

U.S. Department
of TransportationNational Highway
Traffic Safety
Administration

DOT Auto Safety Hotline

Vehicle Owner's Questionnaire (VOQ)

NATIONWIDE 1-888-DASH-2-DOT

1-888-327-4236

www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY

137

Date Received

11-MAY-2000

Od_or

rt_dt

od_rt

up_ltr

Reference No.

861789

Do you authorize NHTSA to provide a copy of report to the manufacturer of your vehicle? ☐ YES ☐ NO
 In the absence of an authorization, NHTSA WILL NOT provide your name and address to the vehicle manufacturer.

Signature of Owner

Date ____/____/____

VEHICLE INFORMATION

Vehicle Ident. No. (VIN) (located at front of windshield or driver's side)	Vehicle Make	Vehicle Model	Vehicle Year	Current Odometer Reading
WBADM6331XBY26463	BMW	520IA	1989	

Purchase Date

Dealer's Name

Engine Size

(CID/CCL

☐ Turbo☐ Diesel☐ Gas☐ Fuel Injection☐ New ☒ Used

City _____ State _____ Zip Code _____

No. Cylinders

Transmission Type

☐ Manual☐ Automatic

Antilock Brakes

☐ Yes☒ No

Restraint System

☐ 3-Point Belt☐ Driverside Airbag☐ Passengerside Airbag☐ Motorbelt☒ 2-Point Belt

Cruise Control

☐ Yes☒ No

Drive Train

☐ Front☐ Rear☐ 4-Wheel

Vehicle Type

☐ Car☐ Van☐ Minivan☐ Other☐ Sport Utl☐ Truck☐ Motorcycle

Body Style

☐ 2-Door☐ 4-Door☐ Stationwagon☐ Pick Up Truck☐ Other

FAILED COMPONENT(S)/PART(S) INFORMATION

Component 12240000	Part Name(s) INTERIOR SYSTEMS:ACTIVE RESTRAINTS:BELT RETRACTORS	Location ☐ Left ☐ Right ☐ Front ☐ Rear	Failed Part(s) ☐ Original ☐ Replacement
No. of Failures 3	Dates of Failure(s) 11-MAY-2000 Mileage at Failure(s) 17500 Vehicle Speed at Failure(s) 0	Failed Part(s) Available? Yes No	NHTSA Previously Contacted? Yes No

APPLICATION INCIDENT INFORMATION

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies) on the back of this form)

Crash ☐ Yes ☒ No	Fire ☐ Yes ☒ No	Number of Persons Injured 0	Number of Fatalities 0	Estimated Property Damage	Reported to Police ☐ Yes ☒ No
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NARRATIVE DESCRIPTION OF FAILURE(S), INCIDENT(S), INJURY(IES)

PASSENGER'S SEAT BELT WILL NOT RELEASE WHILE DRIVING NOR WHEN VEHICLE IS STOPPING.
 DEALER HAD REPAIRED SEAT BELT THREE TIMES. *AK

CONTINUE ON BACK IF NEEDED

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.



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FOR AGENCY USE ONLY 197

Date Received

00 JUN -5 PM 8:13
11-MAY-2000OFFICE
EFFECTS INVESTIGATIONFile No.
861789

OWNER INFORMATION (Type or Print)

Work Number

Home Number

Do you authorize NHTSA to provide a copy of report to the manufacturer of your vehicle?

☒ YES☐ NO

In the absence of an authorization, NHTSA WILL NOT provide your name and address to the vehicle manufacturer.

Signature of Owner

Date / /

VEHICLE INFORMATION

Vehicle Ident. No. (VIN) (Located at bottom of windshield on driver's side)	Vehicle Make	Vehicle Model	Vehicle Year	Current Odometer Reading
WBADM6331XBY26463	BMW	528TA 528i	1999	19,000
Purchase Date 12-98	Dealer's Name OPEN ROAD BMW		Engine Size (CID/CC/L) 2.8 L	☐ Turbo ☐ Diesel ☒ Gas ☐ Fuel Injection
☒ New ☐ Used	City EDISON State NJ Zip Code		No Cylinders 6	

Transmission Type ☐ Manual ☒ Automatic	Antilock Brakes ☒ Yes ☐ No	Restraint System ☐ 3-Point Belt ☒ Driverside Airbag ☒ Passengerside Airbag ☐ Motorbelt ☒ 2-Point Belt	Cruise Control ☒ Yes ☐ No	Drive Train ☐ Front ☒ Rear ☐ 4-Wheel	Vehicle Type ☒ Car ☐ Van ☐ Minivan ☐ Other	Body Style ☐ Sport Ult ☐ Truck ☐ Motorcycle ☐ 2-Door ☒ 4-Door ☐ Stationwagon ☐ Pick Up Truck ☐ Other
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FAILED COMPONENT(S)/PART(S) INFORMATION

Component 12246000	Part Name(s) INTERIOR SYSTEMS:ACTIVE RESTRAINTS:BELT RETRACTORS	Location ☐ Left ☒ Front ☐ Right ☐ Rear	Failed Part(s) ☒ Original ☐ Replacement
No of Failures 3	Date(s) of Failure(s) 11-MAY-2000 Mileage at Failure(s) 17900 Vehicle Speed at Failure(s) 0	Failed Part(s) Available? ☒ Yes ☐ No	NHTSA Previously Contacted? ☐ Yes ☒ No

APPLICATION INCIDENT INFORMATION

(Please describe in detail the incident(s), Failure(s), Crash(es), and injury(ies) on the back of this form)

Crash ☐ Yes ☒ No	Fire ☐ Yes ☒ No	Number of Persons Injured 0	Number of Fatalities 0	Estimated Property Damage	Reported to Police ☐ Yes ☒ No
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NARRATIVE DESCRIPTION OF FAILURE(S), INCIDENT(S), INJURY(IES)

PASSENGER'S SEAT BELT WILL NOT RELEASE WHILE DRIVING NOR WHEN VEHICLE IS STOPPING.
DEALER HAD REPAIRED SEAT BELT THREE TIMES. *AK

CONTINUE ON BACK IF NEEDED

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May 11, 2000

Kevin J. Healy, Esq.
BMW NA Inc.
300 Chestnut Ridge Road
Woodcliff Lake, New Jersey 70675

To Whom It May Concern:

I believe that my 1999 BMW 528i passenger vehicle is a "lemon" under the New Jersey Lemon Law (N.J.S.A. 56:12-29 to 56:12-49). I am hereby making a written demand for relief under the Lemon Law.

I leased a 1999 BMW 528i, VIN number WBADM6331XBY26463 on 12/17/98 from Affinity Financial Services, Inc. Since I leased the vehicle, I have had to return it to the dealership (Open Road BMW, Edison, N.J.) a total of three (3) times for the same safety defect. My vehicle has been out of service for repairs for a total of more than three calendar days. The current mileage on my vehicle is 17,975 miles.

My vehicle has been in Open Road BMW, 731 U.S. Highway 1, Edison, New Jersey on the following dates for repair of the same safety defect:

7/1/99	Front passenger-side seat belt locks-up. Unable to pull out of holder to belt passenger.
10/11/99	Front passenger-side seat belt locks-up. Unable to pull out of holder to belt passenger.
3/22/00	Front passenger-side seat belt locks-up. Unable to pull out of holder to belt passenger.

I am having the following safety-related problem with my vehicle at this time:

Same safety problem as noted above - Front passenger-side seat belt locks-up. Unable to pull out of holder to belt passenger.

Since this defect substantially impairs the use, value and safety of my vehicle and its passengers, I am hereby allowing you one final opportunity to repair my vehicle. If these repairs are not made within ten calendar days of receipt of this letter, I am entitled to a replacement vehicle acceptable to me or a refund calculated in accordance with the New Jersey State Lemon Law. I look forward to hearing from you soon. You can reach me during the day at 908-575-0087 and in the evening at 908-218-4056.

Sincerely,



Cc: Affinity Financial Services, Inc.
2 Crossroads Drive
Bedminster, N.J. 07921

US Dept. of Transportation
NHTSA
Office of Defects Investigation, NSA-10.01
400 7th Street, SW
Washington, DC 20590