



U.S. Department of Transportation
National Highway Traffic Safety Administration

Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET: www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received
16-AUG-2016
OCT -7 2016

Repository
Reference No.
10896383

OWNER INFORMATION (Type or Print)

Name [Redacted]
Address [Redacted]
City JONESBOROUGH State TN Zip Code [Redacted]

Daytime Telephone Number [Redacted] E-mail Address [Redacted]
Evening Telephone Number [Redacted]

The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side
WMWZP3C55D [Redacted] Make MINI Model COOPER S Model Year 2013
Date Purchased 4-06-2016 Dealer's Name and Telephone Number GRAYSON BMW-MINI MINI of Knoxville 865-693-4553 Engine: No: Cylinders 4 Turbo FUEL TYPE: HIGH OCTANE
Original Owner Dealer's City Knoxville State TN Zip Code [Redacted]
Transmission Type AUTO Antilock Brakes Cruise Control Powertrain Multiple Failure: Incident Date(s) 09-AUG-2016

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Code: 140000 AIR BAGS Failure Mileage 22000 Failure Speed 30

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make [Redacted] Tire Model (Name or Number) [Redacted] Tire Size (Example P215/65R15) [Redacted]
DOT No. (Example: DOTM19ABC036) Original Equipment Prior Repair Failure Location: [Redacted]
Tire Component Code [Redacted] Tire Failure Type: [Redacted]

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make: [Redacted] Date Manufactured: [Redacted] Model No./Name: [Redacted]
Seat Type: [Redacted] Installation System: [Redacted]
Child Seat Component Code: [Redacted] Failed Part: [Redacted]

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash Yes No Fire Yes No Number of Persons Injured 1 Number of Deaths 0 Reported to Police Y

Narrative Description of Incident(S), Crash(es), and Injury(ies).
Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

TL* THE CONTACT OWNED A 2013 MINI COOPER S. WHILE DRIVING APPROXIMATELY 30 MPH ON A HILL, THE DRIVER DROVE DOWN A SMALL EMBANKMENT, CRASHED INTO A BARBED WIRE FENCE, DROVE INTO A PASTURE, AND CRASHED INTO A TREE. THE TREE FELL ON TOP OF THE VEHICLE. THE SIDE AIR BAGS DID NOT DEPLOY. THE DRIVER SUSTAINED MULTIPLE INJURIES TO THE LEFT SIDE OF THE BODY AND BRAIN INJURIES, WHICH REQUIRED MEDICAL ATTENTION. A POLICE REPORT WAS FILED. THE VEHICLE WAS TOWED TO A BODY SHOP WHERE IT WAS DEEMED DESTROYED. THE MANUFACTURER WAS NOT MADE AWARE OF THE FAILURE. THE FAILURE MILEAGE WAS APPROXIMATELY 22,000.
I CONTACTED MINI COOPER 8-16-2016

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice. ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

(1)

National Highway Traffic Safety Administration:

On August 9th, 2016, [REDACTED] had a single car crash. Accident occurred at approximately 2:00PM, EST. Accident occurred on Indian Ridge Rd. 150.00 Feet West of Carriage Hills Pl., Johnson City, TN.

[REDACTED] was traveling East on Indian Hills Ridge Rd, crested a slight rise where road takes a slight right hand curve. At top of rise the car did not follow the curve but continued going straight, crossed the oncoming traffic lane. Car went off left side of road, down an embankment, through a barbwire fence. Car continued going straight through a pasture hitting small trees, fence posts, large rocks, a large metal pole and over very uneven ground. Car continued in a straight line until hitting a tree head on. The car struck the tree at the left head light area. Front air bag did deploy. Upon hitting the tree, the tree fell onto the car where [REDACTED] was trapped unconscious for approximately one hour until tree could safely be removed from the car. [REDACTED] remained unconscious for approximately 2 hours after the accident. When the tree fell, a large part of the tree struck the driver's left side door causing severe damage to the door. Door was pushed into the driver's compartment and into the driver's seat. The left side air bags did not deploy. [REDACTED] suffered multiple injuries from the impact of the door hitting the left side of his body. [REDACTED] suffered a broken Ulna bone on left arm, severe lacerations on his left arm and elbow, broken left collar bone, five ribs on left side were broken, causing one to puncture his lung, and injury to the left hand side of his head, causing a Traumatic subdural hemorrhage with loss of consciousness, also a Traumatic subarachnoid hemorrhage with loss of consciousness

When examining the accident sight I noticed that the car seemed to go in a straight line from the time it crested the hill until hitting the tree. There are no signs of braking on the road or once the car went down the embankment. With the car hitting fence posts, small trees, going over rocks, pipes and ruts the wheels never wavered left or right. You can see the tire tracks in the grass. Along with the left side air bags not deploying I wonder if the car suffered a power loss causing the steering and braking to lock up leaving [REDACTED] unable to control the car.

I asked State Farm Insurance Company Claims Department to have the airbag sensors pulled and also the on board computer so the sensors could be checked and to see if the computer shows any loss of power or lockup.

My claim number with State Farm is [REDACTED] I have not heard anything from State Farm on if, when or where the air bag and computer data might be.

I contacted Mini Cooper on Aug 16, 2016 and the contact information is listed below. I received a call from Mr. Pignoncelli on Thursday September 15th stating MINI Cooper was sending a representative to inspect the car that day. Car was moved to COPARTS Salvage 6355 B HWY 411 Madisonville, TN 37354

BMW of North America, LLCe, TN 37354 (423) 442-5866

Michael J. Pignoncelli
Special Product Investigations
Customer Relations and Services
B2-US-H-3
300 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

Tel: 201 571 5820

Fax: 201 930 8484

Mail: michael.pigoncelli@bmwnaext.com

Web [REDACTED]

I am including a copy of the JCPD Crash report, pictures of the car. The car is listed as total loss so I received no repair invoice.

[REDACTED]
[REDACTED]
- Jonesborough, TN
[REDACTED]

To protect the privacy of individuals, NHTSA does not make medical records available to the public without authorization. For this reason, documents falling into this category have not been included in this complaint record.

Crash Report

Johnson City Police Department

Report # [REDACTED]

Handwritten: 08/25/2016

Crash Date/Time
08/09/2016 2:00PM

Location
Indian Ridge Rd, 150.00 Feet West of Carriage Hills Pl

Notified: 08/09/2016 2:01 PM
Arrived: 08/09/2016 2:07 PM

Totals: 1 Vehicles, 1 Person(s) involved, 0 Killed, 1 Injured
Type: Injury (incapacitating)

Investigation Complete: Yes

Hit and Run: No hit and run (unsolved)
Involved School Bus: No
Police Pursuit: No
City/County: Johnson City, TN (Washington)
Area: Urban
District: Zone 4
Add. Designation: Residential
Trafficway/Land: Open trafficway
Latitude/Longitude: 36.318024 / -82.41828
Rail Crossing ID:
Photos Taken By:
Supervising Officer: Andy Hodges
Report Approved: 08/10/2016 9:32 AM

Collision with fixed object: Tree
Any Other Harmful Events?: Yes
Manner of Collision: Not collision w/motor vehicle
Relation To Junction: Non-junction
Type of Intersection: Not at intersection
Relation To Roadway: Outside trafficway
Hwy Constr./Maint. Zone: None
Construction Type: None
Workers Present: No
Construction Location: None
Light Conditions: Daylight
Weather Conditions: No adverse conditions

Reporting Officer	Officer Type	Rank	Badge #	Car #
Nave, K	Reporting	Officer	541	251

Vehicle #1 '13 Mini Cooper Color: Orange Total Occupancy: 1 (Including Driver)
Automobiles: Sedan/hardtop/coupe 2dr

Hit & Run Vehicle: No Hit and Run
Presence: Driver Operated Contact Vehicle
Going/Facing: E. on Indian Ridge Rd
Speed Limit: 30 MPH
License Tag: [REDACTED] (exp/tes 09/16)
VIN: WMMWZP3C55DT [REDACTED]
Weight: 1-10,000 lbs.
Damage Extent: Disabling Damage
Damage Amount: 400+
Damaged Areas: Front end, Driver side, near front

Rollover: No
Fire: No
First Impact: Front end
Towed/Driven: Towed away, not drivable
Towed To: MI/s
Special Use: No special use
Emergency Use: No
Trailer: No trailer
Insurance Co.: State Farm
Policy #: [REDACTED]
Seq. of Events: 1. Non-collision: Ran off road - Left
2. Collision: Tree

Vehicle Defects: None
Collision with fixed object: Tree
Driver/Vehicle Maneuver: Going straight
Trafficway Hazards: No apparent hazards
Traffic Control Device: No control
Control Device Functioning: Not applicable
Roadway Route Signing: Municipal route
Traffic Flow: Not physically divided
Number of Travel Lanes: Two lanes
Access Control: No control
Roadway Surface Type: Asphalt
Alignment: Straight
Profile: Grade (downhill)
Roadway Surface Conditions: Dry
Vehicle Operation Type: In Transport
Underriding/Overriding: No underride or override
Bus Usage: Not Applicable
Insurance Type: Owner

Driver (vehicle #1)

Name: [REDACTED]
Address: [REDACTED]
Jonesborough, TN [REDACTED]

Sex: Male
Race: White/Mexican/Other White
DOB: [REDACTED] Age: [REDACTED]

Phone #: [REDACTED]
Cell #: [REDACTED]
Work #: [REDACTED]

Driver's License:
 DL Class: D
 Seating Position: Front seat - left side
 Safety Equipment: Shoulder and lap belt used
 Air Bag: Available deployed, Deployed from front
 Injury: Incapacitating injury
 Ejected: Not ejected
 Ejection Path: Not ejected/not applicable
 Trapped: Trapped/extricated
 Transported By: EMS Ground (EMS #MEDIC, Unit 13)
 Transported To: Hospital - City Med. Ctr

Driver Actions: Fail improper lane/run off road
 Driver Distractions: Unknown
 Driver Condition: Appeared normal
 Alcohol usage determined by: Observed
 Alcohol Test: None given
 Drug Test: None given
 Drug usage determined by: Observed
 Ethnic: Non-Hispanic
 Drivers License Endorsements: None
 Complied with Endorsements: Yes
 Drivers License Restrictions: None
 Complied with Restrictions: Yes
 Alcohol Usage: No usage
 Drug Usage: No usage

Written Statement:

Owner (vehicle #1)

Driver is vehicle owner.

Passengers (vehicle #1)

No passengers.

Witnesses

Name: [REDACTED] Sex: Male Phone #: [REDACTED]
 Address: [REDACTED] Race: White/Mexican/Other White Cell #: [REDACTED]
 Jonesborough, TN [REDACTED] Work #: [REDACTED]
 DOB: [REDACTED]
 Driver's License: [REDACTED]

Written Statement:

Name: [REDACTED] Sex: Female Phone #: [REDACTED]
 Address: [REDACTED] Race: White/Mexican/Other White Cell #: [REDACTED]
 Jonesborough, TN [REDACTED] Work #: [REDACTED]
 DOB: [REDACTED]
 Driver's License: [REDACTED]

Written Statement:

Diagram

Indian Ridge Rd



NOT TO SCALE

Narrative

On 08/09/2016 at 14:07 hours, Officer Nave, K (541) responded to a crash at the crash location. Veh #1 was traveling east on Indian Ridge Rd. Veh #1 went roadside left and struck a tree head on before coming to a stop.

FRONT END DAMAGE



FRONT and DRIVER DOOR DAMAGE



DRIVER SIDE FRONT WINDSHIELD



LEFT WHOLE CAR DAMAGE



DRIVE DOOR Damage



DRIVER SEAT- NO AIR BAG DEPLOYMENT



AIR BAG
IS IN THIS
AREA OF
DRIVERS SEAT

FRONT STEERING wheel airbag



FRONT DRIVER side head light AREA



DRIVER DOOR Showing Impact Damage



ACCIDENT SITE AFTER TREE WAS REMOVED

