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)

April 19, 2017

[redacted]
Mooresburg, TN [redacted]

NEF-109 nlm
Ref. No. 10968110

Dear [redacted]

Thank you for your correspondence concerning the air bag in your model year 2011 BMW 335i vehicle. Your letter was forwarded to the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. Last year our office received an unprecedented increase in the number of correspondence due to the Takata air bag recalls. Our limited resources were overwhelmed and we are now just getting to your letter. We regret any inconvenience this delay 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.

NHTSA is aware of BMW's delay in producing the air bag inflators for NHTSA Safety Recall Campaign No. 16V-071 and understands your frustration. The recall addresses a problem with air bag inflators produced by Takata that may rupture in a frontal crash and disperse metal fragments. Please note that it is not unusual for manufacturers to have an inadequate inventory of recall parts or a final remedy shortly after a recall is announced. Recall parts availability and recall remedies can be affected by numerous factors including, but not limited to, redesign, testing, manufacturing, and logistics.

Testing and analysis show that the problem with the Takata air bag inflators does not appear until the affected vehicle has been continuously exposed to high temperatures and high absolute humidity (HAH) for 6 years or more. Therefore, the oldest vehicles in the most dangerous areas will be repaired first. When sufficient parts are available to repair vehicles in the high risk areas such as the Gulf Coast States and certain U.S. Territories with HAH, parts will be allocated to lower risk areas like Tennessee. You can contact BMW North America or your local dealer for updates on the recall and parts availability.

The expansion of the Takata recalls has increased the number of affected inflators to approximately 70 million, which are installed in 42 million vehicles. To protect the American public from certain defective air bag inflators supplied by Takata, NHTSA ordered the 19 affected vehicle manufacturers to accelerate recall repairs and prioritize vehicles to reduce the risk of rupture under a Coordinated Remedy Order. Completion deadlines for fixing the 70 million inflators under recall will begin in 2017 and end in 2019. Under a NHTSA Consent Order, Takata has agreed to Federal oversight for the next 5 years, to phase out the use of the propellant believed to be related to the air bag inflator ruptures, and to pay record civil penalties up to $200 million. For the most up-to-date information on the Takata recalls, please visit our Web site at www.safercar.gov/rs/takata/index.html.

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.dot.gov/ivoq or call the Auto Safety Hotline at 888 327-4236. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at www.nhtsa.dot.gov/cars/problems.

Sincerely,

Randy Reid

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