

 INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6) DOT Auto Safety Hotline Vehicle Owner's Questionnaire To Report Vehicle Safety Defects 1-888-DASH-2-DOT (1-888-327-4236) INTERNET: www.nhtsa.dot.gov/hotline		FOR AGENCY USE ONLY 100148	
U.S. Department of Transportation National Highway Traffic Safety Administration		Date Received MAR 23 2012	Repository ☐
		18-JAN-2012	Reference No. 10444433
OWNER INFORMATION (Type or Print)			
Name [REDACTED]		Daytime Telephone Number [REDACTED]	E-mail Address
Address [REDACTED]		Evening Telephone Number	
City HENDERSON	State NV	Zip Code [REDACTED]	
The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).			
VEHICLE INFORMATION			
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side		Make MINI	Model COOPER
Date Purchased		Dealer's Name and Telephone Number	Model Year 2011
Original Owner ☐	Dealer's City	Engine: No: Cylinders	Fuel Type:
State	Zip Code		
Transmission Type	☐ Antilock Brakes ☐ Cruise Control	Powertrain	Incident Date(s) 11-JAN-2012
Multiple Failure:			
FAILED COMPONENT(S)/PART(S) INFORMATION			
Vehicle Component Code: 100000 POWER TRAIN		Failure Mileage 5000	Failure Speed
ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE			
Tire Make	Tire Model (Name or Number)	Tire Size (Example P215/65R15)	
DOT No. (Example: DOTM19ABC036)	☐ Original Equipment ☐ Prior Repair	Failure Location:	
Tire Component Code		Tire Failure Type:	
ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE			
Make:	Date Manufactured:	Model No./Name:	
Seat Type:	Installation System:		
Child Seat Component Code:		Failed Part:	
APPLICABLE INCIDENT INFORMATION (Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies).)			
Crash ☐ Yes ☒ No	Fire ☐ Yes ☒ No	Number of Persons Injured	Number of Deaths
		Reported to Police N	
Narrative Description of Incident(S), Crash(es), and Injury(ies). Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e., parts repaired or replaced (and if old part is available).			
TL* THE CONTACT OWNS A 2011 MINI COOPER. THE CONTACT STATED THAT THE GEAR LINK BECAME STUCK AS THE CONTACT WAS ATTEMPTING TO REVERSE FROM A DRIVEWAY. THE VEHICLE WAS TAKEN TO THE DEALER AND THE CONTACT WAS ADVISED THAT COFFEE HAD LEAKED INTO THE GEAR SHIFTER AND CAUSED THE FAILURE. THE DEALER STATED ADVISED THAT BECAUSE THE CUP HOLDER WAS ABOVE THE GEAR SHIFTER, THE DESIGN WOULD ALLOW ANY SPILLED LIQUID TO EASILY ENTER THE SHIFTER. THE VEHICLE WAS NOT REPAIRED. THE VIN WAS NOT AVAILABLE. THE FAILURE MILEAGE AND THE CURRENT MILEAGE WAS 5,000. See Attachment			
Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.		ATTACH ADDITIONAL SHEETS IF NECESSARY	
The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.			

Attachment to Complaint.

I wish to add some important info to the complaint I've recently received and the one I gave orally over the phone to your agency.

While unable to take a clear photo, I want to describe and try to draw the cup holder that sits right over the electric part that Mini-Cooper says was destroyed by a coffee spill. Proof was a stain on the part. No causal connection was made. Secondly, I have reviewed the warranty and asked for any warranty exclusion not provided that excludes this type of damage. To date, none has been provided and it is not excluded from the warranty provided to me when I leased the vehicle 5,000 miles ago.

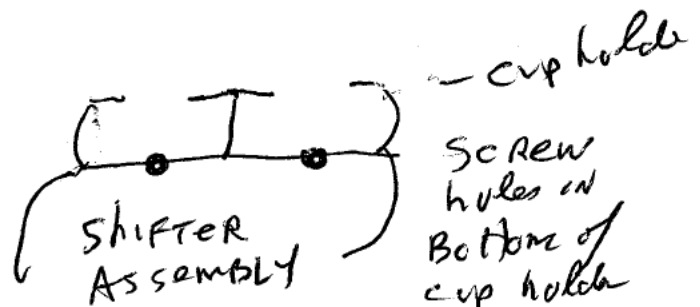
As I noted, the coffee holder sits right over the area where Mini Cooper says coffee ruined the transmission part. It is not sealed and the placement of a liquid holder over a vulnerable expensive piece of electrical equipment without adequate protection is negligent design. Perhaps more importantly, the cup holder is affixed to the car, over the part that was ruined, by two screws, one in each cup area bottom. It is not sealed. So any liquid that is spilled in the cup holder seeps through the screw holes. They are not sealed. The master mechanic who did the work, states this in his attached letter in a clear manner.

When I called BMW about this problem, they admitted, as did the mechanic at the dealership, that it was poor design but I am bound by the warranty and it was my "tough luck." They refused to listen to what I have provided you with and were quite rude. My brother is an automotive engineer with GM and he told me he had never seen such a cup-holder set up.

Please contact me if you have any questions or need further information.

Sincerely,

Henderson, NV





Kensington Motor Cars

3871 S. Valley View Blvd. #4 Las Vegas, NV 89103
Office (702) 222-0444 * Fax (702) 222-4401
info@kmenv.com

December 28, 2011

Re: 2011 Mini Cooper

VIN: WMWSU3C52BT [REDACTED]

To Whom It May Concern;

The above mentioned vehicle was towed into our shop with a shifter assembly malfunction. Our diagnostics found that coffee had seeped onto the steptronic micro switch component, which is a part of the shifter assembly, through the cup holder. The cup holder sits directly above this device. Should you have any questions please feel free to use the contact information provided above.

Sincerely,

Trish Brown
Manager
Kensington Motor Cars

Kensington Motor Cars

3871 S. Valley View Blvd. Unit #4

Las Vegas, NV

89103

Tel.#: (702) 222-0444 FAX: (702) 222-4401

CUSTOMER

Henderson, NV

C#: B#:

VEHICLE

2011 MINI COOPER Base

Plate :

Odomtr: 5,219

V.I.N.: WMWSU3C52BT

Unit #:

Engine:

INVOICE ADMIN.

INV # : 3372

Date : 12/28/2011

Time :

PO # :

REG # :

Qty	Description	Parts Ea.	Tot.Parts	Labor	Tx	Total	C
1.00	Shifter Assembly	489.90	489.90		TX1	489.90	
	Replaced shifter assembly.			457.60	TX1	457.60	

WO# 2457

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Estimate for Repairs

Shifter Assembly - \$489.90

Battery - \$117.95

Labor - \$457.60

Tax - \$49.24

Toatl - \$1,114.69

PAID BY:...

12/28/2011 Visa 987.18

Sub Tot.	489.90	457.60	947.50
		TX1	39.68
			0.00
		Deductible	0.00
		Total	987.18

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CUSTOMER #: 4421499

62869

Desert MINI of Las Vegas

INVOICE

5750 WEST SAHARA AVE.
LAS VEGAS, NEVADA 89146
(702) 947-4401

HENDERSON, NV

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HOME: [REDACTED]
BUS: [REDACTED]CONT: [REDACTED]
CELL: [REDACTED]

SERVICE ADVISOR: 4360 JOHN ASTLE JR

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG
PURE SILVER	11	MINI COOPER	WMWSU3C52BT		5220/5220	T4937

DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
22NOV10 DD			18:00 19DEC11			CASH	19DEC11

R.O. OPENED	READY	OPTIONS:	STK:BT	DLR:21294	ENG:1.6L_4_Cyl
09:10 19DEC11	14:55 19DEC11	TRN:A			

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
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DSTS CUSTOMER ADVISED VEHICLE TRANSMISSION NEEDS
SERVICE. CUSTOMER OPTED NOT TO PERFORM AT
THIS TIME.

PARTS:	5660	C9				0.00	0.00
	0.00	LABOR:	0.00	OTHER:	0.00	TOTAL LINE C:	0.00

5220 REQ PERFORMED MPI. GBK GTIRE

ON BEHALF OF SERVICING DEALER, I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS ACCURATE UNLESS OTHERWISE SHOWN. SERVICES DESCRIBED WERE PERFORMED AT NO CHARGE TO OWNER. THERE WAS NO INDICATION FROM THE APPEARANCE OF THE VEHICLE OR OTHERWISE, THAT ANY PART REPAIRED OR REPLACED UNDER THIS CLAIM HAD BEEN CONNECTED IN ANY WAY WITH ANY ACCIDENT, NEGLIGENCE OR MISUSE. RECORDS SUPPORTING THIS CLAIM ARE AVAILABLE FOR (1) YEAR FROM THE DATE OF PAYMENT NOTIFICATION AT THE SERVICING DEALER FOR INSPECTION BY MANUFACTURER'S REPRESENTATIVE.

STATEMENT OF DISCLAIMER

The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

DESCRIPTION	TOTALS
LABOR AMOUNT	0.00
PARTS AMOUNT	0.00
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	0.00
MISC. CHARGES	0.00
TOTAL CHARGES	0.00
LESS INSURANCE	0.00
SALES TAX	0.00
PLEASE PAY THIS AMOUNT	0.00

(SIGNED) DEALER, GENERAL MANAGER OR AUTHORIZED PERSON (DATE)

CUSTOMER SIGNATURE