

10103922

2004 NOV 30 AM 10:21
Peachtree City, GA
November 16, 2004

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

Sirs,

I have submitted a complaint (ODI # 10100062), in reference to a 1994 BMW
325i, VIN # WBABJ5328 I own.

I have mailed BMW of North America (see letters dated October 29 and
November 16) requesting their assistance to remedy this mechanical condition
that I personally deem UNSAFE.

I'm asking for any assistance you might be able to provide in this matter.

Thank you for your time and consideration. Should you have any questions feel
free to contact me at the above address or

Sincerely,

Memo
12/2/04

Peachtree City, GA
November 16, 2004

BMW of North America, LLC
ATTN: Customer Relations (Isaac)
P.O. Box 1227
Westwood, NJ 07675

Sirs,

This is a follow up to my letter dated October 29, 2004, reference the 1994 BMW 325i, VIN # WBABJ5328R. I own.

In a phone conversation with Isaac on November 12, 2004 it was recommended that the car be taken to the nearest BMW dealer to verify that the transmission is defective per BMW TSB # 23 02 99. A copy of the Dealer invoice is enclosed.

I asked Isaac if BMW would consider cost sharing a portion of the labor, or possibly selling parts at cost. I was told to take this up with the dealer or field representative.

Hank Aaron BMW said they would defer to BMW of North America for any cost sharing of this repair.

I'm asking for your help in resolving this situation. The car presents a safety hazard while negotiating Atlanta congested traffic.

Thank you for your time and consideration. Should you have any questions feel free to contact me at the above address or nowakj@comcast.net.

Sincerely,

CF:
National Highway Traffic Safety Administration,
Clark Howard - Consumer Advocate
Hank Aaron BMW

Peachtree City, GA
October 28, 2004

BMW of North America, LLC
ATTN: Customer Relations
P.O. Box 1227
Westwood, NJ 07675

Sirs,

I own a 1994 BMW 325i, VIN #WBABJ5328R. This car has 126,000 original miles and was purchased from the original owner (Major Keith Jaminet) as a college graduation gift for my son, Johnathan.

MAJ Jaminet disclosed that the car "jumps out" of 1st gear when he sold it. I wanted to have the transmission repaired because I consider it a Safety hazard when driving in congested Atlanta traffic. I want the car to drive like a BMW should.

MAJ Jaminet was not aware that BMW issued a technical service bulletin (TSB # 23 02 99 – incorrectly machined guide sleeve). Had he been aware, he would have fervently pursued repairs in an expeditious manner once the facts were revealed.

I'm asking for your help in resolving this situation. Hank Aaron BMW of Union City, GA is my closest dealer.

Thank you for your time and consideration. Should you have any questions feel free to contact me at the above address or nowakj@comcast.net.

Sincerely,

Transmission and Drivetrain: All Technical Service Bulletins

M/T - Jumps Out of 1st & 2nd Gear Under Load

Group 23

Manual Transmission

Bulletin Number

23 02 99

Woodcliff Lake, NJ

March 1999

Product Engineering

SUBJECT:

Transmission Jumps Out of 1st or 2nd Gear Under Load

MODEL:

E36 with 85D-250G (Getrag manual transmission) and M42 M44, M50 or M52 engines.

Situation:

The transmission may jump out of 1st or 2nd gear with engine load.

Cause:

The guide sleeve for 1st and 2nd gear may have been incorrectly machined on Getrag 85D-250G transmissions installed on E36 vehicles with the above listed engines produced up to 4/98.

A new machining process for the 1st and 2nd gear guide sleeve which eliminates the above situation on all 85D-250G transmissions was introduced in production on vehicles produced from 4/98.

Correction:

If a customer complaint is received, first verify that the external gear shift linkage and clutch system are operating properly. Refer to S.I. 23 01 99 for diagnostic tips.

If the external gear shift linkage and the clutch system are functioning correctly and the problem of 1st or 2nd gear jumping out is still present, the transmission should be replaced.

Procedure:

Refer to the appropriate repair manual group 23 for transmission removal and installation instructions.

Note:

As outlined in 8.1.23 01 99 Esso UNIREX 82 grease BMW part number 83 23 9 416 138 should be used on the tapered splines and guide section of the transmission input shaft before installation.

Parts Information:

All Getrag 85D-250G transmissions in PDC inventory incorporate the new 1st and 2nd gear guide sleeve machining process which eliminates the above situation.

Warranty Information:

Covered under the terms of the BMW New Car Limited Warranty.

Defect Code: 23 D0 90 08 D0

Main Work

Labor Operation: 23 00 032 Installing Exchange Transmission.

Or

Associated Work

Labor Operation: +23 00 532 Installing Exchange Transmission

Labor Allowance: See appropriate Flat Rate manual for labor allowance.

Note:

The following explanations will spell out the correct use of the work times.