

CL-10439549-3900

JAN 3 2012

[REDACTED]
Edmonds WA [REDACTED]
December 20, 2011

Nancy L. Lewis
National Highway Safety & Traffic Administration
NVS-216
1200 New Jersey Ave SE – West Building
Washington DC 20590

RE: Complaint No. 10439549

Dear Ms Lewis:

Thank you for your letter dated December 14, 2011. I appreciate the acknowledgment of my November 28, 2011 petition to open an investigation into BMW motorcycle final drives installed on K1200LT models. Hopefully, the data I provided will be helpful in your investigation.

I have also reviewed the data entered by NHSTA to the website database regarding just my petition and found several inaccuracies. First, the failure described in my complaint occurred October 21, 2011, not December 1, 2008 as listed in the complaint log. While I did reference a prior bearing failure in December 2008, the bearing and seal failure that resulted in saturated brakes occurred October 21, 2011. In addition, the vehicle identification number is WB10555A31Z [REDACTED]

I also noticed that NHSTA arbitrarily selected POWER TRAIN as the component for my petition. In your letter, you stated that NHSTA does not modify consumer complaints. However, it appears that NHSTA can *subjectively* determine the component under which to report a complaint filed, which may explain the wide disparity of 18 different components selected to describe the same single component failure.

Hopefully, the investigator assigned to this matter is more detail oriented and than the data entry team as I have contacted several BMW specific motorcyclist organization with national membership, including BMW Motorcycle Owners of America and BMW Riders Association, representing over 40,000 US consumers. I have urged their members (voters) to contact their government representatives to follow up on this issue to ensure that NHSTA is thorough this time and doesn't simply misfile my petition with the other 145 filed with no outcome to remedy this continuing, dangerous and eventually deadly defect. I have also contacted two national news organizations who are also following this matter to determine if NHSTA procedures are adequate to meet its purpose and protect consumers. With all of the scrutiny into NHSTA operations following the recent Toyota vehicle recalls, I am sure you can appreciate their interest as well.

I look forward to the results of NHSTA's review within the next 30 days. It is my sincere intention that NHSTA will shine in its performance and help consumers find a reasonable solution to a safety defect the manufacturer and its dealers continue to deny and, in fact, continue to profit from the repeat sales and installation of potentially defective components. Ideally, NHSTA action and remedy can occur before the 10 year "look back" period excludes the majority of the K1200LT model years affected.

[REDACTED]

Attachment

✓ CC: Frank S. Borris, Director, Office of Defects Investigation

NH
010412
16W



Complaints - Search Results

1 Record(s) Displayed.

Report Date : December 20, 2011 at 10:14 AM

ODI Numbers Searched : 10439549

Make : BMW

Model : K1200LT

Year : 2001

Manufacturer : BMW OF NORTH AMERICA, LLC

Crash : No

Fire : No

Number of Injuries: 0

ODI ID Number : 10439549

Number of Deaths: 0

Date of Failure: December 1, 2008

VIN : Not Available

WB105554312

Component: POWER TRAIN

SUBJECTIVE, SELECTED BY NHTSA

Summary:

2001 BMW K1200LT. REQUEST FOR INVESTIGATION INTO BMW MOTORCYCLE FINAL DRIVE FAILURES *TGW THE CONSUMER STATED WHEN HE ATTEMPTED BRING THE MOTORCYCLE TO A SAFE STOP, HE DISCOVERED THE REAR BRAKES DID NOT WORK, WHICH FORCED HIM TO USE THE FRONT BRAKES ONLY, WHICH EXTENDED HIS STOPPING DISTANCE. HE WAS ABLE TO BRING THE BIKE TO A SAFE STOP WITHOUT INCIDENT. UPON INSPECTION, HE REALIZED THE REAR BRAKES FAILED BECAUSE THEY WERE SATURATED IN GEAR OIL, THAT LEAKED FROM THE FINAL DRIVE UNIT AFTER THE FINAL DRIVE BEARING SEAL FAILED. THE FINAL GEAR CROWN GEAR BEARING FAILED, CAUSING METAL PARTS TO BE CRUSHED BETWEEN THE SPINNING GEARS, TEARING THE SEAL AND ALLOWING THE OIL TO LEAK. THE CONSUMER STATED IT WAS THE SECOND TIME THE FINAL DRIVE BEARING FAILED ON HIS BIKE. *JB UPDATED 12/13/11*JB

1200 New Jersey Avenue, SE, West Building Washington DC 20590 USA
1.888.327.4236 TTY 1.800.424.9153



CORRECT DATE OF
FAILURE IS 10/21/11

Edmonds WA

EVERETT WA 98201

20 DEC 2011 PM 4 T



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