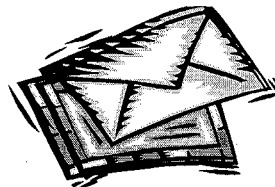


NHTSA ccmMercury Routing Slip



CL-10630065-6033

Printed: 9/24/2015

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

NHTSA #: ES15-005028

XREF #:

Delivery: EML

Rec'd Date: 9/24/2015

Doc Type: CNG

Address To: DOT/I

Referred By: NPO-011

Doc Date: 9/17/2015

Due Date: 10/30/2015

S10 #:

DOT/I #: S- 2015 173

RMP #:

**Subject: LETTER FROM SENATOR CARDIN ON BEHALF OF CONSTITUENT [REDACTED] RE 2004
BMW K1200GT MOTORCYCLE FAILURE OF ABS MODULES**

Ack Date:

Sign Office: DIR. GOVT.

AFFAIRS

Cleared Date:

File Loc:

Added By: CBUTLER x60180

Ack By:

Signature: ALISON PASCALE

Cleared By:

XREF File:

Modified By: Chris.Butler

Signed For:

Cleared For:

Closed Date:

Most Recent Comment:

Author:

THE HONORABLE BENJAMIN CARDIN
UNITED STATES SENATOR
TOWER 1 SUITE 1710
100 S. CHARLES STREET
BALTIMORE, MD 21201
Tel: 410-962-4436 Fax: E-mail:

SEP 25 2015

Assigned To	Task	Asgn Date	Deadline	Returned Date
NGA-110	SIGN	9/24/2015		
NVS-200	REPLY	9/24/2015	10/30/2015	

RR
42515
SMD

BENJAMIN L. CARDIN
MARYLAND

www.cardin.senate.gov

509 HART BUILDING
WASHINGTON, DC 20510-2004
(202) 224-4524

TOWER 1, SUITE 1710
100 S. CHARLES STREET
BALTIMORE, MD 21201
(410) 962-4436

United States Senate

COMMITTEES:
ENVIRONMENT AND PUBLIC WORKS
FINANCE
FOREIGN RELATIONS
SMALL BUSINESS

COMMISSION ON SECURITY
AND COOPERATION IN EUROPE

September 17, 2015

Mr. Dana Gresham
Assistant Secretary for Governmental Affairs
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, D.C. 20590

Dear Mr. Gresham:

I am writing on behalf of my constituent, [REDACTED] who has contacted my office regarding the status of his National Highway Traffic Safety Administration complaints.

For your convenience, I have enclosed a copy of [REDACTED] correspondence to my office.

Anything you can do to address my constituent's concerns would be appreciated. Should you have any questions, please contact Danny Evans, 410-962-4436 or by email, danny_evans@cardin.senate.gov. I look forward to your prompt reply.

Thank you.

Sincerely,

Benjamin L. Cardin

Benjamin L. Cardin
United States Senator

BLC:de

ES15-005028

TO:
US DOT
NHTSA Office of Defects Investigation
1200 New Jersey Ave.
West Building
Washington, DC 20590

25 Nov 2014

RE: Complaints 10637751 and 10630065

Greetings;

I filed these complaints in September of this year. Both have to do with the failure of ABS modules on 2004 BMW K1200GT motorcycles. I called your toll free number and was told that in order to find out what was being done about the complaints, I would have to write this letter to your department. The call reference number is [REDACTED] and the operator kept telling me the manufacturer would tell me what was being done. That isn't correct and she seemed quite confused.

When the ABS module fails on these motorcycles, there will be minimal to no brakes available and this places the rider and passenger in danger of serious injuries or death. Please look into this. This part is defective, dangerous and will cause injuries and deaths if not corrected or replaced. I contacted the manufacturer and they suggested that I take it to a dealer. I checked with several dealers and they all wanted around \$2700 for the new module and about \$1000 in labor to install it. It is difficult to understand why something so defective and failure prone is so expensive and why would any rider want a failure prone component replaced with another failure prone component?

Please look in your data base about BMW motorcycle brake complaints and you will see this is not an isolated incident.

I look forward to hearing from your department.

V/R

[REDACTED]
Woodbine, MD [REDACTED]
[REDACTED]

Privacy Act Form

Federal agencies are prohibited from releasing information concerning an individual to a third party under the Privacy Act of 1974. Please complete and sign this form, which will allow information regarding your concern to be released to the office of U.S. Senator Ben Cardin.

PLEASE PRINT

Name: _____

Address: _____

WOODBINE, MD Zip: _____

Telephone: _____

Home: _____

Business: _____

Social Security #: _____

Date of Birth: _____

BRIEF DESCRIPTION OF YOUR PROBLEM: Please include specific information including necessary identifying numbers such as Veterans claim number, military serial number, Medicare number, Alien number, etc.

Filed two safety complaints with NHTSA
related to brake failures on BMW
motorcycles in September 2014. As
of this time, they have done nothing

Sep 15, 2015
Date

RECEIVED
SEP 17 2015

Return form by mail:

U.S. Senator Benjamin L. Cardin
Tower 1, Suite 1710
100 S. Charles Street
Baltimore, MD 21201

or Return Form by Fax:

410-962-4156

BY: _____

The complaint numbers are
10637751
10630065
also sending copies of my
letter to them

----- Forwarded message -----

From: **NHTSAHotline@telesishq.com** <NHTSAHotline@telesishq.com>

Date: Sun, Sep 6, 2015 at 11:34 AM

Subject: BMW ABS pump failures ISSUE=784815 PROJ=12

To: [REDACTED]

When replying, type your text above this line.

Notification of Case Change (All times are GMT-0400)

Workspace: NHTSA Hotline Center

Case: BMW ABS pump failures

Case Number: 784815

Escalation: None **Status:** Open
Date: 09/06/2015 **Time:** 11:34:09
Creation Date: 05/01/2015 **Creation Time:** 11:34:29

Symptom:

Entered on 09/06/2015 at 11:34:09 EDT (GMT-0400) by [REDACTED]

When are you going to do something about this complaint filed in May of this year?

[REDACTED]

On Tue, May 5, 2015 at 11:54 AM, NHTSAHotline@telesishq.com <NHTSAHotline@telesishq.com> wrote:

> [Duplicate message snipped]

Entered on 05/05/2015 at 11:54:22 EDT (GMT-0400) by gbrown:

Thank you for contacting the U.S. Department of Transportation's Vehicle Safety Hotline Information Center.

1. Your VOQ is entered into our consumer complaint automated database. A copy of your report is given to the Office of Defects Investigation's technical staff to assess the information and check for safety-related defects or recall problems. Each report is assessed both individually and combined with other reports contained in our database. The information may become the basis for an investigation. If you report a problem that is already under investigation, your information is added to the investigation file. Also, you may be contacted for additional information.

2. Each week, NHTSA updates the consumer complaint database on our web site, www.nhtsa.dot.gov/cars/problems. The summary of each complaint reported to the agency, with the consumer's personal identifiers removed, is available to the public and manufacturers. The reports assist both NHTSA and manufacturers in determining if a safety recall is warranted.

3. An image of each VOQ is made and stored in our consumer complaint automated database. If additional VOQ's are received describing the same problem, Office of Defects Investigation (ODI) staff will again review your VOQ along with the new ones to determine whether the issue should be investigated.

In some cases, an investigator from the Office of Defects Investigation (ODI) may call to clarify or verify information from your report. Unfortunately, the large volume of reports received by the agency does not permit a return call for each report filed. Questions about whether your concern involves an investigation or recall are best answered by contacting the DOT Vehicle Safety Hotline or by viewing our Web site.

NHTSA technical staff conducts a continuous analysis of these reports to determine whether an unusual number of complaints of potential safety-related problems have been received on any specific line of vehicles, tires, or equipment (e.g., child safety seats, jacks, trailer hitches, etc.). The number of reported complaints and the severity of the consequences are carefully reviewed by technical staff and measured against the number of vehicles (or items of equipment) manufactured, and how many years the vehicles or equipment have been in service.

This ongoing evaluation process allows NHTSA technical staff to determine whether complaints represent isolated reports or a trend. If a trend is suspected and a problem has a potential for causing a risk to safety, the agency will open an investigation for more detailed analysis of the problem.

We hope that you find this information helpful. However, if you need additional information on our services please feel free to contact us at [1-888-327-4236](tel:1-888-327-4236).

Thank you,

NHTSA.dot.gov Response Team

Disclaimer: "This response is for information purposes only and does not constitute an official communication of the U.S. Department of Transportation. For an official response, please write U.S. Department of Transportation, National Highway Traffic Safety Administration, 1200 New Jersey Ave, SE, West Building, Washington, DC 20590.

Entered on 05/01/2015 at 18:04:07 EDT (GMT-0400) by [REDACTED]
I did.

On Fri, May 1, 2015 at 5:58 PM, NHTSAHotline@telesishq.com <
NHTSAHotline@telesishq.com> wrote:

> [Duplicate message snipped]

Entered on 05/01/2015 at 17:58:05 EDT (GMT-0400) by [REDACTED]
OK, this is above the line. what next? Is a person going to write back?

On Fri, May 1, 2015 at 4:31 PM, NHTSAHotline@telesishq.com <
NHTSAHotline@telesishq.com> wrote:

> [Duplicate message snipped]

Entered on 05/01/2015 at 16:31:48 EDT (GMT-0400) by gbrown:

Thank you for contacting the U.S. Department of Transportation's Vehicle Safety Hotline Information Center.

If you are interested in filing a complaint you may call our Hotline at 1-888-327-4236 and a Customer Service Representative will be happy to assist you.

Thank you,

NHTSA.dot.gov Response Team

Disclaimer: "This response is for information purposes only and does not constitute an official communication of the U.S. Department of Transportation. For an official response, please write U.S. Department of Transportation, National Highway Traffic Safety Administration, 1200 New Jersey Ave, SE, West Building, Washington, DC 20590.

Entered on 05/01/2015 at 11:34:29 EDT (GMT-0400) by nhtsa.webmaster@dot.gov:

Sender Name: [REDACTED]

Sender Email: [REDACTED]

Subject: BMW ABS pump failures

Comments: My comments on a recent NHTSA complaint answer. Please do something about these failures.... This is no answer. Mailing me the list of NHTSA websites and phone numbers does nothing to solve the on going failures of these motorcycle ABS units on BMW motorcycles. What do you need, a bunch of deaths from crashes caused by these defective units? If you keep ignoring the problem or pretending there isn't one, the injury/death risk for riders and passengers will only increase. You guys need to investigate this and make a correction to save lives and prevent injuries. You have the power to do this so stop sitting on your hands and investigate. These are defective units and if dealer repaired, they are replaced (at a horrendous cost) with other defective units. Do the right thing here. [REDACTED]

[REDACTED] RN On Fri, May 1, 2015 at 10:04 AM, US Department of Transportation Reference Service wrote: Recently you requested assistance from the US Department of Transportation. Below is our response to your request. If this issue is not resolved to your satisfaction, you may reopen it within the next 0 days. Thank you for allowing us to be of service to you. Subject ABS pump failures on BMW Motorcycles Discussion Thread Response Via Email (US DOT Reference Service) 05/01/2015 10:04 AM For information about vehicle safety, defects, and recalls from the National Highway Traffic Safety Administration (NHTSA), see: <http://www.nhtsa.gov/Vehicle+Safety/Recalls+&+Defects> You can search to see if anyone else has complained about a particular problem, or file a complaint about a vehicle by visiting: <http://www-odi.nhtsa.dot.gov/cars/problems/defect/defectsearch.cfm> More defect/recall information is available at <http://www-odi.nhtsa.dot.gov/recalls/> If you have any questions, please contact NHTSA directly: You'll find NHTSA Regional Office contact information on: <http://www.nhtsa.gov/nhtsa/whatis/regions/> You may email NHTSA Headquarters using the e-form on: <http://www.nhtsa.gov/Contact> The toll-free NHTSA hotline is 1-888-327-4236. You can use the toll-free number above to report suspected safety defects in your vehicle, vehicle equipment, and child safety seats. You can also obtain information about air bags, highway safety, and the proper use of child safety seats. In the Washington, D.C. metro area and for foreign callers, the number is 202-366-0123. The hotline is staffed Monday through Friday, 8 a.m to 10 p.m. Eastern. Hotline automated

system functions are available 24 hours a day, 7 days a week. The NHTSA website is:
<http://www.nhtsa.gov> Sincerely, Reference Services National Transportation Library Bureau
of Transportation Statistics Office of the Secretary for Research U.S. Department of
Transportation Auto-Response 04/29/2015 01:31 PM The following answers might help you
immediately. (Answers open in a separate window.) Answer Link: Toyota Recall Comments
Answer Link: How do I check out a moving company? Answer Link: Safety Effects of
Motorcycle Helmet Use Answer Link: State Motorcycle Helmet Laws Answer Link: File a
Complaint against a Motor Carrier Customer By Web Form 04/29/2015 01:31 PM WHEN are
you going to address these complaints? 10637751 10630065 10456011 These go all the
way back to 2011 and you have done nothing. WHAT does it take to get you to move on
brake failures on motorcycles? Question Reference # [REDACTED] Mode of
Transportation: Motorcycle Date Created: 04/29/2015 01:31 PM Last Updated: 05/01/2015
10:04 AM Status: Solved [---001:002218:21904---]

Contact Information:

HARDLY!

Last Name: [REDACTED] **First Name:**

[REDACTED]

Country: United States **Email Address:** [REDACTED]



2014 Senate Input Form for Governmental Affairs Correspondence
Control Sheet (I-10), W85-328



Control Number S - 2015 173

General

Date DOT Received 9/24/2015
Date DOT Entered 9/24/2015
Member's Date 9/17/2015
Member Last Name Cardin
Member First Name Benjamin
Member Organization United States Senator
Address1 100 S. Charles Street
Address2 Tower I, Suite 1710
City Baltimore
State MD
Zip 21201

EXECUTIVE SECRETARIAT
RECEIVED-NHTSA

2015 SEP 24 P 1:12

Constituents

File Name [REDACTED]
Date 9/24/2015
Subject 2004 BMW K1200GT Motorcycle
Action Office NHTSA
Action Code
Due Date 10/30/2015

Contacts

MemberContact Danny Evans
Phone (410) 962-4436
Pending ☐
Closed Date
Remarks danny_evans@cardin.senate.gov
DOT Contact Nikki Purnell at (202) 366-4573

Notes: