

NOV 23 2010

Nov. 15, 2010

BMW Canada
920 Champlain Court
Whitby Ont. L1N 6K9
Attn: Mr. Richard Peyton

Re: How I FEEL – BMW QUALITY SUCKS

I am an extremely dissatisfied/unhappy BMW owner. I feel that BMW Canada has been very irresponsible with regards to my concerns about the safety and quality my BMW automobile. I have contacted BMW Canada on three occasions with regards to the fuel leak my vehicle has developed and the faulty quarter panel taillight/ brake light/ signal light assembly. I am of the opinion that BMW is an irresponsible corporate citizen who has chosen to put corporate profits ahead of the health and safety of their customers.

I have found a couple of ways to express my disappointment with regards to what I consider to be the irresponsible behaviour of BMW Canada concerning the safety and quality of their automobiles. I currently own three BMW automobiles. A 2001 BMW X5, a 2003 BMW 330i and a 2003 BMW M3 convertible.

1. I am quite dissatisfied with the response of BMW Canada, when I brought up the safety issues I was having with my BMW automobile. Mr. Peyton, of BMW Canada, was wise (sarcasm) and courteous enough to remind me when my warranty period on the BMW was and that I should/could go to their authorized BMW representative and **AT MY EXPENSE** pay for having the safety issues repaired. I have decided to never purchase another BMW automobile.
2. I have attached a photo of my BMW X5 and BMW 330i with the following message attached to the glass "**BMW Quality SUCKS**". This is how I truly feel about the safety and quality of the BMW automobiles that I presently own. There is not a picture of the BMW M3 because the car is parked for the winter.

I hope that this feedback and the actions I have resorted to; may motivate BMW Canada to be a more responsible corporate citizen, when a customer raises a safety issue. In my opinion BMW Canada's corporate responsibility for public safety extends beyond the warranty period. Fuel leaks in the 21 century are unacceptable. **Public safety is a "Cradle to Grave" corporate responsibility.**

I have a few other reasons for being dissatisfied with the treatment / service I have experienced from BMW and BMW Canada and their authorized representatives:

3. In my July correspondence to BMW Canada, I asked for a copy of **Bulletin 138204**, which is an internal BMW correspondence that deals with my issue; leaking fuel injectors on this model. I

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sense that BMW is trying to hide information regarding design flaws. This is very deceptive behaviour. BMW Canada is showing disregard and disrespect for the health and safety of their customers. If BMW Canada honestly and sincerely does care about their customer's safety, **then I request again that BMW provide a copy of this Bulletin?**

4. I own a 2003 GMC pickup, almost 200,000 km. on it. I recently had the speedometer/ instrument cluster fail on it. When I phoned a GM's authorized representative about the cost replacing this part, they said "Bring It In" and they replaced it for free. I had a similar experience with regards to the cables for the tailgate. WOW this kind of service and these issues are not near as important of a safety/ health issue as a fuel leak and faulty tail lights.
5. I have bought two of my current BMW's from the USA. I waited 66 days to get an appointment at the dealership for a Recall Statement. The Authorized BMW dealership forced me to request a recall statement and a CAR FAX and insisted on inspecting the car, At a cost of \$500, (The vehicle had already had an out of province and out of country inspection completed). Then, it took BMW Canada another 9 days to forward a copy of the Recall Statement to the dealership. BMW Canada is unethically profiting from regulations established by Transport Canada that were designed to protect the consumer; not another method for BMW Canada to screw over the consumer.

I would like to share my experience with importing a 1999 Corvette from the USA. I took my documents to the authorized GM dealership and they immediately gave me a Recall Statement at NO Cost. I understand that there is a small cost for this service now.

6. I paid a premium price for a BMW automobile. I expected superior quality, superior product and a superior automobile. My driving experience has not been like that. If you are interested, I am willing to share the maintenance / quality issues I have with the other BMW vehicles, which range from discoloured exterior rear view mirrors, door handles and power window failure to just a strong dislike to an SMG transmission.

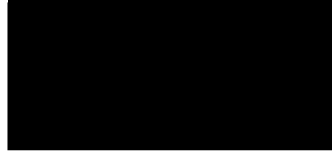
I hope that you understand and respect that I have enough knowledge and experience to understand the difference between mechanical issues, quality issues and safety issues, maintenance issue and servicing issues. In this correspondence I have only discussed what I consider to be safety issues. Minor items like the trait for BMW , exterior rear view mirrors to discolour/separate from the mirrored material was not brought up because it is minor compared to the issues associated with the fuel leaks and tail lights malfunctioning.

I have taken the initiative to repair both of the fuel leak and the faulty taillight design on my own. I have attached a couple of attachments to this correspondence summarizing the issue and what I had to do to resolve the problem. I hope that BMW Canada will be able to possibly apply some of this knowledge in the future, when they are dealing with complaints from a customer.

BMW Canada, are you certain that your response to date is the best way to address the safety concerns I have expressed? I request that these issues be discussed with your design team and your upper management. This is a really serious issue that you are trying to sweep under the table. I hope

that your initial response is not really indicative of BMW's corporate policies and procedures. Actually, I am requesting a copy of BMW policies and procedures with regards to safety and the motoring public, via this correspondence.

Regards



Cc: Transport Canada, 330 Sparks St. Ottawa, Ont. K1A 0N5

BMW Germany



NHTSA, US Dept. of Transportation, Washington, DC, 20590

BMW North America, LLC, PO Box 1227, Westwood, New Jersey 07675-1227

Joe Bruno – BMW Canada

Dan Florey – BMW Canada

PS: There has been NO mechanical damage to the car to justify / cause these quality issues.

ATTACHMENT NO. 1

TAILLIGHT/BRAKE LIGHT / SIGNAL LIGHT MALFUNCTION FAILURE

[REDACTED]
[REDACTED]
Calgary, Alberta, Canada [REDACTED]

Ph. [REDACTED]

ISSUE: Initially the issue with the 2003 BMW 330 I, appeared to be inconsistent operation of the RHS signal light. This issue expanded and both LHS and RHS signal lights failed. Eventually it became apparent that almost all lights of the lights in the LHS and RHS, quarter panel taillight assembly failed, with the exception to trunk illuminating lights. I want to clarify that trunk lid taillight assemblies continued to be operational. I have attached a **Photo 1** – Rear view picture of the car with head lights turned on and the four way flashers operational.

Safety Concern: As a motorist I have an obligation to inform/communicate to the general motoring public when I plan to change direction and stop etc. If these tail light malfunction, I should be able to do a “plug and go repair”. By this I mean all I should be expected to do is replace a bulb. As a consumer, I feel I should not have to reengineer, redesign something that is poor quality.

Observation: Eventually, four light sockets/bulbs out of five were nonoperational. The only light functioning was interior trunk illumination lamp. This was true of the LHS and the RHS of the automobile.

Comments: I had difficulty to trouble shoot this initially because the problem was with only the RHS signal lite and then it surfaced on the LHS signal lite and then the light illumination issue spread to all of the all of the lights in the LHS and RHS quarter panel tail light assemblies (with the exception of the trunk illumination light). If I wiggled the wiring harness connection, they would operate. I never became suspicious of the grounding of the lights because the trunk illumination light was always operational. Refer to **Photo 2** – Shows taillight assembly removed from quarter panel and lights not functioning except trunk illumination light.

Actions Taken: This rear tail light illumination issue was trouble shot on many occasions. Below is a summary of some of the steps taken.

1. Checked the bulb and replaced with new bulb. On NO occasion did I ever find the problem to be a burned out bulb.
2. Wiggled contact point where the wiring harness is inserted into the rear tail lamp carrier assembly. This would resolve the issue only for a short time. Refer to **Photo 3** where I am

pictured applying pressure to the wiring harness/tail light assembly in order to get the light to function.

3. Purchased and installed electrical conductivity grease to all contact points. Also used a Dermal/Rotary Tool to polish and clean the contact points.
4. Contacted the authorized BMW parts department and learned that BMW has a retrofit tail light assembly available.
5. Two new quarter panel, tail lamp assemblies were purchased and installed.
6. Shortly afterwards the problem resurfaced again. I have researched this item on the internet, spoke to many people and given this problem a substantial amount of thought. Based upon past experience building a fiberglass kit car, I decided to improve the ground to the tail light assembly. Refer to **Photo 4**, depicting where I have attached a 16 gauge wire to the ground portion of what I refer to as the tail light assembly "printed circuit board". I have attached this ground directly to the negative post of the battery terminal.

I am pleased to say that after 2 years of frustration, I have been able to resolve/fix BMW's design flaw. In my opinion public safety is important and these quality / safety issues should be addressed and remedied. Please put this in your file as an issue that other consumers may need some assistance with.

PHOTOGRAPHS



Photo 1 – Rear View of Tail Lights with Head Lamps on and 4 Way Flashers Operating. Only the lights in the trunk lid are operational



Photo 2 – LHS Rear Tail Light Assembly , tail lights a 4 Ways on, connected but not working.



Photo 3 – Tail Light working with pressure applied to tail light / wiring harness connection. When pressure was removed tail light would malfunction.



Photo 4 – This shows the modification made to the tail light assemblies to improve the grounding of the tail light assembly.

ATTACHMENT NO. 2

FUEL LEAK / FUEL INJECTOR FAILURE BMW 330I

By [REDACTED]
[REDACTED]
[REDACTED]

Calgary, Alberta, Canada [REDACTED]
[REDACTED]

ISSUE: The issue with the 2003 BMW 330 I, was initially that there was the smell of gasoline around the engine compartment and inside the passenger compartment when the temperature went below -25 deg. C. This problem worsened to the point that there was always the smell of gasoline inside the passenger compartment, no matter what the operating temperature was. Also indications of gasoline would collect on the snow, under the engine, in the winter time.

Health, Safety and Environment Concerns:

- My first concern, is that because of this faulty fuel injector, fuel was leaking onto the ground and then eventually leaking into the rain water / storm water system.
- Of less severity, is the concern that my BMW was consuming more fuel then it should have.
- My next issue has to do with my safety concern. There was fuel, in a liquid and vapour state leaking into the engine compartment. Based upon my limited knowledge, the electronics within the engine compartment are not explosion proof. This could have caused a fire.
- My last concern, is with regards to the personal health of the driver and the passenger. These individuals should not be exposed to gasoline fumes for an extended period of time. There is also the added concern, with regards to the operating performance/mental alertness of the driver, while being exposed to gasoline fumes.

Comments: Initially, this fuel leak issue was extremely difficult to troubleshoot, because it would only occur when the outside temperature dipped below -25 deg. C. If the car was taken into a service garage it would disappear because of the warmth of the shop. However during the winter of 2009/10 and spring of 2010, the fuel leak issues were present during all operating conditions. The car was parked for the summer months of 2010.

Actions Taken: When the issue of a fuel leak, during cold weather operation first occurred, I contacted Transport Canada and BMW Canada immediately. Transport Canada sent an individual out to look at the vehicle, but the ambient temperature was too warm to facilitate duplication of the fuel leak.

I do not recall the response from BMW Canada, but I am sure that BMW Canada did not take any ownership for the issue and did not offer any solution that would impact BMW Canada financially.

Since voicing my initial concern, I have contacted Transport Canada and BMW Canada on two more occasions, when the fuel leak issue reoccurred the following winter and continued to occur under all driving conditions. BMW Canada response was to remind me that my BMW had a 4 year warranty expired and that Calgary's, authorized BMW would be willing to enter into a contract with me, where I would be financially accountable for the repair. An individual from Transport Canada phoned and stated that I was accountable for having the repair completed and that I was responsible for the cost.

I am pleased to say that after 2 years of frustration, I have been able to resolve/fix BMW's mechanical flaw. In my opinion public safety is important and these quality / safety issues should be addressed and remedied, by the manufacturer. Please put this in your file as so that this complaint will not be continued to be treated as a one off occurrence and never be addressed as a safety issue.

Since appealing to BMW Canada and Transport Canada for assistance with addressing this issue, I have researched the topic on the internet and applied my technical/mechanical skills to resolve the issue. I have taken the necessary steps to resolve the issue. Here is a brief summary of what I did to resolve the fuel leak issue.

1. I studied the subject on the internet.
2. I purchased replacement O-rings for the fuel injector rail and the port to the intake manifold.
3. I disassembled the engine enough so that I could determine that the source of the leak was cylinder no. 5 fuel injector.
4. The upper and lower O-rings, of fuel injector no. 5, were replaced and the fuel system reassembled and tested. The leak was still present.
5. A new fuel injector was purchased from BMW and installed. This time the fuel leak issue was resolved. The BMW 330 I have been operational for almost 1 week with out any fuel leak issues.
6. This was just an observation, but I observed that the original O-rings are smaller than the replacement O-rings. I was able to determine this because the protective caps for the new fuel injector were snug coming off of the new fuel injector. However when I put the caps onto the faulty injector, the protective caps would fall off.

Conclusion: There is a defect in this fuel injector cartridge that causes gasoline to leak into the engine compartment. The owner of this vehicle is of the opinion that vehicles that are slightly over 4 years old should not develop fuel leaks. Actually, in my opinion, automobiles should never develop fuel leaks within the life cycle of the car. This is a serious Health, Safety and Environmental issue that should be addressed. Rather than letting it just be swept under the table by allowing it to happen and letting a consumer resolve the issue. God only knows, how many faulty fuel injectors have been replaced by BMW's authorized representative and nothing has ever been documented.

Photographs



Photograph 1 – It is difficult to see with the lighting I had, but there is quite noticeable dampness/darkness due to gasoline leak around fuel injector no. 5.

BMW
known to cover up what is
done to engine & engine to
be good to someone and someone
to know what is covered up
BMW

P.S. If anyone is suing BMW
on these safety issues I would
be glad to discuss my experience





