

CL-10595117-2672

Philadelphia, PA

April 19, 2014

**NTSB L'Enfant Plaza, SW
Washington, DC 20594**

MAY 28 2014

Re: 2011- BMW 128i Coup, Accelerated (Fully) on its own, when driver applied brakes.
BMW Service Centers: West German BMW 500 Pennsylvania Ave, Fort Washington, PA 19034.
BMW of the Main Line, 225 Bala Avenue, Bala Cynwyd, PA 19004.

Enclosures: (1) Invoice / work order dated Feb. 20, 2014, via West German BMW
(2) Vehicle check in sheet, date of vehicle delivery to consumer, April 15, 2014, via
BMW Main Line.

To Whom It May Concern:

On February 20, 2014, I decided to take my 2011 BMW 128i Cp. For a drive. I traveled approximately four city blocks and came to a stop at a stop sign. When I applied my brakes, the vehicle in question accelerated to a high rate of speed / RPM's. As I applied more pressure to the brake pedal, the vehicle traveled an additional three feet, leaving me to take defensive measures, such as placing the gear shift into the neutral mode. At that time and that time only the vehicle's engine dropped back to its normal RPM status.

Fearing for my life and the life of others, I immediately took / drove the vehicle to West German BMW for service. When I disclosed the incident to one of their service representatives (Amie L. Grant) she stated, "We take that sort of action very serious, you will have to leave the car" After checking the car's maintenance history via computer her focus changed to wind shield wipers and oil change. The vehicle in question has 3,844 miles on it, the wind shield wipers were like new. After keeping the vehicle for three and a half days, determined the high idling of the engine was caused by my floor mat jamming the gas pedal. The vehicle was returned to me without a copy of an invoice showing the work / investigation performed.

To me this is an unfounded determination. First of all the floor mat is under a fitted rubber weather mat which is made for BMW cars. And there is no opening for the mat to slide up under the gas paddle because the pedal is attached to the floor of the car.

After hearing this ridiculous evaluation, I contacted BMW's customer relations department and spoke with a Mrs. Betsey Holman (1-800-831-1117). She inflated me with more hot air, by telling me, the vehicle has a safety devise in it. When something of this nature occurs all you have to do is shift the car into neutral. I asked Mrs. Holman the following questions.

AM
53014
SMD

Why does BMW allow this to happen in the first place? (The car jumping into high idle)
Where in the car's owner's manual dose it state or indicate this type of action, and what the consumer should do if and when this type of situation occurs?

And my last question was, why didn't I receive a work invoice from West German BMW?

What are they trying to hide!

Mrs. Holman could not provide me with any answers except, she will try and get me an invoice, end of conversation.

On or about April 3, 2014, I received a call from BMW of the Main Line's service supervisor, asking me to bring my car into their service center on April 14, 2014; a specialist from BMW wants to take a look at the vehicle. On April 14, 2014, at approximately 10: AM the vehicle was picked up by a BMW service representative. On April 15, 2014, at approximately 10:30 AM the vehicle was returned to me without an invoice showing the work / investigation performed, their findings, and who performed the work on the vehicle. The only paper work that was handed to me was the "Vehicle Check in Sheet" (Did this specialist check the Throttle Position Censor?) This vehicle is an accident waiting to happen. If this incident didn't occur, I would not be wasting my time, BMW's time, and the U.S. Governments time, reporting the aforementioned incident.

Your undivided attention and concerns given to this matter is and will be greatly appreciated by all who believe, "safety comes first".

Thanking You, I Am



CUSTOMER #: 74994

255838

WEST GERMAN BMW

500 Pennsylvania Ave.
Fort Washington, PA 19034
215-643-3322
FAX 215-643-8706
www.westgermanbmw.com



INVOICE

PAGE 1

PHILA, PA

HOME

BUS: CELL: SERVICE ADVISOR: 322 AMIE L GRAHAM

Table with columns: COLOR, YEAR, MAKE/MODEL, VIN, LICENSE/REG.#, MILEAGE IN/OUT, TAG. Includes details for a silver BMW 128i Coupe with VIN WBAUP9C52BV and 3844/3856 miles.

00 MISC 159 IPS
PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE A: 0.00
3852 UNABLE TO DUPLICATE OWNERS COMPLAINT AS DESCRIBED. RAN VEHICLE TEST. NO RELATED FAULTS STORED. REMOVED CARPET FLOOR MAT FROM UNDER RUBBER MAT. POSSIBLE FLOOR MAT STUCK ON ACCELERATOR.

B Performed low mileage annual oil service.OIL SERVICE REMINDER NOT RESET AT THIS INTERVAL. WILL BE RESET WHEN CAR REACHES CORRECT MILEAGE.
CAUSE: PERFORM ANNUAL LOW MILE OIL AND FILTER CHANGE.

0000252 Performed low mileage annual oil service.OIL SERVICE REMINDER NOT RESET AT THIS INTERVAL. WILL BE RESET WHEN CAR REACHES CORRECT MILEAGE.
159 WMP
7 07-51-0-017-866 MOTOR OIL SAE 5W-30
LONGLIFE:832511
1 11-42-7-566-327 SET OIL-FILTER
ELEMENT:114010

FC: 85990087MP
PART#:
COUNT:
CLAIM TYPE:
AUTH CODE:
PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

3844 PERFORM LOW MILEAGE OIL SERVICE

Table with columns: HOURS, DESCRIPTION, TOTALS. Includes warranty disclaimer, signature lines for customer and dealership, and a 'PLEASE PAY THIS AMOUNT' instruction.

CUSTOMER #: 74994

255838

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INVOICE

PAGE 2

PHILA, PA

HOME:

BUS: CELL: SERVICE ADVISOR: 322 AMIE L GRAHAM

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE/REG.#	MILEAGE IN/OUT	TAG	
SILVER	11	BMW 128I COUPE	WBAUP9C52BV		3844/3856	T0259	
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
30SEP10 DD			17:00 20FEB14		118.00	CASH	24FEB14

R.O. OPENED READY OPTIONS: ENG:3.0 Liter

12:01 20FEB14 18:30 24FEB14

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
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C REPLACED STREAKING WIPER BLADES.

CAUSE: REPLACED STREAKING WIPER BLADES.

6161541 REPLACED STREAKING WIPER BLADES.

159 WMP

1 61-61-0-420-549 SET OF WIPER BLADES:618010

(N/C)

(N/C)

FC: 61610077MP

PART#:

COUNT:

CLAIM TYPE:

AUTH CODE:

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE C: 0.00

3844 REPLACED STREAKING WIPER BLADES

D Complementary Car Wash and Vacuum

WASH Complementary Car Wash and Vacuum

159 IPS

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE D: 0.00

Thank You for choosing WG BMW !
We appreciate your trust in us and look forward to your next visit. You will be receiving a email survey shortly. If for ANY reason you feel you can't rate us positively contact Joe Baker jbaker@westgermanbmw.com 215-643-3322X1243.

WARRANTY DISCLAIMER: ALL PARTS AND ACCESSORIES ARE SOLD AND ALL REPAIRS ARE PROVIDED BY THE DEALERSHIP AS-IS. THE DEALERSHIP HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS AND IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF PARTS OR PRODUCTS OR THE REPAIR. THE ONLY WARRANTIES ON PARTS AND ACCESSORIES OR REPAIRS ARE THOSE WHICH MAY BE OFFERED BY THE MANUFACTURER OR THE ORIGINAL PARTS DISTRIBUTOR AND ONLY SUCH MANUFACTURER OR DISTRIBUTOR SHALL BE LIABLE FOR PERFORMANCE UNDER SUCH WARRANTIES. CUSTOMER SHALL NOT BE ENTITLED TO RECOVER FROM THE DEALERSHIP ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFIT OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES.

By signing below, you acknowledge that you were notified of and authorized the Dealership to perform the services/repairs itemized in this invoice and that you received (or had the opportunity to inspect) any replaced parts as requested by you. The vehicle is being returned to you in exchange for your payment of the Amount Due.

HOURS	DESCRIPTION	TOTALS
Monday - Thursday 7:30 am - 8:00 pm	LABOR AMOUNT	0.00
Friday 7:30 - 6:00 pm	PARTS AMOUNT	0.00
Saturday 8:00 am - 4:00 pm	GAS, OIL, LUBE	0.00
THANK YOU FOR YOUR BUSINESS!	SUBLET AMOUNT	0.00
	MISC. CHARGES *	0.00
	TOTAL CHARGES	0.00
	LESS INSURANCE	0.00
	SALES TAX	0.00
	PLEASE PAY THIS AMOUNT	0.00

DATE CUSTOMER SIGNATURE AUTHORIZED DEALERSHIP REPRESENTATIVE SIGNATURE

CAPTURED SIGNATURE

MANUALLY

