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Torrington, CT
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February 26, 2016

National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
West Building
Washington, D.C. 20590

MAR 10 2016

RE: 2007 BMW K1200 R SPORT RECALL

Dear Sir/Madam:

I had previously made a complaint with your Administration on April 16, 2014 with sixteen pages of complaints of safety defects in BMW's recent production motorcycles, reported on the internet from a multitude of owners.

Since my letter to you of April 16, 2014, I have been able to obtain more information which discloses the inherent danger to motorcycle riders who have purchased BMW motorcycles which BMW has refused to disclose.

The complaints submitted are only a sample of complaints regarding the defective ABS Modulator System on recent BMW production motorcycles which is a critical safety problem which BMW has ignored.

I am one of the owners of a 2007 K-1200 R Sport with a defective ABS Modulator that resulted in a crash and permanent injury on August 26, 2012.

The BMW 2007 K-1200R models, as well as other BMW models with ABS brakes have reported many premature brake failures in the ABS system which involves a fault code... "no power to ABS pump", caused by sticking brushes in the motor which powers the ABS pump. The problem has been so common that BMW dealers have been replacing the entire BMW ABS2 (ABSII) module, (BMW's second generation of motorcycle ABS) in the hundreds and perhaps thousands of motorcycles, at a cost of over \$2,000 per unit.

BMW's replacement of the ABS module, with its own, is guaranteed by BMW for 2 years. The defect which caused the failure has not been published to the riding public. There is no warning to the rider when the module fails that the ABS braking system is inoperable and the problem is often intermittent. The brake warning light does not caution the operator that the ABS system is inoperable when the power to the pump is interrupted and thus creates a dangerous condition when the rider relies on the ABS system when applying the brakes as instructed in the Rider's Manual.

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The described defect in the BMW's ABS system has become so common that Module Master, a company independent from BMW, has developed a business rebuilding the BMW ABS modules and repairing the defect for \$350 versus BMW part replacement for approx. \$2,000, plus installation. Module Master warranties its rebuilt BMW module for five years versus BMW's warranty for 2 years.

BMW dealers, including Max BMW, has been sending its modules to Module Master and has warranted the modules rebuilt by Module Masters for five years. Max has sent over a hundred modules in the past year to Module Masters and the number of BMW modules that have failed is probably in the thousands.

Although BMW and its dealers were aware of its ABS failure in its ABS2 (ABSII) and knew that such failure presented a dangerous risk to its riders, they have failed to publish notice of the dangers which were caused by its design defect and have not recalled its motorcycles for replacement of the module.

When the ABS system cuts out during the operation of the K-1200R and the front brake is applied, as directed by the Rider's Manual, the braking is not transferred to the rear brake and if the road surface is compromised by loose material, the front wheel will lock up and cause the bike to skid out of control.

The foregoing description of the design and manufacturer's defect is not only documented but is endemic to the BMW models. Module Master is the evidentiary source to establish product liability against BMW.

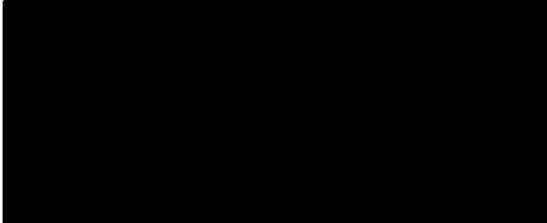
The brake caution light does not alert the rider that the ABS system is down and the brakes still work under normal operation under ideal road surface conditions, but not if there is any sand or loose material on the road and you apply the front brake, because the front wheel will skid and kick out if the braking is not transferred to the rear wheel.

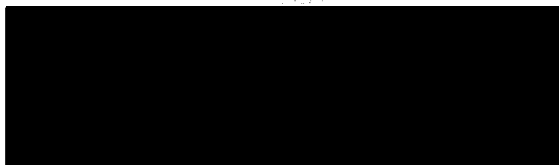
Every electric motor has "brushes" to conduct the power to the ABS motor. The life of an electrical motor in conventional operation lasts the life of a car or a motorcycle if it's not designed to fail prematurely. The BMW ABS module motor fails prematurely.

I urge you to address a recall of the ABS Modulator before more BMW owners are injured.

Thank you.

Yours truly,

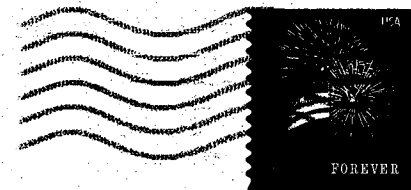




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