

August 28, 2025

[REDACTED]
Silver Spring, MD [REDACTED]
[REDACTED]

VIA USPS EXPRESS MAIL

Mr. Coleman Edmunds
Executive Vice President, General Counsel and Corporate Secretary
AutoNation, Inc.
200 SW 1st Avenue, Suite 1400
Fort Lauderdale, FL 33301

Mr. Howard S. Harris
Vice President of Legal Affairs & General Counsel
BMW of North America, LLC
500 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

Rockville Luxury Imports, LLC/DBA BMW Of Rockville
Csc-Lawyers Incorporating Service Company
Resident Agent
7 St. Paul Street
Suite 820
Baltimore Md 21202

Re: Unlawful Refusal of Warranty Service - Safety-Critical Steering Column Defect
Vehicle: 2025 BMW X5 xDrive50e (Plug-in Hybrid)
Mileage: 28,000 miles

Gentlemen:

First, I bought this exact vehicle and year because of Consumer Reports recommendation. It was a mistake.

This letter regards the unlawful refusal by BMW of Rockville (doing business as Rockville Luxury Imports, LLC, an AutoNation subsidiary) to perform warranty service on a safety-critical steering column defect in the above-referenced vehicle. This letter serves as formal notice of multiple state and federal law violations and demands immediate corrective action.

PR

FACTUAL BACKGROUND

Today, at approximately 11:45 AM, I scheduled and visited BMW of Rockville to address a dangerous intermittent steering column vibration in his 2025 BMW X5 xDrive50e. The vehicle, with only 28,000 miles, remains fully covered under BMW's manufacturer warranty. I informed, in person, General Manager Lou Harmel, BMW of Rockville, of the safety concerns and my planned cross-country trip scheduled for next week, emphasizing the potential danger to my family and passengers.

Rather than addressing this safety-critical issue, Mr. Harmel first explained that it was not his responsibility and instructed me to direct it to the service representative. I explained that I wanted him to be aware of the matter personally and to receive a copy of the letter I had sent to BMW Corporation. Instead, Mr. Harmel instructed the Service Director, Matt, to eject me from the service facility after I presented him with a letter describing my poor experience with Annapolis BMW. This conduct constitutes a clear violation of warranty obligations and consumer protection laws.

LEGAL VIOLATIONS

I. FEDERAL MAGNUSON-MOSS WARRANTY ACT VIOLATIONS

The refusal to perform warranty service violates the federal Magnuson-Moss Warranty Act, 15 U.S.C. Â§ 2301 et seq., which:

- Requires warrantors to honor written warranty terms in good faith
- Prohibits conditioning warranty service on irrelevant factors
- Mandates timely performance of warranty obligations
- Provides for consumer recovery of attorney fees upon successful enforcement

BMW's conduct directly violates these federal mandates by refusing warranty service based on the customer's legitimate corporate communication rather than addressing the covered safety defect.

II. MARYLAND AUTOMOTIVE WARRANTY ENFORCEMENT ACT VIOLATIONS

Maryland Commercial Law Code Â§ 14-1502 requires that:

- "The manufacturer or factory branch, its agent, or its authorized dealer shall correct the nonconformity, defect, or condition at no charge to the consumer"

- Corrections must be completed within 30 days of notification
- Dealers cannot refuse to perform safety-related warranty repairs

BMW of Rockville's refusal to inspect or repair the steering column defect directly violates Maryland statutory requirements.

III. MARYLAND LEMON LAW IMPLICATIONS

Under Maryland's Lemon Law (Commercial Law Code Â§ 14-1502), steering failures that cause safety inspection failures trigger heightened consumer protections. The documented steering vibration in a vehicle with only 28,000 miles constitutes a substantial impairment of use and market value, particularly given:

- Active BMW recalls affecting similar steering components (Recall 24V-714)
- Technical Service Bulletins addressing steering system defects (TSB 32 01 23)
- The safety-critical nature of steering malfunctions

IV. CONSUMER PROTECTION VIOLATIONS

The dealer's conduct violates Maryland consumer protection statutes by:

- Refusing to perform contracted warranty services
- Creating unsafe driving conditions through service denial therefore putting the public at risk
- Engaging in unfair and deceptive trade practices
- Retaliating against a consumer for exercising legitimate communication rights

SAFETY CONCERNS AND IMMINENT HARM

The steering column defect presents immediate and serious safety risks:

1. **Active BMW Recalls:** The 2025 BMW X5 is subject to multiple active safety recalls, including steering shaft issues (24V-714) and brake system failures (24V697000)
2. **Documented Steering Problems:** BMW has acknowledged steering system defects in similar model years through Technical Service Bulletins and recall actions
3. **Cross-Country Travel:** I planned interstate travel with family members exponentially increases the risk of catastrophic failure and potential fatalities

4. Precedent for Sudden Failure: Technical documentation shows steering problems can escalate to complete loss of steering control without warning

DEMANDS FOR IMMEDIATE ACTION

I demand the following within 48 hours of receipt of this letter:

1. Immediate Safety Inspection: BMW of Rockville must accept the vehicle for comprehensive steering system inspection and diagnostic testing

2. Warranty Repair Performance: All necessary repairs must be completed at no charge under the manufacturer warranty

3. Recall Compliance: Verification and completion of all applicable safety recalls for this vehicle

4. Alternative Transportation: Provision of comparable substitute transportation during repair period due to safety concerns

5. Documentation: Written confirmation of all repair work performed and safety systems verified

CONSEQUENCES OF NON-COMPLIANCE

Failure to comply with these demands will result in:

- Federal Court Action under the Magnuson-Moss Warranty Act with mandatory attorney fee recovery
- State Court Action for breach of warranty and consumer protection violations
- Regulatory Complaints to the Maryland Attorney General and Federal Trade Commission
- Safety Agency Notification to NHTSA regarding dealer refusal to address safety defects
- Claims for Damages including alternative repair costs, rental vehicles, and consequential damages

CONCLUSION

BMW's refusal to honor warranty obligations for a safety-critical defect is unconscionable and legally indefensible. The company's conduct endangers public safety and violates multiple state and federal consumer protection laws.

I trust that BMW will immediately rectify this situation and honor its warranty obligations. However, please be advised that I am prepared to pursue all available legal remedies, including small claims court, to protect my family's safety and enforce his consumer rights.

This letter constitutes formal legal notice, via USPS Express Mail, under applicable warranty and consumer protection statutes. Please direct all communications regarding this matter to the undersigned.

Very truly yours,

- Mr. Lou Hormel, General Manager, BMW of Rockville **VIA USPS Express Mail**
- Christine Nizer, Administrator, MDOT MVA
- Mr. Eric S. Friedman, Director, Montgomery County Office of Consumer Protection
- Kate Stewart, Council President, Montgomery County Council
- Marta L. Tellado, President & CEO, Consumer Reports
- Jonathan Morrison, Administrator, National Highway Traffic Safety Administration (NHTSA)
- Dan Neil, Auto Columnist, The Wall Street Journal
- Mr. Oliver Zipse, Chairman of the Board of Management, Petuelring 130, 80809 Munich, Germany

Bcc:

Yesterday 8:36 AM

BMW of Rockville Service Appointment confirmation for 2025 BMW X5 XDRIVE 50E Thursday, 08/28/2025 at 12:00 PM - Juan Carlos

[REDACTED]
Silver Spring, MD [REDACTED]

Confidential Information
To be opened by addressee only



N&F
9-16-24

Jonathan Morrison, Administrator
National Highway Traffic Safety Administration
(NHTSA)
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