



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

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

June 14, 2013

[REDACTED]

Alameda, CA [REDACTED]

NVS-216 nlm
Ref. No. 10510079

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2012 Mini Cooper Countryman vehicle. Your correspondence was received by the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. We regret any inconvenience our delay in responding may have caused you.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair motor 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. We do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

You indicate that your MY 2012 Mini Cooper vehicle stalled in traffic. After some delay, your vehicle was towed to a dealer and evaluated. The dealer told you the fuel pump sensor and fuel pump failed and the vehicle was repaired. You searched NHTSA's web site for recalls and reports of similar incidents. You have experienced anxiety because of the incident and would like to have your vehicle exchanged for another vehicle.

We have reviewed our database in an effort to identify whether a safety defect trend exists with regard to fuel system problems that cause stalling in MY 2012 Mini Cooper vehicles. At this time, there is insufficient evidence to warrant opening a safety defect investigation or initiate a safety recall. 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. The NHTSA investigation and recall process is on our web site at www-odi.nhtsa.dot.gov/recalls/recallprocess.cfm.

Your request to have your vehicle exchanged for another vehicle does not fall under our jurisdiction. If you have not done so, you may consider contacting your local Consumer Protection Agency or the California Office of the Attorney General regarding your problem and rights under the State law. You may also ask your dealership for a meeting with a BMW/Mini district manager regarding your problem. In addition, the Better Business Bureau (BBB) Auto Line offers free mediation/arbitration to resolve warranty disputes under guidelines established by the Federal Trade Commission. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. You can visit their web site at www.bbb.org to file a complaint and review eligibility information, or call the BBB Auto Line at 1-800-955-5100.

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. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at our web site.

Sincerely,

A handwritten signature in cursive script that reads "Randy Reid".

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