

 INFORMATION ACT (FOIA) 5 U.S.C. 552(B)(6) U.S. Department of Transportation National Highway Traffic Safety Administration		FOR AGENCY USE ONLY 100148 Date Received 09-MAR-2012 APR 09 2012	
Vehicle Owner's Questionnaire To Report Vehicle Safety Defects 1-888-DASH-2-DOT (1-888-327-4236) INTERNET: www.nhtsa.dot.gov/hotline		Repository ☐ Reference No. 10451018	
OWNER INFORMATION (Type or Print)			
Name		Daytime Telephone Number	
Address		E-mail Address	
City	State	Zip Code	Evening Telephone Number
HARBOR CITY	CA		
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	Model
WBAPH5G52B		BMW	328I
Date Purchased	Dealer's Name and Telephone Number	Engine:	Fuel Type:
8/3/2011	South Bay BMW 310/939-7300	No: Cylinders	
Original Owner	Dealer's City	State	Zip Code
☒	18800 Hawthorne Blvd.		4
Transmission Type	☐ Antilock Brakes	Powertrain	Multiple Failure:
	☐ Cruise Control	Torrence, CA 90504	Incident Date(s)
			09-SEP-2011
FAILED COMPONENT(S)/PART(S) INFORMATION			
Vehicle Component Codes: 010000 STEERING, 162000 STRUCTURE: BODY		Failure Mileage	Failure Speed
Engine Vibration Problem		300	45
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 0	Number of Deaths 0
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 BMW 328I. THE CONTACT WAS DRIVING 45 MPH WHEN THE STEERING WHEEL STARTED TO VIBRATE ALONG WITH THE FRONT END OF THE VEHICLE. THE VEHICLE WAS TAKEN TO THE DEALER. THE CONTACT ALSO STATED THAT ON ONE OCCASION, THE TRUNK OPENED WHILE DRIVING 80 MPH. THE MANUFACTURER WAS CONTACTED BUT THE VEHICLE WAS NOT REPAIRED. THE FAILURE MILEAGE WAS 300 AND THE CURRENT MILEAGE WAS 8,000.			
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.			



Pacific BMW

800 SOUTH BRAND BOULEVARD
GLENDALE, CA 91204
Direct Service Line (818) 552-4725
SERVICE DEPARTMENT HOURS
MONDAY - FRIDAY 7:00 A.M. TO 6:30 P.M.
SATURDAY 7:00 AM TO 4:00 PM
RESERVATIONS SUGGESTED

IMPORTANT: REMOVE ALL PERSONAL PROPERTY
AND VALUABLES FROM YOUR VEHICLE. WE DO
NOT ASSUME RESPONSIBILITY FOR LOSS OR
DAMAGE FOR ARTICLES LEFT IN YOUR VEHICLE.

By law, you may choose another licensed smog
check facility to perform any needed repairs or
adjustments which the Smog Check test indicates
are necessary.

BAR# ARD-00252726

CAD# 000159086

Owner/Driver Information:

82669
HARBOR CITY, CA

Home Phone:

Work Phone:

Contact Phone:

Date/Time Received 3/9/2012 9:12 am
Mileage In 8,843
Mileage Out 8,844
In Service Date 12/31/9999
Production Date
Date Completed 03/10/2012

E-mail(H):

E-mail(W):

Service Order

R001153293

License Number

Tag Number

9849

Year, Make, Model	VIN	Unit Id	Ext Color	Service Advisor
1981 BMW 328	WBAPH5G52B N	183911	WHITE	DANNY
Description / Item	Qty	Price	Extended	

CONCERN #1 TYPE: W

Condition CUSTOMER STATES THAT SOME TIMES THE TRUNK DOES NOT CLOSE, IT BOUNCES
BACK, CHECK AND REOPORT.

Cause

Correction verified concern. opened/closed trunk several times and trunk lock actuator was not locking
completely. removed and replaced faulty trunk lock actuator. concern no longer present.

WARR WARRANTY REPAIR

0.00 Tech: 9807

DANNY

Trunk lid lock, with micr

001B/51247840617

1

CONCERN #2 TYPE: W

Condition CUSTOMER STATES THAT SOME TIMES WHEN THE CAR IS COLD OR WHEN IT SITS FOR
A FEW HOURS IT VIBRATES A LOT AFTER IT IS STARTED, IT HAPPENS EVEN MORE
WHEN THE STEERING WHEEL IS TURNED CHECK AND REPORT.

Cause

Correction could not duplicate concern. started vehicle several times and no vibration is felt. connected battery
charger and performed vehicle short test. found no faults related to the engine driveability stored in
the memory. kept vehicle overnight and performed a cold start, could not verify concern.

WARR WARRANTY REPAIR

0.00 Tech: 9807

DANNY

CONCERN #3 TYPE: INSVS

Condition TIRE PRESSURE CHECK AND INFLATE SERVICE: TIRES ARE NOT RECOMMENDED AT
THIS TIME

Cause

Correction filled to manufactor spec
32 psi front
39 psi rear

3699 WHEELS MISC

0.00 Tech: 9807

DANNY

CONCERN #4 TYPE: INSVS BY:

Condition COMPLIMENTARY 32 POINT VISUAL INSPECTION

Cause

Correction

99 32 POINT INSPECTION/TIRE INSPECTION

0.00 Tech: 9807

DANNY

Jeld 1158988

Service Order Originated on: 3/9/12

Invoiced on: 3/10/12

Service Repair Order Number: R001153293 Customer:

NOTICE TO CONSUMER: PLEASE READ IMPORTANT INFORMATION ON REVERSE SIDE. ALL CHECKS SUBJECT TO APPROVAL



Pacific BMW

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GLENDALE, CA 91204
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Service Order

R001153293

Tag Number

9849

Description / Item	Qty	Price	Extended
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CONCERN #5 TYPE: INSVS

Condition PACIFIC BMW COURTESY LOANER CAR. \$79.95 PER DAY CHARGE AFTER DUE DATE.
CHARGES OCCUR 12 HOURS AFTER CONTACT: CUSTOMER IS RESPONSIBLE FOR ANY
PARKING VIOLATIONS AND DAMAGES TO THE VEHICLE.

Cause

Correction

LOANER PACIFIC BMW COURTESY LOANER CAR. \$79.95 PER DAY 0.00 Tech: 9807 DANNY
CHARGE AFTER DUE DATE. CHARGES OCCUR 12 HOURS
AFTER CONTACT

CONCERN #6 TYPE: W

Condition CUSTOMER STATES THE GPS DOES NOT GET THE RIGHT ADDRESS WHEN INPUT,
CHECK AND REPORT.

Cause

Correction could not duplicate concern. input several addresses and nav system is operating as designed.

WARR WARRANTY REPAIR 0.00 Tech: 9807 DANNY



Pacific BMW

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GLENDALE, CA 91204
Direct Service Line (818) 552-4725

THIS FORM IS AN ITEMIZED LIST OF REPAIRS AND IS
PART OF THE ORIGINAL REPAIR ORDER. THIS
REPAIR ORDER CONTINUATION IS SUBJECT TO ALL
THE TERMS AND CONDITIONS OF THE ORIGINAL
ORDER.

Original Estimate: \$165.00

Revised Estimate: \$ Not revised

Labor: 0.00
Parts: 0.00
Fluids: 0.00
HazMat: 0.00
Sublet: 0.00
Misc Charge: 0.00
Subtotal: 0.00
Less: 0.00
Tax: 0.00

Please pay this amount

Total: \$0.00

I acknowledge notice and oral approval of an increase in the original estimate price. CUSTOMER ACKNOWLEDGES RECEIPT OF A COPY HEREOF

Customer's

X

TERMS: Cash or we accept the following credit cards. VISA | MASTER CARD We reserve the right to refuse any personal checks

Jeld 1158988

Service Order Originated on: 3/9/12

Invoiced on: 3/10/12

Service Repair Order Number: R001153293 Customer:

NOTICE TO CONSUMER: PLEASE READ IMPORTANT INFORMATION ON REVERSE SIDE. ALL CHECKS SUBJECT TO APPROVAL

[REDACTED]
[REDACTED]
Harbor City, CA [REDACTED]

November 27, 2011

Ludwig Willisch, President and CEO
BMW of North America, LLC
300 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

Dear Mr. Willisch,

I am writing this letter regarding my 2011 BMW 328i Sedan, which I purchased on August 3, 2011. Let me just say that the entire experience has not been what I expected from such a reputable company as BMW. I work for Toyota, so I was under a lot of pressure to purchase a Lexus instead of a BMW. You can imagine how much I trusted and liked BMW.

I purchased the 2011 BMW 328i Sedan at South Bay BMW dealership in Torrance, California on August 3, 2011. During the vehicle purchasing process, I clearly told the salesperson that I am not good with directions, and the Navigation System is very important for me. I paid \$2,100 for the Navigation System.

Soon after I started driving the BMW 328i Sedan, I found that the Navigation System didn't allow me to enter 95% of the addresses. Sometimes, it gave me the totally opposite directions. I tested it with so many different addresses in Southern California and the failure rate is more than 95%. In the meantime, I tested the same addresses on Tom-Tom, Garmin, Honda/Acura, Toyota/Lexus and Yahoo Map, Google Map, and iPhone etc. and they worked perfectly.

September 9, 2011: I brought my BMW 328i to the shop for the following problem:

1. Navigation System Problem

I described the problem to the service consultant, Kevin Smuckler, and asked whether they could reload the Navigation System software. Kevin refused to do so. His reason was that the addresses that I was entering were new addresses, and I needed to wait for a software update. I explained to him that 95% of the addresses that were unable to be input into the Navigation System and majority of them were not new addresses. The software updates would not resolve the problem. He kept dodging my questions. I talked to the service manager, and finally they agreed to reload the Navigation software. Despite this, the Navigation System still doesn't work.

A couple of days later, I found that my vehicle was vibrating, and I heard noise from the vehicle's front end in the morning, while the vehicle was in motion. The vibrations were so intense that at first I thought that it was an earthquake. I did some research online, and found that my vehicle's

problems are exactly the same as the BMW September 2011 Recall for the 2011 BMW 328i & 335i sport sedans. (Please see attachment.)

In the meantime, I found that my BMW trunk latch would not close after I opened it. I have to press the unlatch key in order for it to close.

November 12, 2011: I brought my BMW 328i back to the shop again for three problems:

1. Navigation System Problem
2. Vibration and Noise Problem
3. Trunk latch can't close after opening

The service consultant Kevin Smuckler informed me that he would not address Navigation System problem and I needed to wait for a software update. I explained to him that the Navigation System didn't take 95% of the addresses and a software update is not the solution. He told me that the shop could not fix it. He refused to put in a repair order for it.

Regarding the other two problems, he didn't know what they were, and he asked lead technician Greg Taniguchi. Greg test drove my vehicle with me. He said that he experienced the same problems with BMW vehicles before. He needed to keep my vehicles for a couple of days to fix it.

On November 16, 2011, the service consultant Kevin Smuckler called me to pick up my vehicle. On the phone, he told me that the technician adjusted the trunk stoppers and also adjusted the idle. Kevin further said that the technician Greg Taniguchi signed off for my vehicle, stating that the vibration is normal for my vehicle. When I came to the shop to pick up my vehicle and asked for a copy of the sign-off paper, I was informed by the Service Consultant Kevin Smuckler and the Service Director Jeremy Guenther that I was not entitled to the sign-off paper.

After a couple of days of driving, I found that the problems were not fixed. The trunk latch would not close after opening until the lock was unlatched/double latch. The vibration and noise problem were still on-going. The Navigation System still didn't work.

November 17, 2011: I contacted Michael Discepolo at the Customer Relations Department of BMW of North America. I described to him the problems that my vehicle has. He asked me what outcome I would like to have. I informed him that I would like the manufacturer to buy back the vehicle at the full purchase price. On November 21, 2011, Michael Discepolo called me back, and told me that the regional sales manager refused to buy back my vehicle.

November 26, 2011: I brought the vehicle back again to the shop for the three problems:

1. Navigation System Problem
2. Vibration and Noise Problem
3. Trunk latch can't close after opening

I described these problems to the same service consultant Kevin Smuckler. Again, he said that he wouldn't address the Navigation System problem, and asked me to wait for a Navigation software update. He brought the technician by the name of Esvin to talk with me. They took my vehicle

away, and asked me to wait. They didn't give me a loaner, as they did twice before. I was confused. Fifteen minutes later, I was informed my vehicle was ready. I asked him how they could fix the vibration problem without diagnosing it. I was informed that they only adjusted the trunk bump stops. I asked them why they didn't take care of my other problems. I was informed that the vehicle never had a vibration problem. I asked them if my vehicle never had vibration problem, why the technician adjusted the idle on November 16, 2011, and why the technician Greg Taniguchi signed off on my vehicle. I asked them to provide me with the paperwork for the work that they did on that day. Kevin Smuckler refused to provide me any paperwork, because he said that my vehicle didn't have problems. I asked him that if my vehicle didn't have problems, why the technician performed some work on my vehicle. Kevin then told me that he needed his manager's permission to provide me with any paperwork. Then he asked me to come back later to pick up the paperwork. Then he asked me to wait until he took care of all the other customers who were arriving after me. Finally, he provided me paperwork only indicating the trunk adjustment they did that day. I requested him to write down the problems for which I brought in the vehicle. He refused to do so.

I am disappointed with the South Bay BMW service department and very frustrated with my BMW 328i Sedan's unresolved problems, in addition to the time that I took off work and the inconvenience caused in my life. I want the BMW manufacturer to buy back my 2011 BMW 328i Sedan at the full purchase price.

I look forward to your positive reply to my request, and will wait until 12/15/2011 before seeking help from a California Lemon Law Attorney, the National Highway Traffic Safety Administration (NHTSA), and a consumer protection agency or the Better Business Bureau. Please contact me at the above address or at my cell phone: [REDACTED]

Sincerely,
[REDACTED]

Enclosure(s)



Harbor City, CA

♡♡



US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NVS-210
1200 New Jersey Avenue SE.
Washington D.C. 20077-9382

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