



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

May 10, 2012

[REDACTED]

Oceanport, NJ [REDACTED]

NVS-216 nam
Ref. No. 10449879

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2003 BMW 325i vehicle. Your correspondence was received by the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation.

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 motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. In order to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect trend may exist. We do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

You state that in January 2012, a dealer told you that your MY 2003 BMW 325i was included in NHTSA Safety Recall Campaign No. 11V-438. The recall addresses a problem with MY 2003 BMW 325i rear quarter panel tail lamps. However, in 2009 and 2010 you paid to have the tail lamps replaced. You request that BMW reimburse you for the entire amount of the repair cost and pay a refund that is owed to you.

Federal regulations require a manufacturer conducting a safety recall of motor vehicles or motor vehicle equipment to reimburse owners who have paid to obtain a remedy for the problem within a reasonable time, which in many instances is one year, prior to the manufacturer's notification. Certain restrictions apply, including the need to submit certain documents to the manufacturer. Owners should follow the instructions in the recall notification letter to file a claim. In addition, our statute does not require manufacturers to reimburse owners for costs associated with a safety recall (e.g., lost wages while the vehicle is being repaired, car rentals, damage caused by the defect, etc.). Nor does the statute authorize the Federal government to reimburse vehicle owners for any costs associated with safety recalls or assist vehicle owners in obtaining reimbursements for costs associated with an alleged defect. We recommend that you continue to work with BMW and your local dealer for assistance. The information you provided has been entered into our database and will be considered with future reports to identify any safety defect trends that may require our attention. For your information, the investigation and recall process can be found on our web site at www.nhtsa.gov.

Should you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, we would appreciate it if you would complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Auto Safety Hotline at 1-888-327-4236.

Sincerely yours,



Randy Reid, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement