

OF INFORMATION ACT (FOIA), 5 U.S.C.552(B)(6)

From: [REDACTED]
To: [EVOO \(NHTSA\)](#); [REDACTED]
Cc: [NHTSA ODI CRD](#); [REDACTED]
Subject: ODI-11442032
Date: Tuesday, November 30, 2021 7:18:01 PM
Attachments: [REDACTED]

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Subject: NHTSA Complaint # 11442032 - BMW X1 City Crash Avoidance Malfunction
To: nhtsa.webmaster@dot.gov

Good Evening;

I wanted to add more details to my National Highway Traffic Safety Administration (NHTSA). My tracking number assigned by NHTSA for this issue is [11442032](#).

I owned a 2019 BMW X1 SUV. The car had approx. 23,531 miles on it. Serial number WBXHU7C52K3 [REDACTED]. The car had the BMW new vehicle warranty on it and had been exclusively serviced at a BMW dealership since it was new.

The car was equipped with Driving Assistant. BMW Active Driving Assistant is a collection of driving assistance and collision avoidance technologies. Active Driving Assistant includes forward-collision warning with pedestrian detection, low-speed automatic emergency braking, lane-departure warning, blind-spot warning, and rear cross-traffic warning. BMW Active Driving Assistant systems help a driver to avoid a collision. The package includes advanced driving assistance systems (ADAS) that are increasingly common as standard equipment for mainstream and luxury brands alike. Forward-collision warning monitors for obstacles ahead, and with Active Driving Assistant the technology can also identify pedestrians in the vehicle's path. If the driver fails to brake, the automatic emergency braking system engages to stop or slow the BMW before impact. Be sure to understand that with Active Driving Assistant, the automatic braking works only at lower city speeds. On faster-flowing highways and freeways, the driver must respond to potential collision situations. [REDACTED]

The car was involved in a rear end collision striking the vehicle in front of it on May 28, 2021 at approx. 11:36 AM (picture attached). The car was on York Road near [REDACTED] in Cockeysville Maryland being driven in heavy lunch-hour traffic when the accident occurred. My wife, [REDACTED], was driving the vehicle. She is named on my auto insurance policy. She was taken to the hospital via ambulance to Belvedere/Sanai Hospital at [REDACTED], Baltimore, MD [REDACTED]. She sustained a broken sternum, major bruising and lacerations on her arms and legs. The vehicle was towed to a holding yard (Linhard's Towing, 11013 York Road, Cockeysville, MD 21030) by the police due to the air bags deploying. The steering wheel, drivers lower leg and passenger side curtain air bags deployed. On June 1st the car was then towed to Ed & Jim's Body Shop located at 8902 Aubrey Road, Parkville, MD 21234 by referral from my insurance company, Progressive Insurance.. This car has since been deemed a total loss and the insurance company purchased this car from me.

I called BMW on June 1, 2021 to report that my vehicle did not stop to avoid the collision. A BMW engineer was

came to the body shop to look at the vehicle. BMW is saying the crash avoidance was active and worked as it should. I have a hard time believing them. Attached is the BOSCH CDR Crash Data Retrieval Report that was electronically from the vehicle's computer. BMW only sent me 6 of the 17 pages of the report. BMW has offered me \$4,000.00 reimbursement towards the purchase of another BME vehicle.

The BMW representative that I am e-mailing and speaking to is:

BMW of North America, LLC
Peter Callas
Executive Customer Care Representative
Customer Relations and Services
PO Box 1227
Westwood, NJ 07675-1227
Tel: 201 571 5879
Fax: 201 205 1411
Mail: Peter.Callas@bmwna.com
Web: bmwusa.com

My BMW, Model X1, Model Year 2019 scored a "Zero" in IHH testing.

Below are publications about the IHH testing on my year and model vehicle:

The BMW X1's Automatic Emergency Braking System Is Terrible: IHH - Published 02/22/2019
(<https://jalopnik.com/the-bmw-x1s-automatic-emergency-braking-system-is-terri-1832815010>)

Small SUVs Earn High Ratings For Pedestrian Crash Prevention, BMW X1 Is The Exception- Published 02/21/2019
(<https://www.forbes.com/sites/tanyamohn/2019/02/21/small-suvs-earn-high-ratings-for-pedestrian-crash-prevention/?sh=19d3d39f3f98>)

What is BMW Active Driving Assistant?- Published 07/07/2020
(<https://www.jdpower.com/cars/shopping-guides/what-is-bmw-active-driving-assistant>)

I have also attached the vehicle registration card, BMW e-mail correspondences and the vehicle specification sheets.

I look forward to talking to you soon and hopefully you would be interested in taking this case.

Thank you.

[REDACTED]

[REDACTED]

Baltimore, Maryland [REDACTED]

E-Mail: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

ASRC Federal Holding Company
Quality Control Analyst

[REDACTED]

7000 Muirkirk Meadows Drive, Beltsville, MD 20705
asrcfederal.com | Purpose Driven. Enduring Commitment.

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MOTOR VEHICLE COLLISION INFORMATION EXCHANGE FORM

It is the policy of this police department to investigate and complete reports for traffic collisions that result in death or injury. In addition, officers may investigate property damage collisions in which a vehicle cannot be safely driven from the scene as well as those involving drivers who are intoxicated. A report will not be completed for collisions that do not meet one of these criteria.

Based on the observations of the investigator, a police report **WILL be completed.**

Barrack: Cockeysville Precinct Unit Phone: 4108871820 Case Number:

Investigator: OFF B. Schmidt 6196 Assignment: Cockeysville Precinct Phone: 4108871820

Date: 05/28/2021 Time: 11:36 Weather: Clear County: Baltimore County

Location: _____

Vehicle Registration: [REDACTED] State: MD VIN: WBXHU7C52K3 [REDACTED] Type: Passenger Car

Year: **2019** Make: **BMW** Model: **X1**

Insurance: **PROGRESSIVE** Policy #: [REDACTED]

Owner Name: [REDACTED]

Address: [REDACTED] BALTIMORE MD [REDACTED]

Home Phone: _____ Work Phone: _____

Driver's License Number: [REDACTED] License State: MD

Name: _____ Date of Birth: _____

Address: [REDACTED] BALTIMORE MD [REDACTED]

Home Phone: _____ Work Phone: _____

Vehicle Registration: [REDACTED] State: MD VIN: 5XYKT4A6XFG [REDACTED] Type: Passenger Car

Year: 2015 Make: KIA Model: TK

Insurance: **GEICO** Policy #: [REDACTED]

Owner Name: [REDACTED]

Address: [REDACTED] BALTIMORE MD [REDACTED]

Home Phone: _____ Work Phone: _____

Driver's License Number: [REDACTED] License State: MD

Name: [REDACTED] Date of Birth: [REDACTED]

Address: [REDACTED] BALTIMORE MD [REDACTED]

Home Phone: _____ Work Phone: _____



From: peter.callas@bmwna.com,
To: [REDACTED]
Subject: RE: 2019 BMW X1 - Vin: 3 [REDACTED]
Date: Tue, Jul 6, 2021 2:47 pm

Hello [REDACTED]

Thank you for speaking with me earlier today regarding your BMW. As we discussed, BMW of North America would be pleased to offer you \$4,000 in BMW Owner Loyalty as a gesture of goodwill. This offer is valid towards the purchase or lease of any new or Certified Pre Owned BMW from an authorized BMW center. Simply negotiate your best deal with the sales team and complete the sale. Once that's done, forward me a copy of the sales contract via email or fax and I'll have a check for \$4,000 mailed to you. This offer is valid for a period of one year from the date of this email.

Kind regards,

Peter Callas

From: Callas Peter, C4-US-B-60
Sent: Wednesday, June 30, 2021 1:05 PM
To: [REDACTED]
Subject: RE: 2019 BMW X1 - Vin: 3 [REDACTED]

Hello [REDACTED]

Tomorrow works for me. I will look for your call.

Best regards,

Peter

From: [REDACTED]
Sent: Wednesday, June 30, 2021 1:00 PM
[REDACTED]

7/6/2021

RE: 2019 BMW X1 - Vin: 3 [REDACTED]

To: Callas Peter, C4-US-B-60 <peter.callas@bmwna.com>

Subject: Re: 2019 BMW X1 - Vin: 3 [REDACTED]

Good Afternoon Mr. Callas;

I apologize that I have not gotten back to you yet. I have been extremely busy and can not get to a phone due to my secure job location;.

Can I call you tomorrow 7/1?

Thank you.

[REDACTED]
Baltimore, Maryland [REDACTED]

E-Mail: [REDACTED]

Mobile: [REDACTED]

-----Original Message-----

From: peter.callas@bmwna.com

To: [REDACTED]

Sent: Tue, Jun 29, 2021 11:02 am

Subject: RE: 2019 BMW X1 - Vin: 3 [REDACTED]

Good morning [REDACTED]

I'm available until about noon and then take a break for lunch until about 1, and then am available until 4pm.

That being said, I'm free now if you are, and you can call at 201-571-5879.

Kind regards,

Peter

From: [REDACTED]

Sent: Tuesday, June 29, 2021 10:58 AM

To: Callas Peter, C4-US-B-60 <peter.callas@bmwna.com>

Subject: Re: 2019 BMW X1 - Vin: 3 [REDACTED]

Hello Mr. Callas;

Thank you for sending the report.

However, I only received 6 pages of the 11 page report.

When would be a good time for me to call you to discuss this?

Thank you.

[REDACTED]
Baltimore, Maryland

E-Mail: [REDACTED]

Mobile: [REDACTED]

-----Original Message-----

From: peter.callas@bmwna.com

To: [REDACTED]

Sent: Tue, Jun 29, 2021 10:05 am

Subject: RE: 2019 BMW X1 - Vin: 3 [REDACTED]

Good morning [REDACTED]

My apologies for not calling yesterday. Attached you'll find a copy of the CDR Crash Data from your inspection. I will call shortly to discuss our inspection results and the data if that's alright.

Kind regards,

Peter

From: [REDACTED]

Sent: Sunday, June 27, 2021 10:19 PM

To: Callas Peter, C4-US-B-60 <peter.callas@bmwna.com>

Subject: Re: 2019 BMW X1 - Vin: 3 [REDACTED]

Hello Mr. Callas;

Can you send the report prior to our conversation so that I will have any questions ready prior to your call?

Thank you.

[REDACTED]
Baltimore, Maryland

E-Mail: [REDACTED]

Mobile: [REDACTED]

-----Original Message-----

From: peter.callas@bmwna.com

To: [REDACTED]

Sent: Fri, Jun 25, 2021 1:57 pm

Subject: RE: 2019 BMW X1 - Vin: 3 [REDACTED]

Hello [REDACTED]

I just wanted to follow up to our last email. I will have the inspection results available on Monday, and will call you to discuss them then.

Thank you for your patience in this matter.

Kind regards,

Peter

From: [REDACTED]

Sent: Monday, June 21, 2021 1:02 PM

To: Callas Peter, C4-US-B-60 <peter.callas@bmwna.com>

Subject: RE: 2019 BMW X1 - Vin: 3 [REDACTED]

Yes. The insurance company has have requested the full report. But that's the only think I have.

Sent from the all new AOL app for Android

Good morning [REDACTED]

I appreciate the document you sent, but it's only one page. Most all police reports will list a description of the collision, etc. Is this all you were provided by the police department?

Thanks,

Peter

From: [REDACTED]

Sent: Monday, June 21, 2021 11:44 AM

To: Callas Peter, C4-US-B-60 <peter.callas@bmwna.com>

Subject: Re: 2019 BMW X1 - Vin: 3 [REDACTED]

Good Morning Mr. Callas;

Police report is attached,

Thank you.

[REDACTED]
Baltimore, Maryland

E-Mail: [REDACTED]

Mobile: [REDACTED]

-----Original Message-----

From: peter.callas@bmwna.com

To: [REDACTED]

Sent: Mon, Jun 21, 2021 10:21 am

Subject: RE: 2019 BMW X1 - Vin: 3 [REDACTED]

Good morning [REDACTED]

Can you forward me a police report from this incident? We are concluding our review of this matter.

Thank you,

Peter

From: [REDACTED]

Sent: Wednesday, June 16, 2021 10:34 AM

To: Callas Peter, C4-US-B-60 <peter.callas@bmwna.com>

Cc: jbailey@edandjims.com

Subject: Re: 2019 BMW X1 - Vin: 3 [REDACTED]

Mr. Callas;

Thank you for finally getting back to me.

You told me in your e-mail dated June 7, 2021 that you were going to contact the body shop and insurance company reading BMW's visit to look at my vehicle. Why is it taking till now to call them?

Please do not erase any data from the vehicle's computer. I have another company that is coming out to pull the information (especially the crash data) from the car's computer.

Are you in your office for a quick phone call?

Thank you again.

[REDACTED]
Baltimore, Maryland

E-Mail: [REDACTED]

Mobile: [REDACTED]

-----Original Message-----

From: peter.callas@bmwna.com

To: [REDACTED]

Cc: jbailey@edandjims.com

Sent: Wed, Jun 16, 2021 10:18 am

Subject: RE: 2019 BMW X1 - Vin: 3 [REDACTED]

Good morning [REDACTED]

My engineer's travel schedule did not allow him to inspect your vehicle as early as Monday. He is traveling to Maryland later today, and will be available to inspect your BMW tomorrow. I've called Progressive and had to leave a message with the claims representative. Progressive ultimately has to grant us permission to inspect your vehicle tomorrow. This should not be an issue.

Once Progressive has confirmed our inspection permission, I'll contact Ed & Jim's Body Shop to let them know my inspector is coming. After the inspection takes place, please know that I will not have the results of our inspection for at least a week. I will update you as to when the results are available, and I will call to discuss the results when I have them.

I will follow up today once Progressive has confirmed our inspection permission.

Thank you,

Peter

From: [REDACTED]

Sent: Wednesday, June 16, 2021 8:57 AM

To: Callas Peter, C4-US-B-60 <peter.callas@bmwna.com>

Cc: jbailey@edandjims.com

Subject: 2019 BMW X1 - Vin: 3 [REDACTED]

Good Morning Mr. Callas;

I am following up on the e-mail that I sent to you yesterday Tuesday June 15, 2021.

Hello Mr. Callas;

I just spoke to Josh at Ed & Jim's Body Shop located at 8902 Audrey Avenue, Parkville, MD 21234.

[REDACTED]

He told me that no one from BMW came out yesterday, June 14th, to look at this vehicle.

The Josh at the body shop and Progressive, my insurance company, both told me that no one from BMW has contacting them regarding BMW coming out to look at my BMW X1.

Can you please let me know when someone from your office will be there?

Thank you.

[REDACTED]
Baltimore, Maryland [REDACTED]

E-Mail: [REDACTED]

Mobile: [REDACTED]

-----Original Message-----

From: [REDACTED]

To: peter.callas@bmwna.com <peter.callas@bmwna.com>

Cc: jbailey@edandjims.com <jbailey@edandjims.com>

Sent: Tue, Jun 15, 2021 11:34 am

Subject: [REDACTED] BMW X1 - BMW of North America's Executive Office

Hello Mr. Callas;

I just spoke to Josh at Ed & Jim's Body Shop located at 8902 Audrey Avenue, Parkville, MD 21234.

He told me that no one from BMW came out yesterday, June 14th, to look at this vehicle.

Can you please let me know when someone from your office will be there?

Thank you.

[REDACTED]
Baltimore, Maryland [REDACTED]

E-Mail: [REDACTED]

Mobile: [REDACTED]

-----Original Message-----

From: [REDACTED]

To: peter.callas@bmwna.com <peter.callas@bmwna.com>

Sent: Mon, Jun 14, 2021 10:32 am

Subject: Re: BMW of North America's Executive Office

Good Morning Mr. Callas;

Just following up on the appointment to look at my BMW X1 that currently is at the body shop.

Please let me know if you need anything from me.

Thank you again.

[REDACTED]
Baltimore, MD [REDACTED]

E-Mail: [REDACTED]

Mobil: [REDACTED]

-----Original Message-----

From: peter.callas@bmwna.com

To: [REDACTED]

Sent: Mon, Jun 7, 2021 1:03 pm

Subject: RE: BMW of North America's Executive Office

Good afternoon [REDACTED]

My engineer is finalizing his travel arrangements today. As of now it appears that next Monday, June 14th is his first available date to inspect your BMW. I should have confirmation of this by tomorrow, and I'll confirm with the body shop and insurance.

Kind regards,

Peter

From: [REDACTED]

Sent: Monday, June 07, 2021 8:17 AM

To: Callas Peter, C4-US-B-60 <peter.callas@bmwna.com>

Subject: Re: BMW of North America's Executive Office

Good Morning Mr. Callas;

Is someone scheduled to look at my BMW X1 that currently sitting at the body shop per our conversation last week?

Please let me know.

Thank you.

[REDACTED]
Sent from the all new AOL app for Android

On Wed, Jun 2, 2021 at 3:50 PM, peter.callas@bmwna.com
<peter.callas@bmwna.com> wrote:

RE: 2019 BMW X1 VIN: 3 [REDACTED]

Dear [REDACTED]

Thank you for speaking with me earlier today regarding your BMW X1. I'm sorry to hear about the collision you and [REDACTED] were involved in, and I appreciate all the details you were able to provide. As we discussed, I'd like to speak to Progressive and my team regarding a future inspection of your vehicle. I'd like to follow up as soon as I have further updates.

In the meanwhile, please do not hesitate to contact me should you have any questions. I can be reached from 8:30 am to approximately 4pm EST, Monday thru Friday at 201-571-5879 or via email at Peter.Callas@bmwna.com.

Kind regards,

Peter Callas

BMW of North America, LLC

Peter Callas

Executive Customer Care Representative

Customer Relations and Services

PO Box 1227
[REDACTED]

Westwood, NJ 07675-1227
Tel: 201 571 5879
Fax: 201 205 1411
Mail: Peter.Callas@bmwna.com
Web: bmwusa.com

***** **IMPORTANT--PLEASE READ** *****

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Specifications

X1 Sdrive28i
WBXHU7C52K3



X1 Sdrive28i

WBXHU7C52K3



Model Description	HU73
Model	X1 Sdrive28i
Vehicle History	Get a car report instantly (click here)!
Market	USA
Development Code	F48
Chassis	Sports Activity Vehicle
Steering	left
Doors	5
Engine	B46O
Displacement	2.00 l
Power	170 kW
Drivetrain	Front-Wheel Drive
Transmission	automatic
Color	Glacier-silber Metallic - A83
Upholstery	Sensatec/schwarz - KCSW
Manufacturer	BMW AG
Production Plant	Born, Netherlands (VDL Nedcar)
Production Date	2018-12-21 (Friday)

X1 Sdrive28i

WBXHU7C52K3

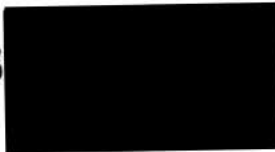
1AG	Larger-capacity Fuel Tank	Groesserer Kraftstofftank
1CA	Selection Cop Relevant Vehicles	Selektion Cop Relevanter Fahrzeuge
1XV	18"law Y-spoke 569 W. Runflat Tyres	18"Im Raed. Y-speiche 569 M.notlauf
205	Automatic Transmission	Automatic Getriebe
248	Steering Wheel Heating	Lenkradheizung
249	Multi-function For Steering Wheel	Multifunktion Fuer Lenkrad
255	Sports Leather Steering Wheel	Sport-lederlenkrad
258	Runflat Tyres	Bereifung Mit Notlaufeigenschaften
2VB	Tyre Pressure Indicator	Reifendruckanzeige
2VG	Performance Control	Performance Control
302	Alarm System	Alarmanlage
313	Exterior Mirror Package	Aussenspiegelpaket
316	Automatic Tailgate Operation	Automatische Heckklappenbetaetigung
319	Integrated Universal Remote Control	Integrierte Universal-fernbedienung
322	Comfort Access System	Komfortzugang
3AG	Backup Camera	Rueckfahrkamera
3AT	Roof Rails Aluminium Satinated	Dachreling Aluminium Satiniert
3L8	Exterior Parts In Aluminium Satined	Exterieurumf. In Aluminium Satinier
402	Panorama Glass Roof	Panorama Glasdach
420	Sun Protection Glazing	Sonnenschutzverglasung
423	Floor Mats, Velour	Fussmatten In Velours
430	Interior And Exterior Mirror Packa	Innen- Und Aussenspiegelpaket
431	Interior Rr Vw Mirror W Aut Anti-d	Innenspiegel,automatisch Abblendend
459	Seat Adjustm., Electr. W. Memory	Sitzverstellung, Elektr.mit Memory
473	Armrest, Front	Armauflage Vorn
488	Lumbar Support Driver/front Passenger	Lordosenstuetze Fahrer/beifahrer
493	Storage Compartment Package	Ablagenpaket
494	Seat Heating F Driver/front Passenger	Sitzheizung Fuer Fahrer/beifahrer
4LU	Int.t.f.bl.hi.gloss W.high T.fin.ch	Int.l.schw.hochgl.m.akzent.l.perlgl
4NE	Blow-by-heater	Blow-by-heizer

X1 Sdrive28i

WBXHU7C52K3

508	Park Distance Control (pdc)	Park Distance Control (pdc)
534	Automatic Air Conditioning	Klimaautomatik
544	Cruise Control With Braking Function	Geschwindigkeitsregel. Mit Bremsf.
563	Lights Package	Lichtpaket
575	Additional 12v Power Socket	Zusaetzliche 12-v-steckdose
5A4	Led Headlights W.extended Features	Led-scheinwerfer M.erweiterten Umfa
5AS	Driving Assistant	Driving Assistant
610	Head Up Display	Head-up Display
645	Radio Control Us	Radio-steuerung Us
650	Cd Player	Cd-laufwerk
655	Satellite Radio	Satellitentuner
676	Hifi Loudspeaker System	Hifi Lautsprechersystem
697	Area-code 1	Area-code 1
6AC	Intelligent Emergency Call	Intelligenter Notruf
6AE	Teleservices	Teleservices
6AK	Connecteddrive Services	Connecteddrive Services
6AM	Real Time Traffic Information	Real Time Traffic Information
6AP	Remote Services	Remote Services
6CP	Apple Carplay Preparation	Apple Carplay Vorbereitung
6UP	Navigation Plus	Navigation Plus
775	Individual Roof-lining Anthracite	Individual Dachhimmel Anthrazit
7HW	Xline	Xline
823	Hot Climate Version	Heissland-ausfuehrung
842	Cold Climate Version	Kaltland-ausfuehrung
845	Acoustic Belt Warning	Akustische Gurtwarnung
850	Add Fuel Tank Filling For Export	Zusaetzl. Tankfuellung Export
853	Language Version English	Sprachversion Englisch
8KL	OelSERVICEint. 15.000km/12months	Oelwartungsint. 15.000km/12monate
8R9	Refrigerant	Kaeltemittel
8S4	Decoding Variable Light Distributio	Decodierung Variable Lichtverteilun

X1 Sdrive28i WBXHU7C52K3

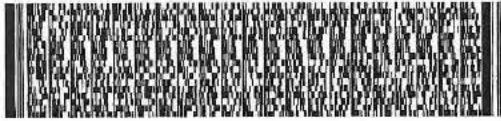


8SM	Vin, Visible From Outside	Fahrgestellnummer,v.aussen Sichtbar
8TN	Daytime Driving Lights Selectable B	Tagfahrlicht Ueber Lichtmenue Einst
925	Shipping Protection Package	Versandschutzpaket
927	All Season Tires	All Season Bereifung
992	Number Plate Attachement Management	Steuerung Kennzeichenbefestigung
9AA	External Skin Protection	Aussenhautschutz

6601 Ritchie Highway, N. E.
Glen Burnie, Maryland 21062

Motor Vehicle Administration

REGISTRATION CERTIFICATE



TAG NUMBER		UNIT #		STICKER NUMBER	
[REDACTED]		[REDACTED]		[REDACTED]	
TITLE NUMBER			MAKE AND BODY STYLE OF VEHICLE		
[REDACTED]			BMW TK		
YEAR	CLASS	EXCEPT	VEHICLE IDENTIFICATION NUMBER		
2019	MBY	N/A	WBXHU7C52K3 [REDACTED]		
GR. VEH. WT.		GR. COMB. WT.		FEE	EXPIRATION DATE
+3700		00N/A		207.00	01/31/2022
OWNER'S LICENSE SOUNDEX NO.			CO-OWNER'S LICENSE SOUNDEX NO.		
[REDACTED]			[REDACTED]		
NAME(S) AND ADDRESS OF REGISTERED OWNER(S)					
[REDACTED]					
SPARROWS POINT MD [REDACTED]					

*****ALTO**MIXED APC 300

000906

SPARROWS POINT, MD

22pgs



ATTENTION

Confidential Information enclosed.
To be viewed by authorized persons only.

If you have questions regarding any information you have requested,
please call the phone number on the enclosed invoice.

To Whom It Concern:

CIOX has provided to you protected health information that may contain information that falls under the 42 C.F.R. Part 2. The federal rules prohibit you from making any further disclosure of information in this record that identifies a patient as having or having had a substance use disorder either directly, by reference to publically available information, or through verification of such identification by another person unless further disclosure is expressly permitted by written consent of the individual whose information is being disclosed or as otherwise permitted by 42 CFR part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose (see 42 CFR §2.31). The federal rules restrict any use of the information to investigate or prosecute with regard to a crime any patient with a substance use disorder, except as provided at 42 CFR §§ 2.112(c)(5) and 2.65.

If the enclosed record pertains to HIV/AIDs, it has been disclosed to you from records whose confidentiality is protected by federal and perhaps, state law, which prohibits you from making any further disclosure of such information without the specific consent of the person to whom such information pertains or as otherwise permitted by state law. A general authorization for this release of health or other information is not sufficient for this purpose.

If the information requested is from a facility located within the Washington State area then this information will fall under the RCW 70.02.300 which states that this information has been disclosed to you from records who confidentiality may be protected by state law. State law prohibits you from making any further disclosure of it without the specific written authorization of the person to whom it pertains, or as otherwise permitted by state law. A general authorization for the release of this protected information is not sufficient for this purpose.



To protect the privacy of individuals, NHTSA does not make medical records available to the public without authorization. For this reason, documents falling into this category have not been included in this complaint record.