



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



March 8, 2022

[REDACTED]
Centennial, CO [REDACTED]

NEF-109 tgd
Ref. No. 11438512

Dear [REDACTED]:

Thank you for the follow-up email about your model year (MY) 2016 BMW M235I vehicle. Your email was forwarded to the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. I am pleased to respond.

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, such as in their design, construction, or performance. Among other activities, 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 NHTSA. We received a previous report from you regarding your vehicle problem through our Vehicle Safety Hotline on October 28, 2021. Please note that when a motorist contacts NHTSA, their complaint does not automatically prompt a contact or open a formal investigation by our agency. The information from your report was entered into our complaint database and reviewed by our staff to determine if a safety defect trend exists that may require our attention. NHTSA staff may follow up and contact a vehicle owner who submitted a complaint if we require additional information.

We reviewed our database to identify whether a safety defect trend exists with the electrical wiring and brake light assemblies in MY 2016 BMW M325I vehicles. At this time, NHTSA has not identified sufficient evidence to open a safety defect investigation or to initiate a recall. You can learn more about NHTSA's investigation and recall process on our website at https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/mvdefectsandrecalls_808795.pdf.

The issuance of a warranty extension by a manufacturer does not necessarily mean that a vehicle contains a safety-related defect in accordance with our statute, the National Traffic and Motor Vehicle Safety Act. Manufacturers may issue these types of actions at their discretion to address a known problem unrelated to motor vehicle safety and to restore customer satisfaction. While NHTSA continuously monitors manufacturer warranty extension programs to identify potential vehicle safety issues for which a recall is necessary, the agency does not otherwise regulate warranty extension programs. Thus, the manufacturer remains responsible for all aspects of special coverage and warranty extension programs, including the nature and scope of the repair and the vehicle make, model and years at issue.

We encourage you to continue to work with BMW and your dealer to explore the potential for an amicable resolution to your problem. You may ask your dealership for a meeting with a BMW district manager regarding your problem. You may also consider contacting your local Consumer Protection Agency or the Colorado Attorney General's Office regarding your problem and rights under state law. In addition, the Federal Trade Commission (FTC) regulates and investigates warranty and dealership problems, reimbursement matters, and fair-trade practices. Therefore, if you believe this issue potentially relates to such a practice, you may contact the FTC to discuss the matter. 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.

Finally, you may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve warranty disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. You can visit their website at www.bbb.org to file a complaint and review eligibility information, or call the BBB Auto Line at 800-955-5100.

If you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, please complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Vehicle Safety Hotline at 888-327-4236. Also, owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be reviewed on our website.

Sincerely,

A handwritten signature in black ink that reads "Randy Reid". The signature is written in a cursive, flowing style.

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