

ODI Action Number:

RQ99-018

Date: **09-03-99**

Subject: **BMW OF NORTH AMERICA
1999 M3**

ALLEGED INADVERTENT SIDE IMPACT AIRBAG DEPLOYMENT FAILURE

This file contains consumer letters received by the National Highway Traffic Safety Administration which complain of the alleged defect that is the subject of this Recall Query. It also contains correspondence between this agency and the manufacturer on the subject. Portions of that correspondence may be withheld where the manufacturer has claimed that they are confidential pursuant to the Freedom of Information Act, 5 U.S.C. § 552(c)(1), which exempts from disclosure confidential commercial and financial information. Additional documents relating to this Recall Query may exist, but have not been included in this public file.

If you have any information or concerns you would like to discuss with NHTSA staff, please call the

toll free AUTO SAFETY HOTLINE

800-424-9393

(In the Washington, DC metropolitan area, please call 202-366-0123)

Also, if you wish to discuss the investigation with NHTSA staff, the HOTLINE contact representative will have a technical staff member return your telephone call.

NGUYEN

RQ99-018

<u>DATE</u>	<u>SUBJECT</u>	<u>PAGE NUMBERS</u>
09-03-99	OPENING RESUME (Prompted by IE99-089 & 99V-063)	(2) (3)
09-23-99	Letter to BMW from ODI. Request for information concerning alleged inadvertent deployment of the side airbag system in certain 1999 BMW 323i and 328i vehicle.	(4-10)
03-26-99	Letter to ODI from BMW. Response to ODI 9/23/99 letter 49 CFR Part 573.	(11-16)
11-11-99	Letter to ODI from BMW. Response to ODI 9/23/99 letter 49 CFR Part 573.	(17-18)
12-08-99	CLOSING RESUME RECALL 99V-063	(19-20)



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

ODI RESUME

INVESTIGATION: RQ99-018

DATE OPENED: 9-3-99

SUBJECT: Inadvertent Side Impact Airbag Deployment

PROMPTED BY: IE99-089 & 99V-063

PRINCIPAL ENGINEER: Nha Nguyen

MANUFACTURER: BMW of North America, Inc.

MODEL(S): M3

MODEL YEAR(S): 1999

POPULATION: TBD

PROBLEM DESCRIPTION: The side door airbag deployed without side impact to the vehicle.

FAILURE REPORT SUMMARY

	ODI	MANUFACTURER	TOTAL
COMPLAINTS:	1	Unknown	1
CRASHES:	0	"	0
INJ CRASHES:	0	"	0
# INJURIES:	1	"	1
FAT CRASHES:	0	"	0
# FATALS:	0	"	0
OTHER:	0	"	0

DESCRIPTION OF OTHER: None

ACTION: Open an RQ investigation.

ENGINEER: NN

DIV CHF: Jubik

OFC DIR: [Signature]

9/2/99
DATE

9-3-99
DATE

9/3/99
DATE

SUMMARY: On March 26, 1999, BMW of North America, Inc. recalled 37,500 1999 323i and 328i manufactured up to April 1999, for inadvertent deployment of the side airbag system in certain non-crash impacts such as contacting large pot holes or curbs at substantial speed. As a remedy, BMW will re-code the air bag control module of the affected vehicles with updated software. The recall was a result of an ODI safety defect investigation.

ODI received 1 consumer complaint of a 1999 model year M3 alleging the driver side door airbag deployed without side impact to the vehicle causing one injury. The complainant's M3 uses the same chassis as the 3-Series and was built in March 1999. The purpose of this RQ is to determine the adequacy of the scope of the recall.



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

ODI SCREEN RESUME

IDENTIFICATION: IE99-089

DATE OPENED: 01-SEP-99

SUBJECT: Inadvertent Side Impact Air Bag Deployment

PROMPTED BY: VOQ

INVESTIGATORS: Peter C. Ong

MANUFACTURER: BMW of North America, Inc.

MODEL: M3

MODEL YEAR(S) 1999

VEHICLE POPULATION: TBD

PROBLEM DESCRIPTION: Alleged that the side door airbag deployed without side impact to the vehicle

FAILURE REPORT SUMMARY

	SYMPTOM #1	N/A	N/A
COMPLAINTS:	1		
- DRIVER-SIDE	1		
- PASSENGER-SIDE	0		
- UNSPEC.			
# INJURIES:	1		
# CRASH:	0		
OTHERS:			

DESCRIPTION OF SYMPTOM (S): #1 Side door airbag deployed after hitting a pothole in the road

ACTION: Recommend opening an investigation

INVESTIGATOR: *Peter C. Ong*

DIVISION CHIEF: *L. George Downing*

DATE: *09/02/99*

DATE: *9/2/99*

SUMMARY: ODI has received one complaint reporting that the 1999 BMW M3 coupe driver side impact airbag deployed after contacting a pothole on the road. Inadvertent deployment of the side impact air bag may cause injuries and cause the driver to lose control of the vehicle during high speed maneuvers.

ODI influenced a recall (recall #99V063) on 1999 BMW 3-Series (323i & 328i) equipped with similar systems. The 1999 323i and 328i models produced up to 4/99 were affected in the recall campaign. The complainant's M3 uses the same 3-Series chassis and was produced in March of 1999.

Unexpected deployment of the side airbag could cause injuries and temporary loss of control of the vehicle. Further investigation is recommended to ascertain the scope of the issue.

SEP 23 1999

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Karl-Heinz Ziwick
General Manager, Environmental Engineering
BMW of North America, Inc.
300 Chestnut Ridge Road
Woodcliff Lake, NJ 07675

NSA-11mm
RQ99-018

Dear Mr. Ziwick:

The Office of Defects Investigation (ODI) is conducting a review of safety recall 99V-063 being performed by the BMW of North America, Inc., concerning certain 1999 model year BMW 323i and 328i vehicles for inadvertent deployment of the side airbag system in certain non-crash impacts such as contacting large pot holes or curbs at substantial speed. As a remedy, BMW will recode the air bag control module of the affected vehicles with updated software. The recall was a result of an ODI safety defect investigation.

ODI received a consumer complaint of a 1999 model year M3 alleging the driver side door airbag deployed without side impact to the vehicle causing one injury. The purpose of this RQ is to determine if of the scope of safety recall 99V-063 should be extended. A copy of the report is enclosed for your information.

Unless otherwise stated in the text, the following definitions and instructions apply to this request for information:

- **Subject vehicles:** all 1999 model year BMW M3.
- **BMW:** BMW of North America, Inc., all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or

indirectly (e.g., employee of a consultant) by or under the control of BMW (including all business units and persons previously referred to), who are in or after 1997, were involved in any way with any of the following related to the alleged defect in the subject vehicles:

- (a) design, engineering, analysis, modification, or production (e.g. quality control);
 - (b) testing, assessment, or evaluation;
 - (c) consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
 - (d) communication to, from, or intended for zone representatives, fleets, dealers, or other field locations, including, but not limited to, people who have the capacity to obtain information from dealers.
- **Safety recall 99V-063:** the safety recall filed by BMW in the Defect Information Report dated March 26, 1999, recalling 32,500 1999 323i and 328i manufactured up to April 1999, for inadvertent deployment of the side airbag system in certain non-crash impacts such as contacting large pot holes or curbs at substantial speed. As a remedy, BMW will recode the air bag control module of the affected vehicles with updated software.
 - **Alleged defect:** the failure, malfunction, or other unsatisfactory performance of the door-mounted thorax airbag and the head protection system.
 - **Document:** "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all nonidentical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, joakings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including, but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to

any of the foregoing, however denominated by BMW, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a nonidentical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by the manufacturer or not. If a document is not in the English language, provide both the original document and an English translation of the document.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Please repeat the applicable request verbatim above each response. After BMW's response to each request, identify the source of the information and indicate the last date the source updated the information prior to the preparation of the response. Insofar as BMW has previously provided a document to ODI, BMW may either produce it again, or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the Information Request letter (including the subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

If BMW cannot respond to any specific request or subpart thereof, please state the reason why it is unable to do so. If BMW claims that any document or other information or material responsive to any of the following items need not be provided to NHTSA because it is privileged or the work product of an attorney, separately by information request number, for each document or other information or material, state the nature of that information or material and identify any document in which it is found by date, subject or title, name and position of the person from, and the person to whom it was sent, and the name and position of any other recipient. BMW must also describe the basis for the claim, and explain why BMW believes it applies.

1. State the total population numbers of the subject vehicles imported for sale in the United States by calendar month and body style.
2. Identify the part numbers and produce specification drawings for each components of the side airbag for front seat occupants, including the central electronic safing sensor and diagnostic system, and the satellite impact sensor, for the subject vehicles and the recalled vehicles included in recall 99V-063.

6

3. Provide a brief description of the physical and operational differences of the side airbag system, including, but not limited to, the mounting locations, impact force thresholds and the software algorithm, between the subject vehicles and the recalled vehicles included in 99V-063.
4. Describe and produce copies of all documents relating to all studies, tests, surveys, reports, and investigations, from all sources, including on-going projects, in BMW's possession or control, or of which it is otherwise aware, pertaining to the inadvertent side airbag deployment in all 1998 and 1999 BMW 3 series cars. Include copies of any failure mode analyses, vehicle inspections, warranty analyses, and other evaluations performed by or for BMW to assess whether the alleged defect exists in any of these vehicles.
5. Furnish the number and copies of all the following:
 - a. owner, consumer, and fleet reports or complaints; and
 - b. field reports, other reports and similar documents, from all sources either received or authorized by BMW, or of which BMW is otherwise aware;

from all sources, either received or authorized by BMW, or of which BMW is otherwise aware, that relate, or could relate, to the alleged defect in the subject vehicles. These include, but are not limited to, complaints or information provided by fleets, consumer groups, customer advocate government agencies, insurance companies, and other entities that provided such information to BMW.

6. State the number and produce copies of all documents relating to each of the following relating to the alleged defect on the subject vehicles:
 - a. all crash, injury, or fatality incidents;
 - b. all subrogation claims;
 - c. all third-party arbitration proceedings (where BMW is a party to the arbitration); and
 - c. all lawsuits, both pending and closed, in which BMW is or was a defendant (or codefendant), or of which BMW is otherwise aware.

These include all those which may have occurred, at least in part, due to circumstances, conditions, or problems caused by the alleged defect in the subject vehicles. Provide a brief synopsis of each response item including BMW's analysis of the alleged incident, a description of any injuries or property damage involved, the identification of the vehicle (model, model year, and VIN), and the vehicle owner (name and address). Produce a copy of all police reports, accident/fire reports, documents by or for insurance companies and their agents and contractors, and all other documents related to a crash or injury incident. Identify all parties involved in each lawsuit and arbitration proceeding, as well as the caption, court, docket number, filing date, nature of the claim(s) as related to the alleged defect, and the final disposition of the matter, if any. Produce representative copies of

7

pleadings and/or legal briefs filed on behalf of BMW in the lawsuits. If expert testimony, depositions, or reports were given, taken, or prepared in a lawsuit or arbitration proceeding, furnish a transcript or copy of each, as appropriate, and identify each expert by name, business address, telephone number, and the name of the party on whose behalf the expert was retained.

7. Furnish a summary incident table of all known or reported incidents (including complaints and reports) included in questions 5 and 6, identifying the vehicle owner's name; the model, model year, and VIN of the vehicle; the vehicle build date; the date of the incident (the date of the report if the incident date is unknown); the vehicle's mileage at the time of the incident; the state or territory of the U.S. in which the vehicle was registered at the time of the incident; the state or territory in which the incident occurred if different from the state of registration; the nature of the defect allegedly causing or contributing to the incident; a brief description of any injuries associated with the incident; and BMW's assessment of or comments regarding the incident. The table should be arranged in ascending order chronologically, according to the vehicle build date. Where a fleet vehicle is involved, also state the name of the fleet, and the name and telephone number of a contact person at that fleet. If BMW has developed or is developing a similar table which contains additional information, please include that additional information in BMW's response. Also, if there are more than 50 incidents, provide a copy of the table in Lotus or Excel format.
8. State the total number of (a) warranty claims, including extended warranty claims, and (b) requests for "good will," field, zone, or similar adjustments, received by BMW that relate, or could relate, to the alleged defect in the subject vehicles by model, model year, calendar month and year of claim, state of vehicle registration (or dealer state if the state of vehicle registration is unknown), and problem claim code. Each problem claim code must be identified.
9. State the total number of the side airbag systems sold as replacement parts for installation on the subject vehicles by part number, dealer state/territory where sold, and calendar month/year of sale.
10. Identify and describe each and every modification or change made by, on behalf of, or known to BMW in the design, material composition, supplier, manufacture, testing, quality control, or installation of the side airbag system, originally installed in, or which can be installed in, (a) the subject vehicles and (b) the 323i and 328i vehicles, for 1998 through 1999 model year. The following information must be included for each modification or change:
 - a. the date on which the modification or change was incorporated into production;
 - b. a description of the modification or change;
 - c. the reason for the modification or change;
 - d. the part numbers of the original, and of the modified or changed components; and



- e. the disposition of the unmodified/unchanged components in BMW production inventory, BMW distribution and dealer stock, and the supplier's inventory, furnishing the date(s) if such components were removed or withdrawn from sale or inventory.
11. Provide copies of all documents relating in any way to meetings, discussions, correspondence, or similar communications between BMW and all other manufacturers, suppliers, outside contractors, consultants, investigators, and similar entities that pertain in any way to the alleged defect in the subject vehicle or the scope of the recall 99V-063. This would include all documents that pertain to the subject component design, manufacture, performance, durability, quality, testing, or modification.
 12. Furnish BMW's detailed opinion of the alleged defect in the subject vehicles. Please include an assessment of the following:
 - a. the causal or contributory factors which may result in the alleged defect;
 - b. the failure mode;
 - c. the risk to motor vehicle safety that it poses;
 - d. what warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring; and
 - e. the incident report included with this inquiry.

This letter is being sent to BMW pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to make reports to NHTSA. BMW's failure to respond promptly and fully to this letter could subject BMW to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. Other remedies and sanctions are available as well.

BMW's response to this letter, in duplicate, must be submitted to this office **by November 17, 1999**. Please include in BMW's response the identification codes referenced on page one of this letter. If BMW finds that it is unable to provide all of the information requested within the time allotted, BMW must request an extension from me at (202) 366-5226 no later than five business days before the response due date. If BMW is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information BMW then has available, even if BMW has received an extension. However, do not submit partial responses to the individual information request items.

If BMW considers any portion of its response to be confidential information, 49 CFR Part 512, "Confidential Business Information," requires that BMW submit two copies of those document(s) containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted, to the Office of Chief Counsel, National Highway Traffic Safety Administration, Room

5219 (NCC-30), 400 Seventh Street, SW, Washington, DC 20590. In addition, BMW must provide supporting information for the request for confidential treatment in accordance with part 572.4(b) and (e) and include the name, address, and telephone number of a representative to receive a response from the Chief Counsel.

If you have any technical questions concerning this matter, please call Nha Nguyen of my staff at (202) 366-6280 or by fax at (202) 366-7882.

Sincerely,

Jonathan D. White, Chief
Recall Analysis Division
Office of Defects Investigation

Enclosure:
ODI Consumer complaint; identification number: 710205

10



March 26, 1999

Ref.: 99Vsab01

Mr. Kenneth N. Weinstein
Associate Administrator for Safety Assurance
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
U.S. Department of Transportation
400 7th Street, SW
Washington, DC 20590

**RE: Recall Campaign - Side Airbag System
1999 BMW 323i, 328i**

Dear Mr. Weinstein,

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.

Pursuant to Section 573.5 (c) of the above, we submit the following information:

1. **Manufacturer:** Bayerische Motoren Werke AG (BMW AG)

Designated Agent: BMW of North America, Inc.
Woodcliff Lake, New Jersey 07675

2. **Make:** BMW

Model Year/Models
1999 323i, 328i

Inclusive dates of manufacture
06/98 to present

3. The number of vehicles potentially containing the defect is approximately 32,500.

4. The percentage of vehicles estimated to actually contain the defect cannot be determined at this time, but is believed to be on the order of a few tenths of one percent.

Address
BMW Plaza
Woodcliff, NJ 07645-1856

Telephone:
(201) 293-2150

Fax/Facsimile
(201) 782-0704



5. The potential defect involves the side airbag system of the affected vehicles. The system consists of door-mounted thorax airbags (rear door airbags are optional), a Head Protection System (HPS) for front occupants, a central electronic safing sensor and diagnostic system, left and right satellite impact sensors, and associated wiring.

The system is unduly sensitive to certain non-crash impacts with a significant vertical and/or longitudinal component, such as experienced when contacting large potholes or curbs at substantial speed. This could cause the side airbag and HPS of the vehicle to deploy without an actual side crash or impact severe enough to cause significant visible damage to the vehicle. In addition, the Battery Safety Terminal (BST) would also activate, disconnecting the starter cable from the battery. In this case, vehicle electrical systems would continue to operate and the engine would continue to run but, after stopping, could not be restarted.

The suppliers of the system components are:

Temic Microelectronic GmbH (sensors and electronic control module)
Ringlerstrasse 17
D-85057 Ingolstadt
Germany

TRW Occupant Restraint Systems GmbH (side thorax airbag)
Industriestrasse 20
D-73553 Alfdorf
Germany

Autoliv GmbH (Head Protection System)
Theodor-Heuss-Strasse 2
D-85221 Dachau
Germany

6. BMW initially became aware of this potential problem during its own vehicle testing in May 1998, when a side airbag deployment occurred during an extreme "handbrake turn" on a dry surface, a maneuver not performed by drivers in the field. BMW's subsequent investigation and analysis were able to reproduce the event, leading to the development of a system software reprogramming change to address this specific situation. This change was incorporated in production vehicles beginning October 16, 1998. At that time, BMW's rough road testing of the affected vehicles did not indicate a susceptibility to inadvertent side airbag deployments.

In late October 1998, BMW received the first field report of an unnecessary side airbag deployment involving the affected vehicles. In November and December, an additional one and six reports, respectively, were received. Since then, an additional 26 reports have been received. The reports and/or vehicles analyzed in detail so far involved a significant rough-road impact (i.e., pothole, curb, bumpy road, etc.) to the vehicle. The recent increase in reports appears to coincide with the "pothole season" in the US.

Included in these reports are allegations of 10 injuries, all of which were received verbally from owners. None were reported voluntarily, but were in response to routine questioning by BMW during the course of discussing the incident by phone. No written contacts, medical records, police reports, etc., have been received by BMW involving any of the alleged injuries. None of the alleged injuries have been verified by BMW.

The alleged injuries include two reports of bruising (one to head and leg, one to arm), two reports of an unspecified face injury, one report of burns and bruises to an arm, two reports of ringing in the ears, one report of some hearing loss, one unspecified hearing complaint, and one report of eye irritation.

BMW is currently in the process of investigating this issue and developing a technical remedy as expeditiously as possible.

7. Not applicable
8. BMW will conduct a recall campaign to remedy the potentially affected vehicles. The remedy is currently under development.

BMW will determine the planned owner notification date once the recall remedy is finalized. However, we expect owner notification to begin in the next few months.

9. A draft copy of the owner notification letter and the Service Information Bulletin will be prepared and submitted when available.

Sincerely,



Karl-Heinz Ziwica
General Manager
Environmental Engineering

Service-Information



Group 35 Pedals	Bulletin Number 35 01 99 Page 1 of 4	Woodcliff Lake, NJ May 1999 Product Engineering
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THIS RECALL CAMPAIGN MUST BE PERFORMED IN CONJUNCTION WITH RECALL CAMPAIGN 99V-063 DESCRIBED IN S.I. BULLETIN 72 04 99.

PERFORM THE PROCEDURE OUTLINED IN THIS SERVICE INFORMATION ON ALL AFFECTED VEHICLES THE NEXT TIME THEY ARE IN THE SHOP FOR MAINTENANCE OR REPAIRS, AND PRIOR TO RETAIL DELIVERY.

SUBJECT: Recall Campaign 99V-100: Inspection of Brake Linkage Retaining Clip

MODEL: E46

Situation: It is possible that the retaining clip that secures the brake booster pushrod to the brake pedal arm may be incompletely seated. Depending on the manner in which the brake pedal is operated (e.g., if the Antilock Brake System (ABS) is repeatedly activated and the brake pedal pulsates), it is possible for the clip to detach from the pin on the brake pedal arm. Depending on brake pedal operation, the pushrod could disconnect from the arm. If this occurs, braking is not possible.

Correction: Revised quality control inspection procedures were implemented in production beginning March 8, 1999, to assure that the clip is properly installed. In addition, BMW is conducting a Recall Campaign to check the retaining clip holding the brake booster push rod to the brake pedal on all affected E46 models.

Although the possibility of the clip coming loose is very remote, some customers may express concern about driving their car to your Service Department for the inspection. To handle cases of this nature when necessary, BMW will allow (1) for towing affected vehicles to the nearest BMW Center through the Roadside Assistance system to have the inspection performed, or (2) for sending a technician to the customer's residence in those cases where this would be simpler and more economical than towing.

If towing the customer's car is necessary, please call Roadside Assistance at 1-800-332-4269 and make the arrangements on the customer's behalf.

All possible efforts should be made to accommodate customers that request an appointment for this recall, including overtime, extended service hours, or if appropriate, alternate transportation. Details on reimbursement are included below.

Please initial and route to the following for information before filing									
<input checked="" type="checkbox"/>	Service	<input checked="" type="checkbox"/>	Warranty	<input checked="" type="checkbox"/>	Service Technicians - Initial Below				
<input checked="" type="checkbox"/>	Service Advisor		Parts Mgr.						
<input checked="" type="checkbox"/>	Service Advisor		Body Shop						
<input checked="" type="checkbox"/>	Shop Foreman		PDI Dept.						

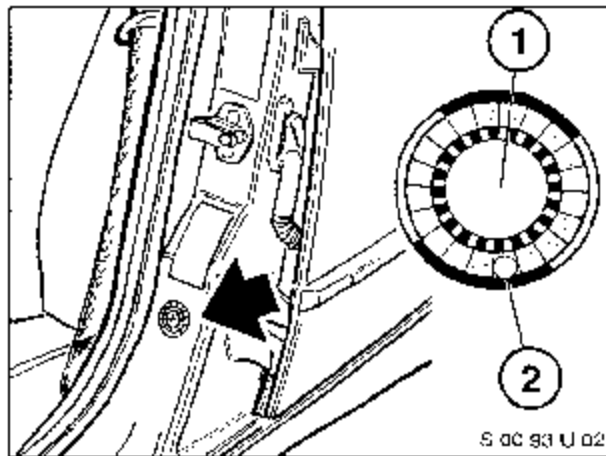
★ ★ FIX IT RIGHT THE FIRST TIME, ON TIME, EVERY TIME ★ ★

14

**Recall
Label**

Instructions: This campaign has been assigned code number 246. After the vehicle has been checked, and corrected if necessary, obtain a label (SD 92-120) and:

- a) emboss your BMW dealer warranty number in the middle of the label (1);
- b) punch out code number 246 printed on the label and,
- c) affix the label to the **B** pillar as shown:



If the vehicle already has a label from a previous Service Action/Recall Campaign, affix the new label next to the old one. Do not affix one label on top of another one because a number from an underlying label could appear in the punched-out hole of the new label.

Warranty

Information: Reimbursement for this Recall will be via Campaign Entry.

NOTE: Additional costs incurred while performing this campaign such as; actual overtime paid to technician for this repair, cost of performing repair at customers home or place of business, and/or one days rental if all service loaner cars are already in use, may be claimed under sublet on this campaign claim. A detailed explanation of the additional cost claimed under sublet must be provided in the comments section. Since all claims are subject to periodic audit, documentation supporting the additional reimbursement claimed must be attached to the repair order in the vehicle history file.

Defect Code:	00 35 09 01 00
Work Package 1:	Check retaining clip, no problem found.
Labor Operation:	00 52 583
Labor Allowance:	3 FRU

May 1999

RECALL CAMPAIGN NO. 99V-100

Dear BMW Owner:

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

BMW AG has determined that a defect which relates to motor vehicle safety exists in certain 1999 Model Year BMW 323i and 328i 4-door automobiles. Our records indicate that you are the owner of a potentially affected vehicle.

DESCRIPTION OF DEFECT

The defect involves the brake system of your car. It is possible that the retaining clip that secures the brake booster pushrod to the brake pedal arm may be incompletely seated. Depending on the manner in which the brake pedal is operated (e.g., if the Antilock Brake System (ABS) is repeatedly activated and the brake pedal pulsates), it is possible for the clip to detach from the pin on the brake pedal arm. Depending on brake pedal operation, the pushrod could disconnect from the arm. If this occurs, braking is not possible.

DESCRIPTION OF INSPECTION/REPAIR

The inspection/repair will consist of inspecting the clip for tight installation and replacing the clip if it is loose.

This modification will require approximately thirty minutes and will be performed free of charge by your Authorized BMW center. Additional time will probably be required, depending on the BMW center's scheduling and processing.

PRECAUTIONS

- 1. CONTACT YOUR AUTHORIZED BMW CENTER TO HAVE THE NECESSARY MODIFICATION PERFORMED AS SOON AS POSSIBLE.**
2. Until the repair is performed, use caution when applying the brakes. Drive carefully, avoid excessive speed and maintain increased following distances to the traffic in front, especially on slippery roads.
3. If you are not the sole driver of your car, please advise all other drivers of these possible consequences.

Headquarters
300 Chestnut Ridge Road
Woodcliff Lake, NJ 07675

Mailing Address
BMW Plaza
Montvale, NJ 07645

Telephone
(201) 307-4000

Facsimile
(201) 782-0764



November 11, 1999

Mr. Jonathan D. White
Chief, Recall Analysis Division
Office of Defects Investigation
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
U.S. Department of Transportation
400 7th Street, SW.
Washington, DC 20590

11/11/99
11:00 AM
11/11/99
11:00 AM

**RE: Recall Campaign 99V-063, Side Airbag System
Amendment to Part 573 Report
RQ99-016**

Dear Mr. White:

In reference to your letter of September 23, 1999, and our telephone conversation of November 4, 1999, BMW is amending our Part 573 Report, dated March 26, 1999, for the subject campaign. The purpose of this amendment is to increase the population of potentially affected vehicles. The referenced Part 573 Report (copy attached) is amended as follows:

Add to Item 2:

Make: BMW

Model Year/Model: 1997 M3 (side airbag system optional)
1998-99 M3 (side airbag system standard)

Inclusive dates of manufacture: 3/97 - 08/99

Add to Item 3:

The number of vehicles potentially containing the defect is increased by approximately 17,000 units. The total number of potentially affected vehicles is now 17,000 + 32,500 = 49,500.

Add to Item 6:

Since November 1997, BMW has received 7 reports of unnecessary side airbag deployment in 1997-99 M3 vehicles. These reports were received as follows: 2 in 1997, 1 in 1998, 4 in 1999. Included in these reports are allegations of 3 injuries, all involving bruising. None of the alleged injuries have been verified by BMW.

Address:
BMW Press
Minneapolis, NJ 07645-1945

Telephone:
(201) 949-2100

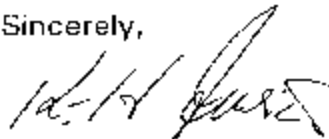
Fax:
(201) 762-0204

Add to Item 8:

We expect to complete M3 customer notification by the end of January 2000.

In our phone conversation, you informed me that the assigned recall number for these vehicles is 99V-063-001. You also indicated that this action by BMW in extending the scope of safety recall 99V-063 addresses the purpose of your September 23, 1999 letter.

Sincerely,



Karl-Heinz Ziwick
General Manager, Environmental Engineering

Attachment





ODI RESUME

INVESTIGATION: RQ99-018
 SUBJECT: Inadvertent Side Impact Airbag Deployment
 PROMPTED BY: 11:99 089 & 99V 063
 PRINCIPAL ENGINEER: Nha Nguyen

DATE OPENED: 9/3/99
 DATE CLOSED: 12/8/99

MANUFACTURER: BMW of North America, Inc.
 MODEL(S): M3
 MODEL YEAR(S): 1997 through 1999
 POPULATION: 17,000

PROBLEM DESCRIPTION: The side door airbag deployed without side impact to the vehicle.

FAILURE REPORT SUMMARY

	ODI	MANUFACTURER	TOTAL
COMPLAINTS:	1	7	8
CRASHES:	0	0	0
INJ CRASHES:	0	0	0
# INJURIES:	1	3	4
FAT CRASHES:	0	0	0
# FATALS:	0	0	0
OTHER:	0	0	0

DESCRIPTION OF OTHER: None

ACTION: RQ investigation is closed. Safety recall 99V-063.001.

ENGINEER: NH

DIV CHIEF: [Signature]

OFC DIR: [Signature]

12/8/99
DATE

12/2/99
DATE

12-8-99
DATE

SUMMARY: On March 26, 1999, BMW of North American, Inc. recalled 32,500 1999 323i and 328i manufactured up to April 1999, for inadvertent deployment of the side airbag system in certain non-crash impacts such as contacting large pot holes or curbs at substantial speed. As a remedy, BMW will re-code the air bag control module of the affected vehicles with updated software. The recall was a result of an ODI safety defect investigation.

ODI received 1 consumer complaint of a 1999 model year M3 alleging the driver side door airbag deployed without side impact to the vehicle causing one injury. The complainant alleged that the side airbag deployed when the vehicle was driven over a pot hole on the road. The vehicle was built in March 1999. The purpose of this RQ was to determine the adequacy of the scope of the recall.

SUMMARY (continue):

- Since BMW decided to conduct the safety recall, ODI agreed that a written response to the information request letter was not necessary. However, ODI requested BMW provide the summary problem experience information on the 1997 through 1999 model year M3 vehicles.
- Since November 1997, BMW has received 7 reports of unnecessary side airbag deployment in 1997 through 1999 M3 vehicles. These reports were received as follows: 2 in 1997, 1 in 1998, and 4 in 1999. Included in these reports are allegations of 3 injuries involving bruises.
- The approximate number of the vehicles potentially containing the defect is 17,000 built from March 1997 through August 1999. The 1998-99 model year M3 vehicles have the side airbag as standard equipment. The 1997 model year M3 vehicles were sold with the side airbag as an option equipment.
- On November 15, 1999, BMW submitted an amendment to the original safety recall 99V-063 Defect Information to include 1997-99 model year M3.
- BMW is expected to complete the M3 customer notification by the end of January 2000.
- ODI has assigned a safety recall identification number 99V-063.001. This RQ is closed.

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