

From: [DataQuality, DataQuality \(NHTSA\)](#)
To: [EVOQ \(NHTSA\)](#)
Subject: FW: Follow up to ODI Complaint ---11503483
Date: Monday, February 27, 2023 8:03:03 AM
Attachments: [REDACTED]

From: [REDACTED]
Sent: Friday, February 24, 2023 1:32 PM
To: DataQuality, DataQuality (NHTSA) <DataQuality@dot.gov>
Subject: Fwd: Follow up to ODI Complaint ---11503483

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.

Dear Sirs,
Thank you for your letter. Please find attached an edited version of my Vehicle Owner's Questionnaire (edits in blue). Also please find attached my correspondence with BMW and related attachments including photos related to my complaint.
Regards,

[REDACTED]
[REDACTED]

----- Forwarded message -----

From: EVOQ (NHTSA) <EVOQ@dot.gov>
Date: Tue, Feb 21, 2023 at 9:53 AM
Subject: Follow up to ODI Complaint ---11503483
To: [REDACTED]

Please see the attached copy of your recent complaint and instructions. Please make any necessary edits and return via email to dataquality@dot.gov or fax to (202) 366-1767. Due to the volume of complaints we receive and our limited resources, we cannot respond to every complaint.
NHTSA/Office of Defects Investigation

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VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND EMAIL

April 9, 2014

Ms. Nancy Lewis
Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Ave., S.E.
Washington, DC 20590

**Re: Recall Campaign
VANOS Assembly Bolts
Model Year 2010-12 BMW 1 Series, 3 Series, 5 Series, 5 Series Gran
Turismo, 6 Series, X3 SAV, X5 SAV, X6 SAV, Z4**

Dear Ms. Lewis:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act of 1966 and 49 CFR Part 573.

BMW has decided to conduct a voluntary recall in accordance with CFR Parts 573 and 577 for the subject vehicles contained herein. In addition, BMW has decided to implement an extended warranty program for certain other vehicles that have much lower incident rates.

Pursuant to Section 573.6(c), we submit the following information.

- | | | |
|----|---------------------------------|--|
| 1. | Manufacturer: | Bayerische Motoren Werke AG (BMW AG) |
| | Designated Agent: | Samuel Campbell, III
Department Head, Safety Engineering and ITS
BMW of North America, LLC
200 Chestnut Ridge Rd. (Bldg. 150)
Woodcliff Lake, NJ 07677 |
| 2. | Make: | BMW |
| | Model Year / Model: | Inclusive Dates of Manufacture: |
| | 2010-12 / 1 Series | January 2010 - August 2011 |
| | 2010-12 / 3 Series | September 2009 - February 2012 |
| | 2011-12 / 5 Series | September 2009 - August 2011 |
| | 2010-12 / 5 Series Gran Turismo | September 2009 - November 2011 |
| | 2012 / 6 Series | May 2011 - October 2011 |
| | 2010-12 / X3 SAV | January 2010 - September 2011 |
| | 2010-12 / X5 SAV | November 2009 - October 2011 |
| | 2010-12 / X6 SAV | February 2010 - October 2011 |
| | 2010-12 / Z4 | January 2010 - February 2011 |

Company
BMW of North America, LLC

BMW Group Company

Mailing address
PO Box 1227
Westwood, NJ
07675-1227

Office address
300 Chestnut Ridge Road
Woodcliff Lake, NJ
07677-7731

Telephone
(201) 307-4000

Fax
(201) 571-5479

Website
bmwusa.com



3. The number of vehicles affected is approximately 156,137 as follows:

<u>Model Year / Model</u>	<u>Production Volume</u>
2010-12 / 1 Series	8,983
2010-12 / 3 Series	58,165
2011-12 / 5 Series	37,443
2010-12 / 5 Series Gran Turismo	3,094
2012 / 6 Series	5
2010-12 / X3 SAV	8,483
2010-12 / X5 SAV	33,389
2010-12 / X6 SAV	5,420
2010-12 / Z4	1,155

4. The percentage of vehicles estimated to contain the condition is approximately 2%.
5. This recall involves the housing bolts for the variable camshaft timing (VANOS) adjustment unit on the intake and exhaust camshafts. The housing of the VANOS adjustment unit is assembled with four aluminum bolts. Due to a quality fault, the aluminum bolts can loosen over time and under certain circumstances the bolt heads may break. The VANOS assembly is controlled electrically by valves actuated via engine oil pressure. If the bolt heads loosen or break, the VANOS may leak internally, resulting in the affected camshaft not being adjusted correctly anymore. Since the camshaft position is monitored by the engine electronics, it will be recognized that the camshaft position is deviating from the target position. As a result, the reduced engine power Limp-Home mode will be activated.

The driver will be notified by the Check Engine (or Service Engine Soon) warning light and a Check Control message that the reduced engine power Limp-Home mode is activated either immediately or at startup of the next driving cycle. The driver will notice a distinct change in engine running condition and hear increased engine noise. In rare cases, the engine cannot be started after switching off. In very rare cases, the engine could stall during operation which could lead to a crash.

The name, business address, and telephone number of the suppliers, and country of origin of the components, are:

Supplier (VANOS assembly)
Hilite Germany GmbH
Am Schloßfeld 5
D-97828 Marktheidenfeld
Germany
Tel.: +49-9391-911-0

Country of Origin - Germany

Sub-supplier (aluminum bolts)
RIBE-Richard Bergner Verbindungstechnik GmbH & Co. KG
Bahnhofsstraße 8-16
D-91126 Schwabach
Tel.: 49-9122-870-0

Country of Origin – Germany

6. In 2011, approximately 12 warranty claims were processed in the US market for various malfunctions involving the VANOS system. Some of the warranty claims indicated that the Service Engine Soon lamp was illuminated and some indicated that one or more of the VANOS system bolts were broken. Some of the claims did not contain either of these references, and appear to be unrelated to the issue that is the subject of this recall.

On August 22, 2011, BMW China received the first field report from its dealer network regarding a malfunction of the VANOS system on a Model Year 2010 BMW X5 produced on May 27, 2010. The report did not include a customer stalling complaint, however the report advised the orange check engine warning light was displayed, in conjunction with increased engine noise.

On October 21, 2011, the first dealer field report was received in the US market pertaining to a Model Year 2011 BMW X5 SAV produced in June 2010 with approximately 29,000 miles. In the report and corresponding warranty claim, the customer stated that the Service Engine Soon lamp was illuminated and that the vehicle stalled. During vehicle repair, it was noted that some of the VANOS attachment bolts were broken. No further dealer field reports in the US market were received for approximately six months.

On March 29, 2012, a second dealer field report was received in the US market. Similar to the first dealer field report, it pertained to a Model Year 2011 BMW X5 SAV produced in June 2010 with approximately 32,000 miles. In this report, the customer stated that the Service Engine Soon lamp illuminated, but that the vehicle had not stalled. During vehicle repair, it was noted that some of the VANOS attachment bolts were broken.

During early 2012, an increasing number of field cases were received in other markets involving possible loosening and subsequent breaking of the VANOS attachment bolts. The cases indicated that only certain 6-cylinder turbocharged engines produced during specific weeks in 2010 were affected. At that time, a root cause was yet to be identified. As a result of the increase in field cases, an engineering team was established to understand and resolve the issue.

Between September 2011 and June 2012, the engineering team investigated the production data of the supplier and sub-suppliers, analyzed field data, evaluated differences in vehicle configurations, examined returned parts from the field, and performed various vehicle and system tests. On March 19, 2012 a report regarding the malfunction of a VANOS system on a vehicle in the Chinese market became available to the engineering team. Metallurgical analysis of the failed bolts pointed to possible creep damage. Further analyses of additional field data and production records suggested that only engines of specific production periods were affected.

On June 20, 2012, due to the increasing number of field cases worldwide, BMW decided to conduct an action in the Chinese market for vehicles produced between February 2, 2010 and October 15, 2010. The action consisted of replacing the VANOS units and the attachment bolts at the vehicle's next dealer visit. However, in the US market, due to the very low rate of occurrence, it was decided to perform this action only if a vehicle experienced this condition. A Service Information Bulletin was released in June 2012. The markets continued to be monitored.

In 2013, BMW received several more dealer field reports from the US market pertaining to conditions in which the Service Engine Soon lamp was illuminated and that one or more of the VANOS attachment bolts had broken. However, none of the reports suggested that a stalling condition had occurred. Most of the reports pertained

to vehicles with approximately 40,000 miles which were produced between May and July 2010. However, to ensure all possibly affected vehicles were being addressed, the Service Information Bulletin was updated to expand the number of models and the dates of vehicle production.

On February 24, 2014, the Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) in China initiated an investigation and submitted an information request to BMW China, in conjunction with 9 customer complaints containing 4 allegations of stalling.

Between March 1 and March 18, 2014, BMW reviewed and analyzed the cases submitted by AQSIQ in cooperation with the investigation. BMW came to the conclusion that this issue was not safety-related.

On March 18, 2014, BMW decided to implement an action in the Chinese market (with customer notification) for certain models equipped with a VANOS engine that was produced between September 2009 and July 2011.

On April 2, 2014, AQSIQ published this action as a safety related recall. BMW China subsequently accepted the determination by AQSIQ to conduct this type of campaign.

On April 2, 2014, BMW decided to conduct a voluntary recall in the US. In addition, BMW decided to offer an extended warranty program for vehicles with similar engines but which exhibit much lower rates of occurrence.

BMW has not received any reports, nor is BMW otherwise aware, of any accidents or injuries related to this issue.

7. Not applicable.
8. The four bolts connecting each VANOS adjustment unit to both the intake and exhaust camshafts will be replaced. BMW expects to begin dealer notification in April 2014 and complete dealer notification in May 2014. BMW expects to begin owner notification in May 2014 and complete owner notification in June 2014.

In addition, owners of approximately 170,172 Model Year 2010-2012 BMW vehicles equipped with inline 6 cylinder engines, but which experience much lower rates of VANOS bolt failure, will receive an extended warranty to address this condition.

9. Not applicable.
10. A copy of the Service Bulletin will be submitted when available. A draft copy of the owner notification letter will be submitted when available.
11. Not applicable.

Sincerely,

BMW OF NORTH AMERICA, LLC



Sam Campbell
Department Head
Safety Engineering and Intelligent Transportation Systems



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

1200 New Jersey Avenue SE
Washington, DC 20590

April 25, 2014

Mr. Sam Campbell
Department Head-Safety Engineering
BMW of North America, LLC
P.O. Box 1227
Westwood, NJ 07677

NVS-215KS
14V-176

Subject: Camshaft Housing Bolts May Loosen causing Stall

Dear Mr. Campbell:

This letter serves to acknowledge BMW of North America, LLC's notification to the National Highway Traffic Safety Administration (NHTSA) of a safety recall which will be conducted pursuant to Federal law for the product(s) listed below. Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

Makes/Models/Model Years:

BMW/128I/2010-2011
BMW/135I/2011-2012
BMW/328I/2010-2011
BMW/335I/2011-2012
BMW/528I/2011
BMW/535I/2011
BMW/535I GRAN TURISMO/2010-2012
BMW/640I/2012
BMW/X3 SAV/2010-2011
BMW/X5 SAV/2010-2012
BMW/X6 SAV/2011-2012
BMW/Z4/2010-2011

Mfr's Report Date: April 9, 2014

NHTSA Campaign Number: 14V-176

Components:

ENGINE AND ENGINE COOLING:ENGINE

Potential Number of Units Affected: 156,137

Problem Description:

BMW of North America, LLC (BMW) is recalling certain model year 2010-2011 128i Coupe, 128i Convertible, 328i Sedan, 328i xDrive Sedan, 328i Coupe, 328i Convertible, 328i Sports Wagon and Z4 sDrive 30i, 2011-2012 135i Coupe, 135i Convertible, 335i Sedan, X5 xDrive 35i, and X6 xDrive 35i, 2011 335i xDrive Sedan, 335i Coupe, 335i Convertible, 528i Sedan, 535i Sedan, 535i xDrive Sedan, X3 xDrive 28i, and X3 xDrive 35i, 2010 X3 xDrive 30i, and X5 xDrive 30i, 2012 640i Coupe, and 640i Convertible and 2010-2012 535i Gran Turismo vehicles. In the affected vehicles, the bolts that secure the housing for the variable camshaft timing adjustment (VANOS) unit can loosen over time and may possibly break.

Consequence:

If the bolts loosen or break the engine may have reduced power or stall. An engine stall increases the risk of a crash.

Remedy:

BMW will notify owners, and dealers will replace the four VANOS housing bolts, free of charge. The recall is expected to begin in May 2014. In addition, owners of approximately 170,172 model year 2010-2012 BMW vehicles equipped with inline 6 cylinder engines not covered by this recall, will receive an extended warranty to address this condition. Owners may contact BMW at 1-800-831-1117.

Notes:

Owners may also contact the National Highway Traffic Safety Administration Vehicle Safety Hotline at 1-888-327-4236 (TTY 1-800-424-9153), or go to www.safercar.gov.

Please be reminded of the following requirements:

You are required to submit a draft owner notification letter to this office no less than five days prior to mailing it to the customers. Also, copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

As stated in Part 573.7, submission of the first of six consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on, or before, 30 days after the close of the calendar quarter.

Your contact for this recall will be Kelly Schuler who may be reached by phone at (202) 366-5227, or by email at kelly.schuler@dot.gov or through the office email at rmd.odi@dot.gov. We look forward to working with you.

Sincerely,



Jennifer Timian
Chief, Recall Management Division
Office of Defects Investigations
Enforcement

BMW Owner Reimbursement Program

PO Box 54067 Hurst, Texas 76054

Phone 844 857 6341

BMW
Owner
Reimbursement
Program



Extended Limited Warranty Reimbursement Request for
B-ELW 2014 VANOS Units

Contact Information

Please review and update the following information as necessary

* indicates a required field

Owner First Name*

Owner Last Name*

Street Address*

City*

Los Altos

State*

California (CA)

Zip/Postal Code*

Please provide at least one phone number

Enter phone number plus area code with no punctuation

E.g. 2485551212

Home Phone

Office Phone

Mobile Phone

Email Address*

Attachments

Repair Order

Choose File No file chosen

Proof of Payment

Choose File No file chosen

Submit

This website may be used to submit information to a Limited Warranty program described in the latter one (one) of the two (two) files (files). Please contact your authorized BMW



This Service Information bulletin supersedes SI B01 10 14 **dated September 2014.**

NEW designates changes to this revision

SUBJECT

Engine Camshaft (VANOS) Adjustment Units: Limited Warranty Extension to 10 Years Without Mileage Limitation

MODEL

NEW

E70 (X5)

Produced from approximately 10/2009 to 03/2010

With N52K

E82 (1 Series Coupe)

Produced from approximately 9/2009 to 08/2011

With N51 and N52K

E83 (X3)

Produced from approximately 9/2009 to 08/2010

With N52K

E88 (1 Series Convertible)

Produced from approximately 9/2009 to 08/2011

With N51 and N52K

E89 (Z4)

Produced from approximately 9/2009 to 08/2011

With N52K

E90 (3 Series Sedan)

Produced from approximately 9/2009 to 12/2011

With N51 and N52K

E91 (3 Series Sports Wagon)

Produced from approximately 9/2009 to 08/2011

With N51

E92 (3 Series Coupe)

Produced from approximately 9/2009 to 08/2011

With N51 and N52K

E93 (3 Series Convertible)

Produced from approximately 9/2009 to 07/2012

With N51

Produced from approximately 9/2009 to 08/2011

With N52K

F10 (5 Series Sedan)

Produced from approximately from 06/2010 to 08/2011

With N52T

F25 (X3)

Produced from approximately from 3/2010 to 10/2011

With N52T

INFORMATION

BMW of North America, LLC (“BMW NA”) is extending the limited warranty for the Camshaft (VANOS) Adjustment Units on certain model BMW vehicles equipped with the non-turbocharged 6-cylinder engine to:

10 years without mileage limitation, as determined by the vehicle’s original in-service date.

NEW This “component-specific” limited warranty extension applies to defects in materials and workmanship and is subject to the applicable New Vehicle/SAV Limited Warranty’s exclusions and limitations, in addition to the vehicle and coverage eligibility requirements.

This bulletin is notice of a “limited warranty extension.” This is NOT a notice of a Recall or Service Action.

There is no immediate repair required **unless** the BMW vehicle is currently experiencing this problem. For additional troubleshooting and repair-related information, please refer to [SI B12 14 12](#).

This extended limited warranty coverage **does not** apply to the vehicles affected by following Recall Campaign:

SI B11 07 14	Recall Campaign 14V- 176: N51, N52K and N52T Engine – Replace VANOS Gear Bolts
SI B11 08 14	Recall Campaign 14V- 176: N55 Engine – Replace VANOS Gear Bolts

Customer Notification Letter – VIN and Component-specific Warranty Extension

Even though this is **NOT** a Recall, BMW NA will begin sending VIN-specific customer notification letters the week of September 08, 2014 in a staggered release. A sample letter is attached.

Eligible BMW Vehicles

To assist you in identifying the eligible vehicles, the DCSnet Warranty Vehicle Inquiry has been updated with the “Vehicle Comment” shown below:

BMW NA has extended the limited warranty for the engine’s intake and exhaust Camshaft (VANOS) Adjustment Units on this vehicle to 10 years without mileage limitation as determined from the original in-service date. Please see SI B01 10 14.

Note: Always check the DCSnet Warranty Vehicle Inquiry “Vehicle Comments” and the “Repair History (Claims)” sections first, before performing any repairs.

NEW PROCEDURE

When applicable, please follow the VANOS bolt replacement procedure outlined in the attachment; it contains the modified repair instructions.

The bolt replacement procedure must be performed when the vehicle’s engine is at room temperature.

Performing the torque sequence described in the attachment when the engine is hot will result in inaccurate torque values.

The ISTA/D repair instructions apply only to the VANOS gear assembly replacement.

NEW PARTS INFORMATION

The part number listed below is only for those vehicles that need a VANOS adjustment unit assembly replaced on one side and a set of VANOS adjustment bolts replaced on the other side (intake or exhaust).

Part Number	Description	Quantity
11 36 8 602 263	VANOS Bolt (ISA screw M7x21)	4*

*Per Bolt Repair Procedure Step 8 or 15: Additional replacement bolt(s) may be needed if they do not torque to the correct specification. Claim the additional bolt(s), if necessary, and explain the reason in the claim comments.

Please refer to the Electronic Parts Catalog (EPC/ETK) for the complete VANOS unit assembly (intake or exhaust), using the customer’s VIN to locate the replacement part number(s).

Note: Only order the necessary parts, in the quantities needed, for customers’ vehicles that have confirmed failures.

Also, refer to ETK and the repair instructions for onetime-use fasteners and component information regarding additional and/or replacement screws, gaskets and seals that need to be installed and claimed.

WARRANTY INFORMATION

NEW The engine’s intake and exhaust Camshaft (VANOS) Adjustment Units limited warranty extension to 10 years without mileage limitation applies to “eligible US-specification BMW vehicles” that are registered, operated and have their covered repair performed by an authorized BMW center in the United States (including Puerto Rico).

NEW The existing limited warranty coverage for all other parts has **not** changed.

NEW Ineligible vehicles or the diagnosis and repair of other unrelated issues are not covered under this limited warranty extension.

Should a Camshaft (VANOS) Adjustment Unit fail again, the Camshaft (VANOS) Adjustment Unit is covered by the remaining portion of the extended limited warranty coverage period.

Claim this work with the defect code and labor operations provided below.

Defect Code:	11 36 90 04 00	Camshaft VANOS Assemblies Warranty Extension
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NEW Replacing one VANOS unit assembly on one side and a set of VANOS bolts on the other side

Labor Operation:	Labor Allowance:	Description:
NEW 00 62 175	Refer to the “Labor Allowances” attachment until this information is available in KSD2	Vehicle test (includes connecting an approved battery charger/power supply), replace a VANOS adjustment unit on one side; replace the bolted connection on an adjustment unit on the other side

Labor operation code 00 62 175 is a Main labor operation.

If you are using a Main labor code for another repair, use the Plus code labor operation 00 62 772 instead.

Or:

Labor Operation:	Labor Allowance:	Description:
NEW 00 62 176	Refer to the “Labor Allowances” attachment until this information is available in KSD2	Vehicle test (includes connecting an approved battery charger/power supply), replace a VANOS adjustment unit on one side ; replace the bolted connection on an adjustment unit on the other side and removing and installing the engine oil pan to remove fragments.

Labor operation code 00 62 176 is a Main labor operation.

If you are using a Main labor code for another repair, use the Plus code labor operation 00 62 773 instead.

Note: Please refer to the attachment “B011014_VANOS Bolt Repair Procedure” for the related repair information for the items above.

Or:

NEW Replacing both VANOS unit assemblies

Labor Operation:	Labor Allowance:	Description:
00 62 142	Refer to KSD2	Vehicle test (includes connecting an approved battery charger/power supply) and replacing both VANOS adjustment units

Labor operation code 00 62 142 is a Main labor operation.

If you are using a Main labor code for another repair, use the Plus code labor operation 00 62 653 instead.

Or:

Labor Operation:	Labor Allowance:	Description:
00 62 143	Refer to KSD2	Vehicle test (includes connecting an approved battery charger/power supply), replacing both VANOS adjustment units and removing and installing the engine oil pan to remove fragments

Labor operation code 00 62 143 is a Main labor operation.

If you are using a Main labor code for another repair, use the Plus code labor operation 00 62 654 instead.

And, as necessary:

Sublet – Bulk Materials

Sublet Code 4	See sublet reimbursement calculation below	Reimbursement for the used quantities of required bulk operating fluids (applicable BMW part numbers. Please do not use these part numbers for claim submission)
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Sublet calculation: Reimbursement for used quantities of required operating fluids (applicable BMW part numbers) at dealer net plus handling.

Enter this material cost in sublet and itemize the amount in the claim comment section.

NEW Previous Customer-pay Repairs – Limited Warranty Extension Reimbursement

As provided and outlined in the “Customer Notification” letter, under this extended limited warranty, BMW of North America, LLC will provide reimbursement for “qualifying customer-pay repairs” that were performed on an eligible vehicle prior to the release of the customer notification.

Customer pay repairs, when they were performed, are subject to the applicable New Vehicle/SAV Limited Warranty’s exclusions and limitations, in addition to the vehicle and coverage eligibility requirements.

Repairs, those performed on ineligible vehicles or the diagnosis and repair of other unrelated issues, do not qualify for reimbursement.

For a customer to request reimbursement for a “qualifying customer-pay repair” performed either by an authorized BMW center or independent repair shop, please have him/her submit his/her reimbursement request online at www.BMW-RP.com.

This website provides information regarding the required supporting documentation and alternative methods to submit a reimbursement request.

ATTACHMENTS

View PDF attachment [**B011014 Labor Allowances.**](#)

View PDF attachment [**B011014 VANOS Bolt Repair Procedure.**](#)

View PDF attachment [**B011014 VANOS Sample Customer letter.**](#)

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U.S. Department
of TransportationNational Highway
Traffic Safety
Administration

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

24-JAN-2023

Repository ☐Reference No.
11503483**OWNER INFORMATION (Type or Print)**

Name [REDACTED]
 Address [REDACTED]
 City Los Altos State CA ZIP Code [REDACTED]

Daytime Telephone Number

E-mail Address

Evening Telephone Number

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 INFORMATION17 digit Vehicle Identification Number Located at bottom of windshield on driver's side
WBAPK7C56BA[REDACTED]MAKE
BMWModel
328iModel Year
2011

Date Purchased

Dealer's Name and Telephone Number

Engine:
No: Cylinders

Fuel Type:

Original Owner
☐

Dealer's City Mountain View

STATE
CAZIP Code
94040

Transmission Type

☐ Antilock Brakes
☐ Cruise Control

Powertrain

Multiple Failure:

Incident Date(s)
24-DEC-2022**FAILED COMPONENT(S)/PART(S) INFORMATION**

Vehicle Components Codes: 060000 ENGINE AND ENGINE COOLING

Failure Mileage
85000.0Failure Speed
20**ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE**

Tire Make Tire Model (Name or Number) Tire Size (Example P215/65R15)
 DOT No. (Example: DOTM1 9ABC036) ☐ Original Requirement Failure Location:
☐ Prior Repair
 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), 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), 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).

The contact owns a 2011 BMW 328i. The contact stated while driving 20 MPH, the vehicle stalled inadvertently. The check engine warning light was illuminated. The contact was unable to veer to the side of the road. The vehicle failed to restart. The vehicle was towed to the residence. The contact stated he was able to diagnose the vehicle using an OBD reader. The contact diagnosed that the failure was related to the intake VANOS camshaft housing. The contact related the failure to NHTSA Campaign Number: 14V176000 (Engine and Engine Cooling). The dealer and the manufacturer were notified of the failure and informed the contact that the vehicle could not be repaired under the recall because the VIN was not included. The vehicle was not repaired. The failure mileage was approximately 85,000.

My 2011 328i Xdrive stalled in heavy traffic suddenly and without warning. Since that time, it has been in a "crank / no start" condition with Check Engine Light on and throwing 2A9A and 2A9E error codes. After closely checking the engine, I was surprised to discover that all 4 of the vanos housing bolts on the intake camshaft had sheared off. The vanos housing bolts are of the type that are known to be defective and are addressed by the 14V-176 recall. Note that these defective bolts are of a soft, silver-colored aluminum and have a tamper-resistant torx head, in contrast with the sturdier replacement bolts (BMW part #11368602263) which are black in color and have a regular torx head. I have checked with both the manufacturer (BMW US Headquarters customer service) as well as my local dealership (BMW of Mountain View). Even though my vehicle year and model (2011 BMW 328i Xdrive) is listed in the 14V-176 recall documents, and the defective camshaft housing bolts (which are the focus of Recall # 14V-176) are present in my vehicle's engine (and have failed), BMW insist that my car is not eligible for repair under this recall because my car's VIN number is not listed on their own internal VIN number list for the recall. See photos, documents, and correspondences attached.

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.

ODI # 11503483

Tue, Jan 24, 2023 at 5:26 PM



Dear Sirs,

BMW has wrongfully excluded my vehicle from NHSTA Recall # 14V-176. This is despite the fact that:

1. My vehicle year and model (2011 BMW 328i Xdrive) is listed in the recall documents.
2. The defective Camshaft Housing Bolts (which are the focus of Recall # 14V-176) are in fact present in my vehicle's engine (and have failed).

I have checked with both the manufacturer (BMW US Headquarters customer service) as well as my local dealership (BMW of Mountain View). Both insist that my car is not eligible for repair under this recall because my car's VIN number does not appear on BMW's VIN number list for the recall. Instead, they propose that I pay for this repair - now that the defective bolts have failed this is likely to be a costly repair (could be \$5000+).

Given the presence of the defective Camshaft Housing Bolts in my vehicle, they are obviously wrong to exclude my vehicle from their VIN number list for the recall. Unfortunately, my appeals to BMW to correct this issue have thus far been ignored.

Please see my email exchange with BMW of Mountain View regarding this issue, including a detailed description of my car's condition and photos of the defective Camshaft Housing Bolts. I hope this information is helpful to you in your investigation.

Please help me escalate this issue with BMW and compel them to honor their obligation to repair my car under NHSTA Recall # 14V-176.

Thanks and
Regards,



----- Forwarded message -----

From: **Nappi, Marc** <nappim@autonation.com>

Date: Tue, Jan 24, 2023 at 2:18 PM

Subject: RE: Bmw of Mt View

To: 

Hello Yes I did receive.

My warranty team also confirmed this VIN is not effected by this recall

From: 
Sent: Monday, January 23, 2023 12:01 PM
To: Nappi, Marc <nappim@autonation.com>
Subject: Fwd: Bmw of Mt View

Hi Marc,

Just wanted to confirm: did you receive my e-mail + 12 attachments?

I need my car... when do you think you will be able to get back to me?

Regards,

----- Forwarded message -----

From: [REDACTED] >
Date: Thu, Jan 19, 2023 at 2:26 AM
Subject: Re: Bmw of Mt View
To: Nappi, Marc <nappim@autonation.com>

Hi Marc,

Thank you for your call earlier today.

As discussed, a few weeks ago my 2011 328i Xdrive stalled in traffic suddenly and without warning. Since that time it has been in a "crank / no start" condition with Check Engine Light on and throwing 2A9A and 2A9E error codes. After checking the function and electrical connectivity of the vanos solenoids and camshaft sensors, as well as cleaning the vanos check valves and trying a few other easy DIYs without any successful resolution, I finally decided to open the valve cover this past weekend to verify/reset the timing. Once I got the cover off I was surprised to discover that all 4 of the vanos housing bolts on the intake camshaft had sheared off (see attachments 1-6). I found 2 of the 4 sheared bolt heads in the upper engine - the other 2 may be in the oil pan. The vanos housing bolts on the exhaust camshaft are still intact. Note that all the vanos housing bolts on both intake and exhaust sides are of the original tamper-resistant silver-colored aluminum type that is known to be defective and is the root cause addressed by the 14V-176 recall. In contrast, the sturdier replacement bolts (BMW part #11368602263) are black in color and have a regular torx head (see attachment 7).

While researching the error codes I had read about the problem with the vanos housing bolts and the 14V-176 recall, but I was surprised to see those defective bolts since I had assumed that my vehicle, which was regularly serviced by BMW Dealership in San Francisco, would have long since had all the defective vanos bolts removed and replaced. (Based on the service records passed to me when I bought the car it was into the dealership for service at least once a year from 2014-2020).

Since making this discovery, I have done no further work on the car pending your response re: BMW's willingness to proceed with the fix as per the 14V-176 recall. I certainly cannot afford to pay for the work. The replacement parts alone are over \$1000. Much more if the loose bolt heads have resulted in additional internal engine damage. Had the bolts been replaced earlier by the dealership as per the recall, it would have been a much cheaper fix (only about \$8 for new bolts).

As to any doubt about the eligibility of my vehicle under the recall, the answer is obvious: the model and build date of my car (2011 328i Xdrive) is clearly stated by both NHSTA and BMW documents as being covered by the 14V-176 recall (see attachments 8-10). Even more obvious evidence of my vehicle's eligibility is the presence of the original defective vanos housing bolts (which are the root problem addressed by the 14V-176 recall and specifically cited in both NHSTA and BMW documents) in my vehicle's engine.

It is unclear why my vehicle's VIN does not appear on BMW's list of eligible VINs for the 14V-176 recall - given the model and year of my car, plus the obvious presence of defective vanos bolts in my car's engine, I can only assume this to be the result of some unintentional clerical error. Note that a search of my VIN on the BMW Owner Reimbursement Program website does return an eligible item for "B-ELW 2014 VANOS Units" (see attachment 11). Re: the "Limited Warranty Extension to 10 Years Without Mileage Limitation" please refer to the attached Service Information Bulletin: SB-10057335-7958 (attachment 12 - see yellow highlighting) which states "This extended limited warranty coverage does not apply to the vehicles affected by following Recall Campaign: SI B11 07 14 Recall Campaign 14V-176: N51, N52K and N52T Engine - Replace VANOS Gear Bolts". Whether or not my VIN appears on this list is irrelevant given my vehicle's eligibility under the original 14V- 176 Recall Campaign.

I look forward to hearing from you. I will be traveling for the next few days so it might be most convenient to respond via email.

Regards,

On Wed, Jan 18, 2023 at 11:50 AM Nappi, Marc <nappim@autonation.com> wrote:

Please send by the documents

Regards,

Marc Nappi

Service Advisor

BMW of Mt View

150 E El Camino Real

Mountain View, CA 94040

(650)943-1047

nappim@autonation.com



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12 attachments



1) VIN number.jpg
435K



5) sheared off intake vanos bolt heads (2 of 4) found in upper engine (under valve cover).jpg
430K



4) intake vanos gear (all 4 bolts are broken).jpg
490K



6) exhaust vanos gear (4 bolts still intact).jpg
562K



2) timing chain and vanos gears (looking backward).jpg
3213K



3) timing chain and vanos gears (looking forward).jpg
3598K

 **7) BMW part #11368602263.pdf**
154K

 **8) Recall Campaign 14V-176.pdf**
189K

 **10) NHSTA letter re Recall Campaign 14V-176.pdf**
50K

 **11) VIN indicated as eligible for 'B-ELW 2014 VANOS Units'.pdf**
105K

 **12) SB-10057335-7958.pdf**
256K

 **9) BMW letter re Recall Campaign 14V-176.pdf**
1388K