

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C . 552(B)(6)

EQ-10430777-1707

From: [Wells, Cynthia CTR \(NHTSA\)](#)
To: [Fogle, Brenda CTR \(NHTSA\)](#)
Subject: FW: FW: NHTSA: Follow up to ODI Complaint: 10430777
Date: Monday, October 31, 2011 10:08:50 AM

Report Vehicle Safety Defects!



www.safercar.gov

From: Williams, Maritza CTR (NHTSA) **On Behalf Of** DataQuality, DataQuality (NHTSA)
Sent: Monday, October 31, 2011 10:02 AM
To: Wells, Cynthia CTR (NHTSA)
Subject: FW: FW: NHTSA: Follow up to ODI Complaint: 10430777

From: [REDACTED]
Sent: Saturday, October 29, 2011 2:37 PM
To: DataQuality, DataQuality (NHTSA); EVOQ (NHTSA)
Cc: [REDACTED]
Subject: Re: FW: NHTSA: Follow up to ODI Complaint: 10430777

As instructed in your email, corrections and additions were made and faxed to your number
(202) 366-1767:

[REDACTED]

purchased: 8/26/2011
New Motors 1 814 868-4805
Erie, PA 16509
six cylinders
gas
auto transmission
anti lock brakes
cruise control
power train 3.0 L I6 Turbo charged AWD
failure Mileage when towed to nearest authorized BMW dealership: 9323
failure speed: car at rest. full stop. Transmission in drive gear.

On three occasions, while the car transmission was in DRIVE gear and while at a FULL stop, the engine speed precipitously increased towards FULL throttle. The accelerator pedal was NOT touched and the floor mat was in the Velcro position as installed by the New Motors Dealership (we had not moved it and it did NOT interfere or contact the accelerator pedal). None of the three episodes were the result of driver error. NONE.

The car was NEVER written up by Gault BMW in Endicott, an authorized dealership, as they told me that they were instructed to leave the car for BMW specialists. The car remained at that dealership for 23 days and I had Gault BMW do the required NYS inspection prior to my taking possession. That indicated 7 miles total were added to the odometer by BMW special safety engineer investigations -- BMW said they felt it was driver error or the mats but not fault of the vehicle and therefore they did NOT find anything to "fix."

We are owners of a 2008 model of the exact BMW series car and are familiar with the vehicle and

report to you these are factual episodes of unexpected accelerations "cause unknown" and are NOT result of driver error.

If it happens again, BMW asked that we contact them immediately and I will also contact your office.



In a message dated 10/28/11 7:19:47 A.M. Eastern Daylight Time, EVOQ@dot.gov writes:

Please see the attached copy of your recent complaint and instructions. Please make any necessary edits and return via email to dataquality@dot.gov or fax to (202) 366-1767. Due to the volume of complaints we receive and our limited resources, we cannot respond to every complaint.

NHTSA/Office of Defects Investigation