



U.S. Department
of Transportation

National Highway
Traffic Safety
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

July 19, 2019

[REDACTED]
Benton, Arkansas [REDACTED]

NEF-109 tg
Ref. No. 11192951

Dear [REDACTED]

Thank you for your correspondence concerning your model year (MY) 2017 BMW X5 vehicle. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence. We regret any inconvenience our delay in responding may have caused you.

NHTSA is the Federal agency responsible for improving safety on our Nation's roadways. We are authorized to order manufacturers to recall and repair vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects in their design, construction, or performance. We also monitor the completion rates and adequacy of manufacturers' recall campaigns.

We appreciate the report you provided. Reports from motorists are a very important source of information for us. We reviewed our database in an effort to identify whether a safety defect trend exists with regard to the restraint system in MY 2017 BMW X5 vehicles. At this time, there is insufficient evidence to warrant opening a safety defect investigation or to initiate a recall. In addition, we do not believe the I Drive problem in your MY 2017 BMW X5 is a safety-related defect. The failure of features controlled by the I Drive (Navigation, Radio, Telephone and System Information) by definition of our authorizing statute--The National Traffic and Motor Vehicle Safety Act--does not pose an unreasonable safety risk to you or other motorists. As such, we have not identified a safety defect that would require MY 2017 BMW X5 vehicles to be removed from the road.

The information you provided has been entered into our database. It will be considered with future reports to identify any safety defect trends that may require our attention. For your information, examples of safety-related defects and an explanation of NHTSA's investigation and recall process is on our website at www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/mvdefectsandrecalls_808795.pdf.

Please note that NHTSA does not have jurisdiction over arbitration and state lemon law proceeding. We recommend that you continue to work with BMW and your dealer to resolve your vehicle problems. We see in your correspondence that you copied the Arkansas Attorney General and recommend you follow up with that office. You can also seek counsel from a private attorney regarding your problem and rights under the State laws.

You may also consider contacting the Federal Trade Commission (FTC). The FTC has jurisdiction over non-safety defects, paint, fraud or deception, warranty and dealership problems, remuneration matters, and fair trade practices. There are three ways to contact the FTC: by toll free telephone at 877-382-4357; by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at www.ftccomplaintassistant.gov.

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.gov or call the Vehicle Safety Hotline at 888-327-4236. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at our website.

Sincerely,

A handwritten signature in cursive script that reads "Randy Reid".

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