, Nissan believes it is important to accurately account for them. For applicable VINs in these sub-categories, Nissan intends to close the recall due to the fact that the affected Takata airbag is no longer a safety risk for the affected vehicle (VIN). Leaving the recall open when the Takata airbag is no longer present may create confusion and unintended consequences in the future. For example, the VIN look-up and CarFax report would continue to reflect an open recall for a VIN no longer affected. New owners, IRFs, insurers and other third parties could be frustrated by inaccurate notices of a need to replace an airbag inflator that is no longer with the vehicle, increasing the risk that recall notices will not be deemed credible. Additionally, as the industry is working with state legislators and DMVs to notify owners of open recalls or even restrict re-registration of vehicles with open recalls, the unnecessarily open recalls may hinder these important efforts.

Closing the recall after confirming the Takata airbag is no longer a risk will improve the reliability of recall data for all parties who reference it. In addition, Nissan is better able to focus outreach efforts on customers with vehicles still on the road and affected by the defective Takata airbags, prepare and allocate parts supply more efficiently, and report more accurate recall completions in accordance with ACRO Paragraph 45.

Deployed, missing, or incorrect airbag

These are vehicles for which Nissan has confirmed the affected Takata airbags have deployed or are missing, or are not the original equipment and therefore the affected Takata airbags no longer pose a safety risk to the affected vehicle (VIN). In our review of records to date, only six (6) vehicles eligible for this sub-category are due to incorrect airbag. Evidence of deployed, missing or incorrect airbag is collected from a variety of sources, including but not

limited to, salvage yard engagement, auction records, incident investigation reports, canvas agent records and dealer records. Photo evidence and owner signatures are obtained whenever possible; however, if not available, Nissan will assess if available documentation is sufficient. For example, an authorized Nissan dealer submits a Dealer Campaign deferment form indicating that upon inspection of the vehicle, it was confirmed the affected Takata passenger airbag is missing. Photo evidence and owner signature were not included with the form, but given the dealer record, Nissan will consider the form itself sufficient. Due to the fact that the affected Takata airbag is no longer a safety risk for the affected vehicle (VIN), Nissan will close the recall for this VIN, documenting the reason for closure as "Deployed, missing, or incorrect airbag".

Potential data inclusion

- RAS – deployed, missing with photo evidence
- DRN/MS – agent report of deployed, missing with proper documentation
- Dealer Campaign deferment form – deployed, missing, incorrect
- HBP – deployed
- General Order rupture allegation reports, airbag incident claims – deployed

Retrieved through salvage

These are vehicles for which Nissan has confirmed the affected Takata airbags have been collected from salvage yards and subsequently destroyed, permanently removing them from the stream of commerce. Evidence of the airbag collection, inflator tie-in to VIN, and disposal are provided to Nissan through its engagement with Rebuilders Automotive Supply. Due to the fact that the affected Takata airbag is no longer a safety risk for the affected vehicle (VIN), Nissan will close the recall, documenting the reason for closure as "Retrieved through salvage".

Potential data inclusion

RAS – recovered

Nissan intends to implement use of the expanded other category as defined above, beginning with the December 18, 2020 Takata Dashboard and subsequent quarterly completion reporting. If you have any questions, please feel free to contact me.

Very truly,



Tara Underwood

Senior Manager, Technical Compliance

Cc: Joshua Neff