

INFORMATION ACT (FOIA) 5 U.S.C. 552(B)(6) 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 100237	
U.S. Department of Transportation National Highway Traffic Safety Administration		Date Received 06-APR-2017 MAY 30 2017	Repository ☐ Reference No. 10971375
		Daytime Telephone Number [REDACTED]	E-mail Address [REDACTED]
OWNER INFORMATION (Type or Print)			
Name [REDACTED]		Evening Telephone Number [REDACTED]	
Address [REDACTED]		City HOUSTON State TX Zip Code [REDACTED]	
<i>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).</i>			
VEHICLE INFORMATION			
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side WBXPC93408W [REDACTED]		Make BMW	Model 1ST SERIES 3 SERIES
Model Year 2006 2008		Engine: No. Cylinders	
Date Purchased	Dealer's Name and Telephone Number		Fuel Type:
Original Owner ☐	Dealer's City	State	Zip Code
Transmission Type ☐ Antilock Brakes ☐ Cruise Control	Powertrain	Multiple Failure:	Incident Date(s) 01-MAR-2016
FAILED COMPONENT(S)/PART(S) INFORMATION			
Vehicle Component Code: 980000 UNKNOWN OR OTHER AIR BAG FAILURE		Failure Mileage	Failure Speed
ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE			
Tire Make N/A	Tire Model (Name or Number)		Tire Size (Example P215/65R15)
DOT No. (Example: DOTM19ABC036)	☐ Original Equipment ☐ Prior Repair	Failure Location:	
Tire Component Code		Tire Failure Type:	
ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE			
Make: N/A	Date Manufactured:	Model No./Name:	
Seat Type: N/A	Installation System:		
Child Seat Component Code:	Failed Part:		
APPLICABLE INCIDENT INFORMATION <i>(Please describe in detail the incident(s), Failure(s), Crash(es), and Injury(ies).)</i>			
Crash ☐ Yes ☒ No	Fire ☐ Yes ☒ No	Number of Persons Injured	Number of Deaths
Reported to Police N			
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).			
NTSB: 2006-2015 BMW DEFECT WHICH RELATES TO MOTOR VEHICLE SAFETY EXISTS IN CERTAIN MODEL YEARS. *BF			
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.			

[REDACTED]
Houston, TX [REDACTED]
December 30, 2016

BMW of North America LLC
BMW Group of Companies
P.O. Box 1227
Westwood, NJ 07675-1227

Dear Sir:

Recall Campaign No. 16V-071: WBXPC9340BW [REDACTED]
March 2016

I am writing this memo about the above subject dated March 2016 to which no action has appeared to be carried out by replacing the defective airbag as contained in the above-referenced notice. I will like to add that it has been more than nine months since you issued the notice of recall, and have not deemed it long time enough to repair this defect as noted in your notice. I am still the bonafide owner of the above-quoted vehicle and have been driving it and carrying my entire family in it.

I am attaching a copy of the above-referenced memo for ease of reference. I am sending a copy of this memo and the attachments to it to NTSB for information. In addition, a copy of this memo and all the attachments are being forwarded to my attorney for his information too.

By this memo, it is my obligation to let you know that, in the event of any incident that involves the above-referenced vehicle, the responsibility lies on you because of your decision not to replace the defective airbag.

I hope you will respond to this requesting by carrying out the necessary repairs.

Yours faithfully,

[REDACTED]

ADDITIONAL INFORMATION
5/17/2017

I received the attached notice from BMW North America of a recall campaign No. 16V-071: Driver's Front Air Bag Module dated March 2016. Since receiving this notice, I have made several unsuccessful attempts to get BMW to replace the recalled airbag.

In order to avoid further contact that would yield hard copy evidence, BMW resorted to the use of telephone when having discussion with me on the above subject matter. By employing this tactic, therefore, I do not have much evidence of my communication with the company.

It is clear to me that BMW is trying to avoid its corporate responsibility by telling me over the phone each time I had a telephone conversation, that the parts are not available yet.

I scaled down the use of my vehicle because of the potential danger driving it imposes on my family and me.

I humbly and respectfully sub for your necessary action.

Yours truly,



BMW**IMPORTANT SAFETY RECALL****This notice applies to your vehicle, WBXPC93408W [REDACTED]****March 2016****Recall Campaign No. 16V-071: Driver's Front Air Bag Module**

Dear BMW Owner / Lessee:

This notice is sent to you in accordance with the National Traffic and Motor Vehicle Safety Act. BMW AG has decided that a defect, which relates to motor vehicle safety, exists in certain Model Year 2006-2015 BMW 1 Series, 3 Series and X1, X3, X5 and X6 Sports Activity Vehicles. Our records indicate that you are the owner of a potentially affected vehicle.

IMPORTANT NOTICE

Please note that at the present time, we do not have parts available. BMW will notify you via another letter as soon as we can perform this recall on your vehicle.

DESCRIPTION OF PROBLEM

In the event of a crash necessitating deployment of the driver's front air bag, excessive internal pressure could cause rupturing of the air bag inflator, resulting in metal fragments striking the driver or other passengers potentially resulting in serious injury or death. **If you are not the only driver of this vehicle, please advise all other drivers and passengers of this important information.**

At the present time, BMW is not aware of any ruptures in its vehicles equipped with the type of inflator subject to this recall.

DESCRIPTION OF REPAIR

The driver's front air bag module will be replaced free of charge when parts become available.

OTHER INFORMATION

If you are no longer the vehicle owner/lessee, we request that you provide us with the name and address of the new owner/lessee using the enclosed postage-paid card so that we can contact the new owner/lessee regarding this recall. If you are a lessor of this vehicle, Federal Regulations require you to forward this notice to your lessee within ten days.

Should you have any questions about this recall, please contact your authorized BMW center. Should you need additional assistance, you may contact BMW Customer Relations and Services via Email at CustomerRelations@bmwusa.com or by calling 1-800-525-7417 from 9 AM to 9 PM Eastern Time, Monday through Friday.



Company
BMW of North America, LLC

BMW Group Company

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Westwood, NJ
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