



U.S. Department
of Transportation
National Highway
Traffic Safety
Administration

Auto Safety Hotline

Vehicle Owner's Questionnaire

NATIONWIDE 1-800-424-8983
DC METRO AREA (202) 368-0123
INTERNET: <http://www.nhtsa.dot.gov>

Use a No. 2 pencil or a blue
or black ink pen only.
CORRECT MARK: ☒

FOR AGENCY USE ONLY

Date Received

Order _____
Ref: _____
Ref: _____
Ref: _____

Reference No.

OWNER INFORMATION (Type or Print)

DAYTIME TELEPHONE NUMBER

ENTER ZIP CODE

ZIP CODE + 4

AREA CODE

Do you authorize NHTSA to
provide a copy of this report to the
manufacturer of your vehicle? ☒ Yes
☐ No

In the event you wish to provide your name and address to the vehicle manufacturer,

SIGNATURE OF PRINCIPAL

24 DEC 02
DATE

VEHICLE INFORMATION

VEHICLE IDENT. NO. (VIN) located at bottom of windshield on driver's side

VEHICLE MAKE

VEHICLE MODEL

MANUFACTURE DATE

MODEL YEAR

VEHICLE MANUFACTURER

☒ BMW ☐ Ford ☐ Honda ☐ Nissan ☐ Subaru ☐ Volvo ☐ Other _____
☐ DaimlerChrysler ☐ General Motors ☐ Hyundai ☐ Saab ☐ Toyota ☐ VW

PURCHASE DATE

☒ New
☐ Used

DEALER'S NAME

CITY

STATE

ZIP CODE

ENGINE SIZE

FUEL SYSTEM

FUEL TYPE

TRANSMISSION TYPE

ANTILOCK BRAKES

RESTRAINT SYSTEM

ORANGE CONTROL

NO. CYLINDERS

☐ Turbo ☐ Diesel ☒ Gas

☒ Manual ☐ Automatic

☒ Yes ☐ No

☒ Driver's Side Airbag ☐ 2-Point Belt
☒ Passenger's Side Airbag ☐ Motorbelt
☒ 3-Point Belt

☒ Yes ☐ No

DRIVETRAIN

VEHICLE TYPE

DOORS

BODY STYLE

☐ Front ☐ 4-Wheel
☒ Rear

☒ Car ☐ Minivan ☐ Truck ☐ Other _____
☐ Van ☐ Sport Utility ☐ Motorcycle

☒ 2-Door ☐ 4-Door

☐ Hatchback ☒ Sedan
☐ Pick Up Truck ☐ Station Wagon

FAILED COMPONENT(S)/PART(S) INFORMATION

COMPONENT

☐ Child Seat
☐ Electrical Lights & Alarms
☐ Engine & Cooling System
☐ Equipment
☐ Fuel System, Exhaust
☐ Heater, Defrost, Ventilation
☐ Interior
☐ Parking Brake
☐ Power Train
☐ Service Brakes
☐ Steering
☐ Structure
☐ Suspension
☐ Visual Systems
☒ Other engine fire

NO. OF FAILURES

1 0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

INCIDENT DATE

4/26/02

MILEAGE AT INCIDENT

40,125

VEHICLE SPEED AT INCIDENT

0

FAILED PART(S)

☒ Original
☐ Replacement

To report defective or failed tires provide the following: Tire Brand, Tire Name, Tire Size (include all number and letters).

TIRE NAME

COMPLETE TIRE SIZE

TIRE BRAND

☐ BF Goodrich
☐ Cooper
☐ Firestone
☐ Goodyear
☐ Kelly Springfield
☐ Michelin
☐ Yokohama
☐ Other _____

HANDICAPPED ADAPTIVE

☐ Yes ☒ No

FAILED PART(S) AVAILABLE?

☐ Yes ☒ No

NHTSA PREVIOUSLY CONTACTED?

☐ Yes ☒ No

APPLICABLE INCIDENT INFORMATION

Please describe in detail the incident(s), failure(s), crash(es), and injury(ies) on the back of this form.

CRASH

☐ Yes ☒ No

FIRE

☒ Yes ☐ No

NUMBER OF PERSONS INJURED

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

NUMBER OF FATALITIES

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20

CAUSE OF INCIDENT

☐ Wear/Corroded/Rust ☐ Nuts
☐ Weak/Poor Fit/Loose ☐ Leaks
☐ Cut/Torn ☒ Short
☐ Disconnect/Fall Off ☐ Locks/Sticks/Grabs
☐ Erratic/Poor Performance ☐ Stability/Vibration
☐ Excessive Effort ☐ Broken

RESULT OF INCIDENT

☒ Explosion/Fire
☐ Loss of Control
☐ Poor Visibility
☐ Inadvertent Start
☐ Rollover
☐ Stalls
☐ Sudden Acceleration

Narrative description of incident(s), failure(s), crash(es), location(s), and injury(ies). Include additional accidents if applicable.

Vehicle fire resulting in total loss due to manufacturer's defective design. See attached

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 75173 WASHINGTON, D.C.

POSTAGE WILL BE PAID BY NATL. HWY. TRAFFIC SAFETY ADMIN.

U.S. Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NSA-10.01
400 7th Street, SW
Washington, DC 20590

U.S. Department
of Transportation
National Highway
Traffic Safety
Administration

400 Seventh St., S.W.
Washington, D.C. 20590

Official Business
Penalty for Private Use \$300

Continue on additional page if necessary.

Describe any additional incidents. (Include date and mileage)

The Privacy Act of 1974—Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

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NS Form 350 (Rev. 8/99)



VEHICLE OWNER QUESTIONNAIRE (V)

DOT AUTO SAFETY HOTLINE

TO REPORT VEHICLE SAFETY DEFECTS
COMPLETE THIS FORM
OR

DASH 2 DOT

and dial toll free at

1-888-DASH-2-DOT

1-888-327-4236

DOT Auto Safety Hotline
(DASH) 2 DOT



U.S. Department of Transportation
National Highway Traffic Safety
Administration

www.nhtsa.dot.gov/hotline

Complete and return or place in your car manual for future use

20 December 2002



U.S. Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NSA-10.01
400 7th Street, SW
Washington, DC 20590

I purchased my fourth BMW, a new 2000 BMW M Roadster in August 1999. My 2000 BMW M Roadster was a pleasure to drive... and was truly as promoted "the ultimate driving machine," until an unfortunate turn of events 16 November 2000.

I officiate college basketball throughout Florida, Alabama, Georgia and Mississippi. While driving home, westbound on Interstate I-10 on a stormy 16 November 2000 night, I came upon a pool of rainwater near Holt, Florida. I hydroplaned, spun off the road and wound up off the road on the right shoulder stuck in mud up to my vehicle doors. Fortunately, I was not injured; just shaken. I had my M Roadster transported to a local towing facility in Crestview, Florida. Sandy Sansing BMW, Pensacola, Florida is the closest authorized BMW Service Center to my home in Cantonment, Florida approximately 10 miles away. The next day, my M Roadster was transported to Sandy Sansing BMW.

I stopped by Sandy Sansing BMW on 17 November 2000 to check on the status of my car, I was surprised and confused to learn from Ms. Elaine McKnight, the Sandy Sansing BMW General Manager, that my M Roadster with 18,500 miles on it, was being worked on at the Sandy Sansing Chevrolet Body Shop. Somewhat concerned, I spoke to Mr. James Reid, the service advisor /estimator at this award winning facility, who let me know that they worked on all cars there for this dealership and while many BMW owners feel their BMWs are special cars, "really they're just like any other car." He anticipated no problems and again reiterated they worked on all cars. On 27 November, Mr. Reid informed me the parts were in except for the rims (that were out being remanufactured). On 30 November, I requested that [REDACTED] look in to replacing the rims instead of remanufacturing. On 06 December, [REDACTED] said the rims were back from being remanufactured and that my M Roadster should be ready for pick up by 08 December. On 08 December, [REDACTED] said my M Roadster may be ready 11 December. On 11 December, [REDACTED] said the paint needed to dry before the vehicle would go to the alignment shop. I noticed a heat lamp on the right rear wheel. The rim had been "touched up" due to scratches that occurred to the rim during the remounting of the tires. On 13 December, [REDACTED] said the service sensors were being reset and my M Roadster

was being buffed out. Finally, on 15 December 2000, I picked up my repaired M Roadster.

While waiting for my M Roadster to be repaired, I did some research to find the best possible wet weather tire that I could purchase to replace the tires on my M Roadster. I ordered these new tires from Tires Plus, 8969 Pensacola Boulevard. When I picked up my M Roadster on 15 December 2000, I drove straight to Tires Plus to get these new tires mounted. While mounting the tires, some of the paint chipped away from the remanufactured rims. This was unacceptable. I immediately went back to Sandy Sansing to complain. I then went home, called my State Farm insurance claim representative [REDACTED] and by 31 January 2001, my rim issue had been resolved with a new set of rims.

I also noticed the right rear exhaust muffler, which had been replaced by [REDACTED], was about an inch shorter than the left rear exhaust muffler. I went back to [REDACTED] again. They contacted BMW and discovered the exhaust muffler design had been changed and eventually ordered and replaced the left rear exhaust muffler.

I got the impression that a competition existed between [REDACTED] Body Shop and the BMW Service Center over who would get paid for the work rather than as a team who could achieve satisfactory results to a claim.

In October 2001, with 15000 miles on the \$1000.00 tires I had purchased in December 2000, I noticed the tires had worn completely bald on the inside of both rear wheels. Fortunately, I had kept the original tires and the difference in tire wear was dramatic. I first went to Tires Plus. [REDACTED] indicated there appeared to be a problem with my M Roadster, and that this was abnormal tire wear. I went back to Sandy Sansing. I was told by [REDACTED], the [REDACTED] Body Shop Manager the alignment was within specs; that the dealer had no way of adjusting the alignment on this vehicle, and the abnormal tire wear was probably due to my driving habits. I got a printout of the alignment specs (copy provided upon request) from Sandy Sansing, went back to Tires Plus and showed [REDACTED] these specs. [REDACTED] said the printout proved something was not right with my alignment. I again went back to Sandy Sansing, but was told nothing could be done. After discussing the issue with my State Farm agent [REDACTED], and the State Farm claim representative [REDACTED], I visited Baughn Alignment Service to get another opinion. After further discussion with the State Farm representatives, I took my M Roadster to the next closest BMW service center, Quality Imports, Fort Walton Beach, Florida, 75 miles away.

In November 2001, Quality Imports fixed my abnormal tire wear problem. They discovered the right rear trailing arm was bent. The parts were ordered, the repairs were done and the tires were replaced with new tires (I also kept the badly worn tires...just in case). They provided a before and after printout of my alignment specs (copies provided upon request).

From January 2001 through April 2002, I was at [REDACTED] BMW at least eight times for various electrical problems (blown fuses, inoperative gauges, air conditioning problems, power windows/door locks, radio malfunction and instrument cluster). While driving to work April 26 2002, my M Roadster caught fire. After the fire was extinguished by the firemen, my M Roadster started moving forward; no driver, no key. One of the firemen quickly reached in the moving vehicle, put the car in neutral and pulled the emergency brake as hard as he could to stop my M Roadster from moving. Subsequently, the battery was disconnected and the potential for any more damage was eliminated. My vehicles are garage kept and had this happened while my M Roadster was parked in the garage, and my family was asleep, the results would have been tragic and perhaps fatal. This fire occurred approximately 5 miles from the Sandy Sansing dealership so BMW sent out a transporter and transported my M Roadster to Sandy Sansing.

On 02 May 2002, the [REDACTED] BMW general manager [REDACTED] let me know that BMW of North America was sending someone out to inspect my M Roadster. I was given a point of contact [REDACTED], a BMW of North America National Customer Relations Representative who indicated a BMW representative would be coming to [REDACTED] to inspect my M Roadster. A BMW representative [REDACTED] (last name unknown) came to inspect my M Roadster on 09 May.

I met [REDACTED] on 09 May. He mentioned "human error" when we talked about vehicle repairs and said he had found some things but was not at liberty to tell me. [REDACTED] indicated [REDACTED] had obtained the parts list from work done on my M Roadster and indicated to her that there was a possibility that the auxiliary fan may not have been reinstalled correctly. He said the wiring under the air box does not come from the factory like that and he thought the body shop that did my repair work reinstalled this wiring incorrectly. [REDACTED] also told me "off the record" that he found it odd that no fuses had blown. [REDACTED] said [REDACTED] was wrong as she had seen many cars from the factory wired that way and that she had discussed this with [REDACTED], the BMW Regional Field Service Technician and he agreed.

On 15 May, [REDACTED] told me that he felt sorry for the trouble I had been through but regretted having to tell me that nothing attributable to the manufacturer was found to have caused the fire. I received a BMW of North America letter (enclosure (1)) that indicated a misrouting of a wiring harness led to the fire.

I returned to Sandy Sansing to talk with [REDACTED] on 15 May. She indicated she would get in contact with Mr. Dubose to discuss the BMW letter I received and my M Roadster. I received a phone call on 29 May from a [REDACTED], the [REDACTED] Risk Manager. He said that [REDACTED] had noticed other BMWs with wiring harnesses routed like mine. He told me my best bet was to go ahead and file a claim with my insurance company. I asked [REDACTED] for a letter or something stating Sandy Sansing's position albeit the BMW letter (enclosure (1)) and was told by [REDACTED] that my insurance company had the professionals and would conduct an investigation, and if my insurance company required such a letter he would provide it. My phone calls

and attempts to gain an appointment with [REDACTED] (since he's the face we see in the local media advertisements) to discuss this issue were all refused. [REDACTED] returned my calls saying he handled these situations, and that this was "his baby." With approximately 40,000 miles on my M Roadster, State Farm declared it a total loss.

While State Farm conducted their investigation, I made attempts to get a replacement M Roadster. I was provided no assistance from BMW or [REDACTED]. I ordered my new M Roadster from Quality Imports. Two months and a \$750.00 rental car bill later, I purchased my fifth BMW at full MSRP a new 2002 BMW M Roadster from Quality Imports.

On 08 November 2002, I received a letter from State Farm (enclosure (2)). The letter clearly places liability for this incident on BMW and [REDACTED]. For the most part, I have been in constant contact with State Farm since my accident in 2000. If necessary, I am sure that [REDACTED] has a very detailed record of my claim. My 2000 BMW M Roadster was still under factory warranty when this incident occurred. BMW and [REDACTED] should have replaced my M Roadster. I should not have incurred any expense or inconvenience. I was forced to use vacation leave from work (my coworkers have named a new type of leave – car leave), incurred added expenses (including insurance deductible and rental car bills) while struggling to find a similar new BMW M Roadster.

BMW and [REDACTED] both frequently use local and national advertisements that include the words "premier," "quality" and "ultimate" to reflect the highest quality product and degree of customer satisfaction and care. I feel I received no such care from either party. If BMW was responsible by making a product that was not safe nor free from any defects, or a vehicle that has a flawed design defect, then BMW should have replaced my M Roadster at no cost to me; if [REDACTED] was responsible by not correctly repairing my M Roadster, then [REDACTED] should have replaced my M Roadster at no cost to me; and if both BMW and [REDACTED] were responsible, then both should share in replacement of my M Roadster at no cost to me. I eagerly await compensation from either or both parties. In addition, based on the State Farm findings, I am now concerned about my 2002 BMW M Roadster. I worry whether this same manufacturing design flaw exists in my 2002 BMW M Roadster. To date, I have received no correspondence from BMW nor [REDACTED]. I greatly appreciate any and all assistance you can provide me in my efforts to achieve a fair and satisfactory resolution.

**THE ATTACHMENTS TO THIS
DOCUMENT HAVE BEEN REMOVED
TO PROTECT UNWARRANTED
INVASION OF PERSONAL PRIVACY
PURSUANT TO EXEMPTION 6 OF
THE FREEDOM OF INFORMATION
ACT (FOIA), 5 U.S.C. 552(b)(6).**