



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

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

1200 New Jersey Avenue, SE
Washington, DC 20590

September 25, 2012

[REDACTED]

New York, New York [REDACTED]

Dear [REDACTED]

NVS-216 nlm
Ref. No. 10476084

Thank you for your correspondence concerning your model year (MY) 2011 BMW 328i vehicle. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence.

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. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency 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. However, we do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

You noticed that your MY 2011 BMW 328i recorded 106.1 miles on a trip that only recorded 103.4 miles on the same trip in another vehicle. You believe that this may be a system wide design flaw with BMW vehicles and want to make NHTSA aware of this problem.

A review of our database relative to problems associated with MY 2011 BMW 328i vehicles revealed no reports of problems similar to that which you encountered; therefore, there is insufficient evidence to warrant opening a safety defect investigation at this time. The information you provided has been entered into our database. It will be considered with future reports to identify any safety defect trends that may require our attention.

You may consider contacting the Federal Trade Commission (FTC). The FTC has jurisdiction over non-safety defects, paint, fraud or deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways to contact the FTC: by toll free telephone at 1-877-FTC-HELP (1-877-382-4357); by mail at Federal Trade Commission,

CRC-240, Washington, DC 20580; and by using the Internet complaint form at www.ftccomplaintassistant.gov

Should you encounter a safety-related problem with a motor vehicle or item of motor vehicle equipment in the future, you can complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.dot.gov/ivoq. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at www.nhtsa.dot.gov/cars/problems.

Sincerely,

A handwritten signature in black ink that reads "Randy Reid". The signature is fluid and cursive, with the first name "Randy" and last name "Reid" clearly distinguishable.

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