

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

From: [DataQuality, DataQuality \(NHTSA\)](#)
To: [EVOO \(NHTSA\)](#)
Subject: FW: My response in regard of my complain
Date: Thursday, March 23, 2023 8:09:25 AM
Attachments: 

From:  >
Sent: Wednesday, March 22, 2023 4:03 PM
To: DataQuality, DataQuality (NHTSA) <DataQuality@dot.gov>
Subject: My response in regard of my complain

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.

Good afternoon.
Thank you for your email. Here is the Files you requested.
Best regards.


CUSTOMER #:

INVOICE



BMW of San Rafael

1599 East Francisco Blvd

San Rafael, CA 94901

(415) 482-2000 FAX (415) 482-2041

www.bmwofsanrafael.com

SAN RAFAEL, CA

PAGE 1

HOME

CONT:

BUS:

CELL:

SERVICE ADVISOR: 204 TIM PRICE

SERVICE ADVISOR: 204 11M PRICE									
COLOR	YEAR	MAKE/MODEL		VIN		LICENSE	MILEAGE IN / OUT		TAG
SILVER	09	BMW X5 3.0SI SAV		5UXFE43579L			108447/108448		
DEL. DATE	PROD. DATE	WARR. EXP.	PROMISED		PO NO.	RATE	PAYMENT	INV. DATE	
20MAR09	DD01FEB09	20MAR2013	17:00 27DEC17			225.00	CASH	28DEC17	
R.O. OPENED		READY		OPTIONS:		DLR			
						ENG:3.0 Liter			

09:44 27DEC17 14:48 28DEC17

LINE	OPCODE	TECH	TYPE	HOURS	LIST	NET	TOTAL
------	--------	------	------	-------	------	-----	-------

A CUST STATES HE INTERMITTENTLY SMELLS BURNING INSIDE THE CABIN.

USUALLY AFTER ITS WARMED UP AND THE HEATER HAS BEEN ON A BIT.

CONCERNED IT MIGHT BE RELATED TO THE PCV VALVE HEATER RECALL.

64 COMPLETED DIAGNOSIS. CUSTOMER DECLINED ALL

RECOMMENDED REPAIRS AT THIS TIME.

467 CP

225.00 225.00

PARTS: 0.00 LABOR: 225.00 OTHER: 0.00 TOTAL LINE A: 225.00

108447

TEST DROVE VEHICLE AND VERIFIED CONCERN. INSPECTED ENGINE BAY.

FOUND VALVE COVER GASKET TO BE LEAKING OIL. RECOMMEND REPLACING AND

FURTHER INSPECTING FOR ANY OF OIL LEAKS. BASED ON DIAGNOSIS AND

INSPECTION OF THE VEHICLE TECHNICIAN RECOMMENDS THE FOLLOWING REPAIRS:

1.) REMOVE AND REPLACE VALVE COVER GASKETS (LEAKING) = \$1127

2.) REMOVE AND REPLACE UPPER RADIATOR HOSE (SWOLLEN) = \$800 (INCLUDES

COOLANT FLUSH SERVICE)

3.) REMOVE AND REPLACE FRONT AND REAR SWAY BAR LINKS (DUST COVERS

TEARING) = \$1163

4.) REMOVE AND REPLACE BOTH FRONT LOWER THRUST RO

BUSHINGS (TEARING) = \$961

5.) TRANSFER CASE FLUID SERVICE (FAULTS FOR OIL CON

CUSTOMER HAS DECLINED ALL RECOMMENDED REPAIRS AT THIS TIME

B REPLACE FUEL PUMP AS PER SIB 16 04 16

CAUSE: F

16 REPLACED FUEL PUMP.

467 WX

1 16-11-7-934-453 DELIVERY UNIT WITH IN-TANK

(N/C)

P:889700

1 61-12-9-387-439 REP. CABLE FOR ELECTRIC

(N/C)

FUEL:889700

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

108447 PERFORMED FUEL PUMP RECALL. REPLACED FUEL PUMP CONNECTOR SUB

HARNESS WITH AFFECTED FUEL PUMP. CRANKED VEHICLE OVER AND MONITORED.

VEHICLE START AND RUNS OK AT THIS TIME.

	ORIGINAL ESTIMATE \$ _____			FINAL REVISED ESTIMATE \$ _____			DESCRIPTION	TOTALS
	DATE	TIME	PHONE #	AUTHORIZED	ADDITIONAL AMOUNT	REVISED TOTAL	LABOR AMOUNT	
							PARTS AMOUNT	
							GAS, OIL, LUBE	
							SUBLET AMOUNT	
							MISC. CHARGES	
							TOTAL CHARGES	
	NOTICE TO CUSTOMER: PLEASE READ IMPORTANT INFORMATION ON BACK.						LESS INSURANCE	
	I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF AN INCREASE IN THE ORIGINAL ESTIMATE PRICE.			I ACKNOWLEDGE RECEIPT OF VEHICLE AND I HAVE RECEIVED A COPY OF THIS INVOICE.			SALES TAX	
							PLEASE PAY THIS AMOUNT	

BAR # ARD00281084 EPA # CAL 000409203

CUSTOMER TAKE

CUSTOMER #:

INVOICE



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SAN RAFAEL, CA

PAGE 1

HOME:

CONT:

BUS:

CELL:

SERVICE ADVISOR: 204 TIM PRICE

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN / OUT	TAG	
SILVER	09	BMW X5 3.0SI SAV	5UXFE43579L		108655/108655		
DEL DATE	PROD. DATE	WARR. EXP	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
20MAR09	DL01FEB09	20MAR2013	17:00 11JAN18		225.00	CASH	11JAN18
R.O. OPENED		READY	OPTIONS: DLR:		ENG:3.0 Liter		

09:46 11JAN18 12:04 11JAN18

LINE OPCODE TECH TYPE HOURS

LIST NET TOTAL

A CUST STATES BLOWER MOTOR EXTREMELY NOISEY

64 REPLACED BLOWER MOTOR

99 IPB

(N/C)

1 64-11-9-245-849 BLOWER UNIT:641013

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE A: 0.00

B CHECK AND RECORD ALL TIRE PRESSURES AND TREAD DEPTH.

TP CHECK AND RECORD ALL TIRE PRESSURES AND TREAD

DEPTH.

99 IPB

(N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

YOUR SATISFACTION IS OUR GOAL !!!!

SERVICE HOURS ARE MONDAY TO FRIDAY 7:30-7:00.

PARTS HOURS ARE MONDAY TO FRIDAY 7:30-5:30.

VISIT US ON THE WEB AT WWW.BMWOFSANRAFAEL.COM

SERVICE IS NOW OPEN ON SATURDAY 7:00-5:30.

THANK YOU FOR SERVICING WITH US !!

ORIGINAL
ESTIMATE \$FINAL
REVISED
ESTIMATE \$

DATE

TIME

PHONE #

AUTHORIZED

ADDITIONAL
AMOUNTREVISED
TOTAL

DESCRIPTION

TOTALS

LABOR AMOUNT

0.00

PARTS AMOUNT

0.00

GAS, OIL, LUBE

0.00

SUBLET AMOUNT

0.00

MISC. CHARGES

0.00

TOTAL CHARGES

0.00

LESS INSURANCE

0.00

SALES TAX

0.00

PLEASE PAY
THIS AMOUNT

0.00

NOTICE TO CUSTOMER: PLEASE READ IMPORTANT INFORMATION ON BACK.

I ACKNOWLEDGE NOTICE AND ORAL APPROVAL OF
AN INCREASE IN THE ORIGINAL ESTIMATE PRICE.I ACKNOWLEDGE RECEIPT OF VEHICLE AND I
HAVE RECEIVED A COPY OF THIS INVOICE.

BAR # ARD00281084 EPA # CAL 000409203

CUSTOMER #:

SAN RAFAEL, CA

HOME: [REDACTED] CONT: [REDACTED]
BUS: [REDACTED] CELL: [REDACTED]

WORKORDER

PAGE 1



BMW of San Rafael

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SERVICE ADVISOR: 204 PRICE, TIM

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG	
SILVER	09	BMW X5 3.0SI SAV	5UXFE43579L		108447/		
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
20MAR09	DD01FEB09	20MAR2013	17:00 27DEC17		225.00	CASH	
R.O. OPENED		READY	OPTIONS: DLR: ENG:3.0 Liter				

27DEC2017 09:44

LINE OF CODE FRH TECH... TYPE DESCRIPTIONS/INSTRUCTIONS

A CUST STATES HE INTERMITTENTLY SMELLS BURNING
INSIDE THE CABIN. USUALLY AFTER ITS WARMED UP
AND THE HEATER HAS BEEN ON A BIT. CONCERNED IT
MIGHT BE RELATED TO THE PCV VALVE HEATER
RECALL.
64 0.00 CP HEATING AND A/C
EST: TOTAL 225.00

B REPLACE FUEL PUMP AS PER SIB 16 04 16
16 0.00 WX FUEL SUPPLY SYSTEM

C CFL 0.00 IPB CUST STATES PLEASE TOP OFF ALL FLUIDS

D TP 0.00 IPB CHECK AND RECORD ALL TIRE PRESSURES AND TREAD
DEPTH.

E WCIC 0.10 IPB Perform a BMW of San Rafael Visual Inspection
and report findings to customer. the
inspection comes with no warranty or
diagnosis. Please see your service advisor for
an estimate to perform diagnosis on an item or
problem.

EXCLUSION OF WARRANTIES

Any warranties on the parts and accessories sold hereby are made by the manufacturer. The undersigned purchaser understands and agrees that dealer makes no warranties of any kind, express or implied, and disclaims all warranties, including warranties of merchantability or fitness for a particular purpose, with regard to the parts and/or accessories purchased; and that in no event shall dealer be liable for incidental or consequential damages or commercial losses arising out of such purchase. The undersigned purchaser further agrees that the warranties excluded by dealer, include, but are not limited to any warranties that such parts and/or accessories are of merchantable quality or that they will enable any vehicle or any of its systems to perform with reasonable safety, efficiency, or comfort.

AUTHORIZATION FOR REPAIRS

I hereby authorize the repair work herein set forth to be done along with the necessary material and agree that you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause beyond your control or for any delays caused by unavailability of parts or delays in parts shipments by the supplier or transporter. I hereby grant you and/or your employees permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express mechanic's lien is hereby acknowledged on above vehicle to secure the amount of repairs thereto. The dealership is not responsible for damages from freezing due to lack of antifreeze.

Notice to Consumer: Please read important information on back.

PRELIMINARY ESTIMATE \$ 225.00

AUTHORIZED BY X

Revised Estimate Parts Labor Totals Phone #

Date Time FAX # BY

Revision Details E-mail

In Person

Revised Estimate Parts Labor Totals Phone #

Date Time FAX # BY

Revision Details E-mail

In Person

*I acknowledge notice and oral approval of an increase in the original estimated price.

BAR # ARD00281084

EPA # CAL 000409203

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

03-MAR-2023

Repository ☐Reference No.
11510022**OWNER INFORMATION (Type or Print)**

Name

Address

City

San Rafael

State

CA

ZIP Code

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 INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side

5UXFE43579L

MAKE
BMWModel
X5 SAVModel Year
2009

Date Purchased

8/12/17

Dealer's Name and Telephone Number

SUPER Auto sales, Stockton

Engine:
No. Cylinders

3.0

Fuel Type:

gas

Original Owner
☐

Dealer's City San Rafael

STATE
CAZIP Code
94901

Transmission Type

automatic

☒ Antilock Brakes☒ Cruise Control

Powertrain

✓

Multiple Failure:

Incident Date(s)

03-MAR-2018

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Components Codes: 060000 ENGINE AND ENGINE COOLING

Failure Mileage
103000.0

Failure Speed

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
☐ 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), 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 2009 BMW X5. The contact stated that upon turning the heater on, there was a strong burning odor coming from the A/C vents. There was no warning light illuminated. The vehicle was taken to the dealer where the failure was diagnosed as a burning oil odor. The vehicle was taken to an independent mechanic, where the intake gasket was replaced; however, the failure persisted. The vehicle was taken back to the local dealer, where it was diagnosed that the failure was related to the fan relay. The vehicle was not repaired. The contact later received notification of NHTSA Campaign Number: 22V119000 (Engine and Engine Cooling); however, the part to do the recall repair was not yet available. The contact contacted the local dealer and a second dealer, Hansel BMW of Santa Rosa (2925 Corby Ave, Santa Rosa, CA 95407), and was informed that parts were not yet available. The contact stated that the manufacturer had exceeded a reasonable amount of time for the recall repair. The manufacturer was not notified of the failure. The mileage was approximately 103,000. The VIN was not available.

The second note, they replaced my fuel pump as a recall. I was stuck at home due to failure in less than 7000 miles. They said I was a month over the warranty I had to replace it. I sent a copy as well.

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.

Miguel's Auto Service
3181 Coffey Ln. #B
Santa Rosa, Ca 95403
707-623-9852
ARD00256826

[illegible]

NAME		NAME	
ADDRESS		ADDRESS	
2ND ADDRESS		PHONE	
MAKE	TYPE OR MODEL	YEAR	RECEIVED (DATE & TIME)
BMW	X5	2009	
SERIAL #/VIN	ENGINE NO.		PROMISED (DATE & TIME)
ODOMETER	LICENSE NO.	TERMS	PHONE WHEN READY
			☐ YES ☐ NO
INV#	ORDER WRITTEN BY		CUSTOMER'S ORDER NO.

DSS	ISJ	LABOR CHARGE
LUBRICATION	☐	
CHANGE OIL	☐	
CHANGE OIL FILTER CART.	☐	
CHANGE TRANS.	☐	
CHANGE DIFF.	☐	
PACK FRONT WHEEL BRGS	☐	
ADJUST BRAKES	☐	
ROTATE TIRES	☐	
WASH POLISH	☐	
STATE INSPECTION	☐	

[illegible]

PLEASE READ CAREFULLY, CHECK ONE OF THE STATEMENTS BELOW, AND SIGN:

☐ I UNDERSTAND THAT, UNDER STATE LAW, I AM ENTITLED TO A WRITTEN ESTIMATE, INCLUDING A COMPLETION DATE, IF MY FINAL BILL WILL EXCEED \$100. (\$50 in Maryland)

☐ I REQUEST A WRITTEN ESTIMATE. THE FINAL BILL MAY NOT EXCEED THIS ESTIMATE WITHOUT MY WRITTEN APPROVAL.

☐ I DO NOT REQUEST A WRITTEN ESTIMATE, AS LONG AS THE REPAIR COSTS DO NOT EXCEED \$ _____. THE SHOP MAY NOT EXCEED THIS AMOUNT WITHOUT MY WRITTEN OR ORAL APPROVAL.

☐ I DO NOT REQUEST A WRITTEN ESTIMATE.

You are entitled by law to the return of all parts replaced, except those for which there is a core charge, unless you agree otherwise by initialing the following: _____ I do not desire the return of any of the parts that are replaced during the authorized repairs.

Estimate good for 30 days. Not responsible for damage caused by theft, fire, or acts of nature. I authorize the above repairs, along with any necessary materials, to authorize you and your employees to operate my vehicle for the purpose of testing, inspection, and delivery at my risk. An express mechanic's lien is hereby acknowledged on the above vehicle to secure the amount of the repairs thereto. If I cancel repairs prior to their completion for any reason, a hear-down and reasonable fee of \$_____ will be applied.

SIGNED _____
DATE 1/5/2018

*Checked lines apply (Preparer must check at least one):

_____ This charge represents costs and profits to the motor vehicle repair facility for miscellaneous shop supplies or waste disposal.

_____ This amount includes a charge of \$ _____, which is required under _____ law.

METHOD OF PAYMENT: ☐ CASH ☐ CHECK ☐ CHARGE LABOR ☐ FLAT RATE ☐ HOURLY ☐ BOTH ☐ RETAIN PARTS ☐ DESTROY PARTS	GAS, OIL, & GREASE	PRICE
	GALS. GAS	②
	QTS. OIL	②
	LBS. GREASE	②
	TOTAL GAS, OIL, & GREASE	

Daily storage fee after repair work has been completed and customer has been notified. No charges shall accrue or be due and payable for a period of 3 working days from date of notification.

GUARANTEED ITEM(S)

GUARANTEE EFFECTIVE UNTIL
TIME _____
MILEAGE _____

TOTAL LABOR	930 00
TOTAL PARTS	712 56
ACCESSORIES	
GAS, OIL, & GREASE	
OUTSIDE REPAIRS	
STORAGE FEE (If applies)	
TAX	61 48
TOTAL AMOUNT	1704 04

Robin's Auto Service Inc.

BAR #: ARD00278212

EPA #CAL000380416

47 Industrial Way

Greenbrae, CA 94904

Phone: 415/924-9990 FAX: 415/924-3160

Invoice No.

Page 1

Order Date 09/10/19 10:46 am

Paid: 09/12/19 05:44 pm

San Rafael CA

Home Phone:

09 BMW X5 SILVER

Mileage in:114925 out:114925

Lic: CA L6Cyl 3.0 Eng

Vin: 5UXFE43579L 02/09

Eq: AT AC PS FI 4W DC

Quotes

1 09/10/19 10:55am 967.35

ALI in person.

Job01 SUV TOWED TO SHOP, CHECK

Labor: \$0.00

CUSTOMER HAD CAR TOW ENGINE ONLY CRANKS, CUSTOMER NOTED FUEL PUMP WAS REPLACED RECENTLY FROM DEALER FOR A RECALL, NOW ENGINE STALLS OUT WILL NOT START AND RUN. CUSTER DID BRING SUV BACK TO DEALER TO SEE IF FUEL PUMP IS UNDER WARRANTY, DEALER DID VERIFIED THAT FUEL PUMP IS BAD, CUSTOMER REQUESTED TO REPLACE FUEL PUMP ASSEMBLY.

Job Subtotal: \$0.00

Job02 FUEL PUMP, REPLACE

Labor: \$250.00

16 11 7 195 463	Fuel Pump Assembly-See-N	1.0 @	491.27 =\$	491.27	
16 11 7 195 469	Fuel Tank Sender Assem-N	1.0 @	221.08 =\$	221.08	712.35

REPLACE BOTH FUEL PUMP ASSEMBLY

Job Subtotal: \$962.35

Job03 BELT NOISE CHECK

Labor: \$0.00

CUSTOMER NOTED BELT NOISE, CHECK AND ADVISE, LET ENGINE RUN, DO HEAR SLIGHT BELT NOISE, APPEARS NOISE COMING FRONT TENSIONER PULLER AREA, ADVISE CUSTOMER, CUSTOMER DID HAVE BELT REPLACED AT ANOTHER SHOP AFTER SERVAL MONTH NOISE APPEARED, RECOMMEND TAKING SUV BACK TO SHOP WHERE BELTS WAS REPLACED.

Job Subtotal: \$0.00

Job04 REAR TAIL GATE NOT WORKING

Labor: \$0.00

CUSTOMER NOTED AUTO LIFT REAR TAIL GATE NOT WORKING UPON DEMAND, CHECK AND ADVISE.

----->----->----->---Continued on the next page--->----->----->----->

Robin's Auto Service Inc.

BAR #: ARD00278212

EPA #CAL000380416

47 Industrial Way

Greenbrae, CA 94904

Phone: 415/924-9990 FAX: 415/924-3160

Invoice No.

Page 2

Order Date 09/10/19 10:46 am

Paid: 09/12/19 05:44 pm

Job04 REAR TAIL GATE NOT WORKING

Job Subtotal: \$0.00

Job05 REGISTER BATTERY

Labor: \$0.00

PLEASE REGISTER BATTERY

Job Subtotal: \$0.00

Recommendations: *Air Conditioning Service*

Dear customers, Robins Auto Service would like to inform you that beginning April 1st, 2017 we will be increasing our labor rate to \$125.00 an hour. Thank you for choosing Robins Auto Service!

Payments to Robin's Auto Service Inc.**Cost Summary**

Status: Paid Work Order

Payments: \$1,026.46

1.09/12/19 1026.46 Visa

Labor	250.00
Parts	712.35
Tax	64.11
Total	\$1026.46
Payments	1026.46
Bal Due	0.00

Thank you for choosing Robin's Auto Service Inc.

I hereby authorize the above repair work to be done with the necessary material and hereby grant you and/or your employees permission to operate the car, truck or vehicle herein described on street, highways or elsewhere for the purpose of testing and/or inspection. An express mechanics lien is hereby acknowledged on above car, truck or vehicle to secure the amount of repairs thereto. We will not be held responsible for loss articles left in vehicle. You, will not be held responsible, in case of fire, accident or any other cause beyond your control.

N = New parts R = Rebuilt parts S = Special order parts U = Used parts

All tires inflated to manufacturers suggested pressure rating unless otherwise stated and or tires are aftermarket non specific to vehicles specification. Parts and labor covered under warranty of 12 months or 12,000 miles whichever comes first unless otherwise specified.

(Signature)