



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

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

MAY 4 - 2006

[REDACTED]
Sacramento, CA [REDACTED]

NVS-216 mrc
Ref No. 10150847

Dear [REDACTED]

We appreciate the report you provided. Reports from motorists are a very important source of information for us. Thank you for your correspondence, concerning your Model Year (MY) 1980 BMW 320i vehicle. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation (ODI) received your correspondence on February 6, 2006. We regret any inconvenience our delay in responding may have caused you.

The National Highway Traffic Safety Administration (NHTSA) is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or items of motor vehicle equipment when our investigations indicate that they contain serious safety defects in their design, construction, or performance. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect may exist. We cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

Information submitted by vehicle owners using Vehicle Owner's Questionnaires (VOQ's) are automatically entered into our complaint database, and data is then available to NHTSA's Office of Defects Investigation investigators for review and analysis to determine whether an investigation is warranted. Due to the volume of VOQ's received and limited agency resources, NHTSA cannot respond to the submitters of these questionnaires. We apologize for any confusion this may have caused you.

We sympathize with you concerning the service problem you reported; however, this does not fall under our jurisdiction. If you have not done so, you may consider contacting your local Consumer Protection Agency, Better Business Bureau, or the California Office of the Attorney General regarding your problem.

The Federal Trade Commission (FTC) has jurisdiction over non-safety defects, paint, fraud or deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways you can contact the FTC: by toll free telephone at 1-877-FTC-



DOT AUTO SAFETY HOTLINE
888-DASH-2-DOT
888-327-4236

HELP (1-877-382-4357); by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at <http://www.ftc.gov/ftc/complaint.htm>.

Automobile emission problems should be directed to the Environmental Protection Agency (EPA). You may contact the EPA by writing to:


Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Mail Code 3213A
Washington, DC 20460

If it can be determined through our analysis and investigation that a safety-related defect exists in motor vehicles, a manufacturer would be required to recall those motor vehicles regardless of the warranty status. However, under our statute of limitations, we cannot require a manufacturer to exercise any recall without charge for motor vehicles beyond 10 years of age. This 10-year limitation applies only to the manufacturer's responsibility to repair a defect free of charge as part of a safety recall campaign under the Federal statute.

You can contact our toll-free NHTSA Vehicle Safety Hotline (Hotline) at 1-888-DASH-2-DOT (1-888-327-4236). One of our representatives may be able to assist you on matters concerning motor vehicle and motor vehicle equipment safety recalls or to report an alleged safety problem. You can also request safety information. If our telephones are busy, or you call during non-working hours, you can leave your name, telephone number, and a brief subject on our recording system. A Hotline representative will return your call.

Additionally, we have an Internet Web site at <http://www.nhtsa.dot.gov> that you may want to visit. An electronic Vehicle Owner's Questionnaire (VOQ) is also available on this Web site at <http://www.nhtsa.dot.gov/ivoq>. This form is for vehicle owners to report safety related problems about their motor vehicles or motor vehicle equipment, e.g., child safety seats, jacks, tires, brake fluid, etc. The reports submitted are transferred to our database and are used to identify safety-related defect trends that require our attention. If you do not have access to the Internet, please use the enclosed VOQ to inform this agency of any future motor vehicle or motor vehicle equipment safety problems you may experience. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc., can be obtained at <http://www.nhtsa.dot.gov/cars/problems>.

Sincerely,


Alberto A. Jimenez, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement