

 DOT Auto Safety Hotline 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 07-JUN-2018 AUG 13 2018	Repository ☐ Reference No. 11100391
OWNER INFORMATION (Type or Print)			
Name [REDACTED]		Daytime Telephone Number [REDACTED]	
Address [REDACTED]		E-mail Address [REDACTED]	
City TAMPA	State FL	Zip Code [REDACTED]	[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 WBAGJ8320VD [REDACTED]		Make BMW	Model Year 1997
Date Purchased	Dealer's Name and Telephone Number		Engine: No: Cylinders (8)
Original Owner ☐	Dealer's City	State	Fuel Type: Gas
Transmission Type Auto	☒ Antilock Brakes ☒ Cruise Control	Powertrain	Incident Date(s) 09-MAY-2018
FAILED COMPONENT(S)/PART(S) INFORMATION			
Vehicle Component Code: 140000 AIR BAGS		Failure Mileage 131000	Failure Speed Φ-MPH
ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE			
Tire Make Sumitomo	Tire Model (Name or Number) HTR A/S P02	Tire Size (Example P215/65R15) 235-60R16	
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:	Date Manufactured:	Model No./Name:	
Seat Type:	Installation System:		
Child Seat Component Code:	Failed Part:		
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	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).			
TL* THE CONTACT OWNS A 1997 BMW 740. AFTER TURNING THE IGNITION KEY TO START THE ENGINE, THE PASSENGER SIDE DOOR PANEL AIR BAG ERRONEOUSLY DEPLOYED. THERE WERE NO INJURIES. THE MANUFACTURER WAS IMMEDIATELY NOTIFIED OF THE FAILURE AND THE CONTACT WAS INSTRUCTED TO TAKE THE VEHICLE TO THE LOCAL DEALER. THE VEHICLE WAS TAKEN TO FERMAN BMW (31400 US HWY 19 NORTH, PALM HARBOR, FL), BUT THE CAUSE OF THE SPONTANEOUS AIR BAG DEPLOYMENT COULD NOT BE DETERMINED AND NO REPAIRS WERE PERFORMED. THE FAILURE MILEAGE WAS 131,000.			
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 to 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.			

Parked

Narrative Description of Incident(s), Failure(s), Crash(es), and Injury(ies)

I have called and written to BMW of North America several times and asked them to provide me with a copy of instructions that BMWNA sent to Ferman BMW for evaluation of the unprovoked and spontaneous deployment of airbag inside my car's passenger side door panel. I have asked them to provide me with a copy of the results of all diagnostic evaluations that Ferman BMW performed on my car during the 16-days that my car was there. As of this writing, BMW of North America has not responded to any of my inquiries, and has refused to provide any information regarding the possible replacement or alteration of part(s) in my car following their investigation. Attached is a picture of the deployed airbag along with my most recent letter (dated July 13, 2018) to BMW of North America president, Mr. Bernhard Kuhnt.

ATTACH ADDITIONAL SHEETS IF NECESSARY

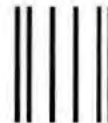
U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

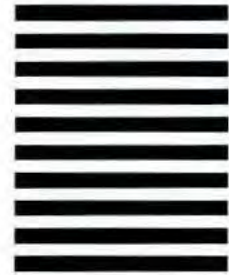
1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382

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July 19, 2018



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**US Department of Transportation
National Highway Traffic Safety Administration
Office of Defects Investigation, NEF-100
1200 New Jersey Avenue SE.
Washington, D.C. 20077-9382**



safercar.gov

**Think your vehicle
has a safety defect?**



If so:

**Use the enclosed
form to file a report.**

or visit:

www.safercar.gov

or call:

**Vehicle Safety Hotline
888-327-4236**



Vehicle Owner's Questionnaire (VOQ)
U.S. Department of Transportation
National Highway Traffic Safety Administration

[REDACTED]
Tampa FL
[REDACTED]

July 13, 2018

Mr. Bernhard Kuhnt, President & CEO
BMW of North America, LLC
300 Chestnut Ridge Road
Woodcliff Lake, NJ 07677-7731

Ref: Spontaneous Airbag Deployment in 1997 BMW 740IL (VIN WBAGJ8320VD [REDACTED])

Dear Mr. Kuhnt;

I am writing to inquire about BMW of North America's findings regarding the unprovoked and spontaneous deployment of airbag inside my car's passenger side door panel. This incident took place on the morning of May 9, 2018, after the ignition key was turned-on in order to start the car from a parked position.

Shortly after this unexpected and terrifying incident, I called BMW of North America (BMWNA) to see if they had prior knowledge of such incidents and whether the car was safe to drive. The next day, I received a phone call from BMWNA Special Product Investigation Consultant, Mr. Roshad Petteway. He advised me to take the car to an authorized BMW dealer for inspection and requested to be informed when the car arrived at the dealer.

I took my car to Ferman BMW of Palm Harbor on morning of May 15, 2018, and informed Mr. Petteway accordingly. Mr. Petteway acknowledged this by responding via e-mail shortly thereafter *"Yes I reached out to them and provided instructions. I will let you know our findings when available."* On morning of May 30, 2018, Mr. Petteway sent me another e-mail stating *"Just writing to advise that we are nearing a decision regarding this vehicle. I will reach out to you shortly."* The following afternoon, May 31, 2018, Mr. Petteway called me from his cell phone and stated that no definitive root cause had been identified after 16-days of inspection, tests and evaluations. He went on to say that BMWNA would not carry out any repairs to prevent the recurrence of another such incident or replace the damaged door panel. Given the long and thorough inspection of my car and the obvious dangers of an unprovoked and sudden airbag deployment, I asked Mr. Petteway to explain why BMWNA believes that it bears no responsibility for preventing the recurrence of yet another such incident, and why it believes that this serious and unsolved problem poses no hazard to my health, welfare and safety, or those

with whom I share the road. Mr. Petteway simply stated that my car was not subject to a recall. I asked Mr. Petteway to provide his statements in writing on BMWNA letterhead and provide me with a copy of all diagnostic evaluations that Ferman BMW had performed as of that day in accordance with his earlier pledges. He assured me that he would do both the following day.

Unfortunately, and in sharp contrast to his promises, Mr. Petteway has flatly refused to provide any information regarding the long evaluation of my car at Ferman BMW. Much to my dismay and disappointment, he has ignored all my phone calls and failed to respond to any of my e-mails. Given Mr. Petteway's obvious decision to ignore my inquiries, I once again reached out to BMWNA's customer service on June 12, 2018, and asked if Mr. Petteway manager would be able to help me with this matter. The customer care representative assured me that someone would contact me shortly regarding this incident.

As of this writing, no one from BMW of North America, LLC, has contacted me. It goes without saying that I'm stuck with a car that I'm reluctant to drive or sell, fearing the dangers that it poses to me and others. As you might expect, the value of my car has been adversely affected since a routine check of the car's VIN indicates an airbag deployment.

Yet again, I respectfully request a copy of Mr. Petteway's instructions to Ferman BMW and results of the diagnostic evaluations that this dealer performed in response to his instructions. This included an account of all work that Ferman BMW performed on my car including parts, if any, that may have been replaced, reprogrammed, deactivated, or otherwise altered. I trust that BMW of North America cares about the safety of its customers and the general public. I look forward to hearing from you soon.

Regards,



CC: Senator Bill Nelson
Senator Marco Rubio
Congresswoman Kathy Castor
FL Attorney General Pam Bondi
NHTSA

