

Administrator  
National Highway Traffic  
Safety Administration  
1200 New Jersey Ave SE  
Washington DC 20590

01-09-25

Safety - I NEED HELP!

I purchased 2019 BMW X3 October 22, 2019

My problem began April 2022 while vehicle  
was under warranty - locking and not starting

+ the time I was [REDACTED]  
[REDACTED] raising m [REDACTED]  
[REDACTED] Locking [REDACTED]

Whenever we were out I was and still am unable  
to lock car for fear of being locked out for hours  
as we've been numerous times

CAR NOT STARTING

Computer would say vehicle key missing or defective  
place key to diagram on steering column sometimes  
would start and sometimes not - leaving us in danger

I dealt with Passport BMW for years they would put new  
batteries in keys and send me on my way. I finally  
got tired of being treated that way and filed  
complaints with Lemon Law and Attorney General

Bmw North response sign waiver or they will not make  
repairs: I refuse to sign away my rights to have warranty honored.  
Thank you in Advance if you are able to assist

[REDACTED]

2  
[REDACTED]



assistance, please contact BMW Customer Relations.

**Company**

BMW  
of North America, LLC

BMW Group Company

**Mailing Address**

PO Box 1227  
Westwood, NJ 07675-  
1227

**Telephone**

(800) 525-7417

**Fax**

(201) 930-8362

**E-mail**

CustomerRelations@  
bmwusa.com

**Internet**

bmwusa.com

If your BMW center is unable to remedy the defect without charge or within a reasonable period of time, you may notify the Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Ave., S.E., Washington, DC 20590, call the toll-free Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9153), or go to <http://www.nhtsa.gov>.

Please be assured that your safety is important to us, and we sincerely apologize if this recall causes any inconvenience. We recommend that you and your passengers wear your safety belt at all times.

Sincerely,

BMW of North America, LLC

Spanish translation on back side  
Traducción en español en el lado inverso

BMW North has known about this  
Safety Problem for over 2 years and  
Refuses to fix unless I sign their  
Release which violates my rights  
and this Safety issue continues  
to put me and my family in  
Danger. BMW doesn't care  
About Safety, just Profit

OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION  
AUTO REPAIR COMPLAINT FORM

LAST NAME [REDACTED]		FIRST NAME [REDACTED]		NAME OF BUSINESS YOU ARE COMPLAINING ABOUT <i>BMW of North America</i>	
CITY, STATE, ZIP <i>Temple Hills MD [REDACTED]</i>				STREET ADDRESS [REDACTED]	
DAYTIME PHONE # [REDACTED]		EVENING PHONE # [REDACTED]		PHONE #	
E-MAIL ADDRESS [REDACTED]		FAX # [REDACTED]		E-MAIL / WEB ADDRESS	
				FAX #	

Please return this sheet with a copy (no originals please) of any and all paperwork related to this transaction to the Consumer Protection Division office nearest you (listed on the other side of this form).

Vehicle: 2019 BMW X3 5UXTR9357KH [REDACTED]  
Year Make Model VIN (Vehicle Identification Number)

Purchase Date: October 3, 2019 Vehicle was (circle one):  NEW  USED

Mileage: \_\_\_\_\_ At time of repair Now: \_\_\_\_\_

How did you learn about the business: PRINT AD RADIO AD  TV AD MAIL SOLICITATION OTHER

Person(s) you dealt with? Michael Jenkins

Date of repair(s): SEE Attached - was not always give invoice for replacing batteries/key

Reason for initial repair(s): locking and not starting

Did you ask for a written estimate? YES NO Was a written estimate given? YES NO If yes, please attach a copy.

If you were charged a fee for the estimate, was the fee disclosed before the estimate was given? YES NO

Estimated cost of repair: \$ N/A

Did you authorize all work performed by the repair facility?  YES  NO

Amount you paid: \$ \_\_\_\_\_ By: CASH CHECK CREDIT OTHER \_\_\_\_\_

Was the work guaranteed? (Describe) \_\_\_\_\_

Did the repair facility offer to return your replaced parts? YES NO

Did the repair facility return all replaced parts to you?: YES NO Do you still have them? YES NO

Did the repair shop give you any other forms or documents? YES NO If yes, please attach a copy.

Describe your car's present condition: locking and not starting

Where is your vehicle now?  HOME  REPAIR SHOP  OTHER \_\_\_\_\_

# Complaint: Breach of Warranty

PLEASE EXPLAIN THE CIRCUMSTANCES OF YOUR COMPLAINT (attach additional pages if necessary):

I Am [redacted] yrs old with [redacted] and I need reliable transportation.
With car jacking on the rise and BMW's being target when I'm out I need to be safe: not locking vehicle anywhere while out so I don't have problem getting home.
Purchased BMW 2019 X3 on October 22, 2019
04-23 Car started locking and not starting Computer kept saying keys are missing or defective During last 18 months since this started I've been stranded in remote areas for hours having to call AAA for help
Recently went thru lemon law but time for complying had expired this is how the General Release came about

What action would you like this office to take? All payments made for the last 18 months refunded plus out of pocket \$575.00 paid to BMW Silver Spring 10-24-23 also

Check here if you want our office to be aware of your complaint for informational purposes only.

Please include copies of any documents (including: contracts, leases, bills, receipts, advertisements, canceled checks and letters) that relate to your dispute. (Do not send originals.)

### READ THE FOLLOWING BEFORE SIGNING BELOW:

In filing this complaint, I understand the Attorney General is not my private attorney, but rather enforces laws designed to protect the public from misleading or unlawful business practices. I also understand that if I have questions concerning my legal rights or responsibilities, I should contact a private attorney. I have no objection to the contents of this complaint being forwarded to the business or the person the complaint is directed against, unless I have checked the box above indicating this is for informational purposes only. The above complaint is

[redacted signature]

11-09-23

Date

PLEASE MAIL YOUR COMPLAINT TO THE OFFICE LISTED BELOW THAT IS NEAREST YOU.

**Baltimore Office**  
Consumer Protection Division  
200 Saint Paul Place  
Baltimore, Maryland 21202  
(410) 528-8662

**Eastern Shore Office**  
Consumer Protection Division  
201 Baptist Street, Suite 30  
Salisbury, Maryland 21801  
(410) 713-3620

**Western Maryland Office**  
Consumer Protection Division  
44 N. Potomac Street, Suite 104  
Hagerstown, Maryland 21740  
(301) 791-4780

**Prince George's Office**  
Consumer Protection Division  
9200 Basil Court, Suite 301  
Largo, MD 20774  
(301) 386-6200

Problem with CAR - Computer says Keys missing or defective

- 04-22 Went to Passport BMW told Tech I was locked out for an hour while running errands. Put in New batteries No paper work
- 05-22 Family emergency in North Carolina Got to my destination pulled into driveway - Car cut off wouldn't start Came home 4 days later took car back to Passport BMW told Tech what happened Nothing was done
- 06-27-22 Ran errands - locked out for over an hour fortunately it started
- 06-29-22 Went to North Carolina for funeral out making arrangements Car kept not starting over 6 times. When we returned to my sister's home in driveway car cut off and wouldn't start after 3 tries
- 07-01-22 Called Leith BMW in North Carolina kept CAR 4 days said they ran and test

drove couldn't find anything wrong

- 07-12-22 Returned home took car to Passport told Tech what happened in NC he said we have to start paper trail just couldn't give me new keys - changed batteries both keys
- 07-31-22 Errands locked out for over 2 hrs called AAA just before they arrived magically doors opened wouldn't start
- 08-01-22 Took car to Passport by now I've had all I could take so I wanted to speak with owner of dealership fortunately Jeff from finance dept saw me and asked if he could help. I told him what's been happening for months and he said drive around to Service and he would meet me. Well car wouldn't start he told Tech to do what needs to be done. find out what's causing this to keep happening. Kept vehicle overnight

(3)

08-07-22 When I picked up car Tech said everything was fine reprogrammed Computer found other things I hadn't mentioned

08-25-22 Errands same problem wouldn't start 2 times

08-31-22 I txt Tech to let him know it happened again. One more time I'm turning car in

09-22-22 I filed a complaint with BMW Motors about problems - didn't hear back

10-22 Wouldn't start - didn't go to dealership situation not being taken seriously enough

11-22 Wouldn't start - don't lock car

01-23 Wouldn't start - don't lock car

04-23 Wouldn't start - don't lock car  
Errands getting dark ~~hurry~~ hurried home pulled into driveway cut off again

06-30-23 Car wouldn't start

10-09-23 BMW of Silver Spring water pouring into vehicle up to ankle while driving - will take more than a day to predict problem

10-16-23 Out for evening with friend - locked out several hours before it unlocked

Finally after BMW North decision to not make repairs I stop writing them about continued locking and not starting: Fighting a losing battle!  
By myself

Complaints Found on Internet  
Locking and Not Starting

Front Electronic module (FEM)

Called in other name as

Body Domain Controller (BDC)

is the central control unit

in the Vehicle electrical System

Body <sup>Control module</sup> ~~Domain Controller (BDC)~~ BCM

A bad BCM affects the performance of your remote keyless system, your car will not start. This can also happen if the BCM fails to deliver identify your key's transponder chip or fails to deliver a start signal to the ignition system. A bad BCM can ~~also~~ drain battery and alternator

June 18, 2024

OFFICE OF THE ATTORNEY GENERAL  
9200 Basil Court #301  
Largo, MD 20774

Ref: Amend Breach of Warranty - BMW

# [REDACTED]

I [REDACTED] would like to  
Amend my Formal Complaint dated Nov 9, 2023  
Against BMW for Breach of Warranty to include  
All Out of Pocket Expenses incurred by Me

BMW refused Extended Warranty purchase  
because existing problem with: Locking and not  
starting wasn't fixed prior to 18 months Vehicle  
was under Warranty: April 2022 thru 06-2023

Additional Expense: June 12, 2024 \$2000.00  
Any Future Expenses: Until Complaint is resolved

[REDACTED]  
Temple Hills MD  
[REDACTED]

07-05-24

Office of Attorney General  
Consumer Protection Division  
9200 Basil CT # 301  
Attn: Valerie Brownlee

# [REDACTED]

Ref: Formal Complaint - Breach of Warranty BMW  
I shouldn't have to sign Waiver for BMW to make Repairs

Locking and not Starting: RETALIATE against me  
because after 26 months of PURE HELL I want  
BMW to do what they knew was wrong with vehicle  
Since 04-22. Their Expert came spent a few hours  
inspecting vehicle 07-23 gave his opinion was  
operating properly. I've driven vehicle since 2019  
several people who's been with me will swear to my complaints  
BMW knew X3 and X4 had these problems

Worked hard All my life [REDACTED] brought  
My Dream Car which has turned into Nightmare. I  
purchased warranty which was Good when this started  
and by law BMW should be obligated to HONOR  
Fix vehicle, they are Not doing me Some FAVOR!

[REDACTED]  
Temple Hills MD [REDACTED]

ANTHONY G. BROWN  
Attorney General



WILLIAM D. GRUHN  
Chief  
Consumer Protection Division

Writer's Fax No.

STATE OF MARYLAND  
OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION

Writer's Direct Dial No.

(301) 386-6210

(301) 386-6212

May 9, 2024

BMW Of North America, Inc.  
Customer Relations  
300 Chestnut Ridge Road  
Woodcliff Lake, NJ 07677

IN RESPONSE REFER TO

CASE NO. [REDACTED]

Re: [REDACTED]

Temple Hills, MD [REDACTED]

To Whom It May Concern:

The Office of the Attorney General received a complaint from [REDACTED] who states that on October 22, 2019 she purchased a 2019 BMW X3 Model (VIN 5UXTR9C57K [REDACTED]) from BMW of North America, Inc. (BMW). She states that her car began to have door locking problems that were never successfully repaired by BMW over a period of 18 months. She states that she paid \$837.39 monthly totaling \$15,071.22 over 18 months and that she was unable to drive her car because it was unsafe to drive. She states that her car is still unsafe to drive and that she no longer wants to keep the vehicle. [REDACTED] also states that her vehicle had water leakage for which she paid \$575.00 in repair services.

Therefore [REDACTED] is requesting a refund in the amount of \$15,646.22 which includes car payments to BMW at \$837.39 monthly for 18 months and \$575.00 in car leakage repair services to BMW Silver Spring, MD on October 24, 2023.

Please review the attached materials as well as any records you may have about the matter and then contact me so that a fair and equitable solution can be reached. Please respond in writing within two weeks. If you wish to discuss the matter, I can be reached at (301) 386-6212 on Tuesdays & Thursdays, 10 a.m. to 3 p.m. To reply by email, please send your response to [mediator@oag.state.md.us](mailto:mediator@oag.state.md.us) and include the case number in the subject line.

Very truly yours

[REDACTED]  
Valerie Brownlee  
Mediator

cc: [REDACTED]

ANTHONY G. BROWN  
Attorney General

WILLIAM D. GRUHN  
Chief  
Consumer Protection Division



STATE OF MARYLAND  
OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION

Writer's Fax No.

(301) 386-6210

Writer's Direct Dial No.

(301) 386-6212

June 27, 2024

[REDACTED]  
Temple Hills, MD [REDACTED]

IN RESPONSE REFER TO  
CASE NO.: [REDACTED]

Re: BMW Of North America, Inc.

Dear [REDACTED]

Enclosed is a copy of the letter we received from BMW Of North America, Inc. in response to your complaint. If this response does not satisfactorily address your complaint, please explain your concerns in writing and provide us with any additional information you would like us to consider in attempting to resolve this matter.

If we do not hear from you within two weeks of the date of this letter, we will assume that you do not require any further assistance from our office. Your complaint will remain on file as a matter of public record. To reply by email, please send your response to [mediator@oag.state.md.us](mailto:mediator@oag.state.md.us) and include the case number in the subject line.

Thank you for taking the time to contact us and giving us the opportunity to assist you.

Sincerely,

[REDACTED]  
Valerie Brownlee  
Mediator

Case #

Schaefer Heather, C4-US-B-61 <Heather.Schaefer@bmwna.com>

Wed 5/29/2024 11:12 AM

To: Mediation Unit <Mediator@oag.state.md.us>

You don't often get email from heather.schaefer@bmwna.com. [Learn why this is important](#)

Good afternoon

As previously communicated to her attorney, BMW of North America, LLC concluded the inspection and review of the vehicle. It has been determined that the vehicle is operating as designed. Accordingly, the vehicle will not be repurchased.

However, Passport BMW is still willing to replace the Body Domain Controller (BDC) with 2 keyfobs, pending a signed release.

Thank you.

Kind regards,

Heather

-----  
**BMW Group**

Heather Schaefer

Executive Customer Care

Customer Relations and Services

**BMW of North America, LLC**

P.O. Box 1227 - Westwood, NJ 07675-1227

Tel: 1-800-831-1117 ext. 5988

Fax: 201-930-8484

## General Release

IN CONSIDERATION of replacement of the Body Domain Controller (BDC) with 2 keyfobs, as a one-time goodwill gesture for prior inconveniences related to all prior repairs, the receipt and sufficiency of which is hereby acknowledged, the undersigned ("Customer") releases and fully discharges BMW of North America, LLC (BMW NA) and each of its predecessors, successors and assigns, subsidiaries and affiliated entities, parents, partners, dealers, officers, directors, shareholders, agents, servants, employees, representatives, attorneys, heirs, past and present, and each of them (hereinafter collectively referred to as the "Releasees") from any and all claims, demands, and causes of action of any and every kind and nature, including, without limitation, claims for fraud, fraudulent misrepresentation, negligence, breach of contract, personal injury, emotional distress, loss of use of the vehicle, attorney's fees, damages, costs, and expenses, whether known or unknown, suspected or unsuspected, related to the alleged problems ("Released Matters") with 2019, BMW, X3 xDrive30i, bearing vehicle identification number 5UXTR9C57KL [REDACTED] which Customer now owns, has owned, or held against Releasees arising from the Released Matters.

Customer recognizes that in executing this General Release that this instrument shall be effective as a bar to each and every action, claim, demand, or cause of action released hereby. Customer expressly waives and releases any right or benefit which Customer has or may have under any law or rule of any jurisdiction pertaining to the Released Matters. It is the intention of Customer through this General Release, fully, finally, and forever to settle and release all such matters and claims relative thereto which have existed, do now exist, or may exist between the Parties arising from or related to the Released Matters. In furtherance of such intention, the release herein given shall be, and remain in effect as, a full and complete release of such matters notwithstanding the discovery of the existence of any additional claims of facts relating thereto.

No action taken by the Releasees, either previously or in connection with this General Release, shall be deemed or construed to be an admission of the truth, falsity, fault, or liability of the matter pertaining to any action, claim, demand, or cause of action referred to herein or relating to the subject matter of this General Release. BMW will continue to honor the remaining terms of any applicable manufacturer warranties.

Customer agrees to keep confidential the existence and terms of this General Release. Customer agrees not to reveal the facts leading to the terms or the conditions of this General Release in any communication form, including, but not limited to, word-of-mouth, print, broadcast, or Internet.

Nothing in this General Release shall be construed to preclude BMW NA from providing confidential information and documents to the National Highway Traffic Safety Administration (NHTSA), either voluntarily or in connection with BMW NA's obligations to provide certain information to NHTSA in compliance with requests issued pursuant to the National Traffic and Motor Vehicle Safety Act, 49 U.S.C. § 30101, et. seq.

Customer Signature: \_\_\_\_\_

Date Signed: \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary Public and Seal

W41-306



Administrator  
National Highway Traffic  
Safety Administration  
1200 New Jersey Ave S  
Washington DC 20592

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1/21/2025 10:02:31 AM

