

DP04-001

NVS-215

FEB 13 P 3:10

OFFICE OF
DEFECTS INVESTIGATION

Reston, Virginia

February 4, 2004

Mr. John White
National Highway Traffic Safety Administration, DOT
Office of Defects Investigation
400 Seventh Street, S.W.
Washington, D.C. 20590

Re: NVS-211sc/DP04-001 2004 BMW 325xi
(VIN #WBABU33484PR06840)

Dear Mr. White:

On January 11, 2004 I sent you a letter petitioning for an investigation into delayed transmission engagement in model year 2004 BMW 325xi vehicles (including the above-referenced vehicle).

On Monday, February 2, 2004 I met with James Peters, a Regional Technical representative for BMW of North America. Mr. Peters and I drove my vehicle for quite some miles to confirm that the remanufactured transmission that had been installed in my vehicle has "fixed" the delayed transmission engagement problem. So far it seems to have worked, although I am still having problems with a "notchy" throttle, or uneven acceleration, possibly related to the original transmission issue.

Mr. Peters said that BMW of North America is trying to identify through VIN numbers how many vehicles have the potential for delayed transmission engagement, but, contrary to what I had been previously told, the problem is known to exist, at least potentially, in vehicles other than the xi, or all-wheel-drive, vehicles; it has also been a problem in the X5 (3.0 liter) models and other three-series models. Mr. Peters said that BMW of North America is looking into a voluntary recall of the potentially-affected vehicles. The transmissions in question were apparently manufactured at a

GM factory (or factories) in France: there has been some difficulty in getting enough parts to remanufacture transmissions without the defect (which is apparently a failing Teflon seal in a pressure pump) to replace the vehicles affected so far.

I was also told that the service bulletin on this defect was not issued until December 2003 and that my vehicle was one of the last ones manufactured with the "impaired" transmission ... but then, I've been told quite a few interesting stories.

I wanted to pass this information along as it is different from the data in my original petition and should be considered in assessing the situation.

Again, thank you for assisting me a getting this process started. Obviously if BMW is considering a voluntary recall, there must be a compelling reason.

Sincerely,



Cc: Stuart Ashby, Virginia Office of Consumer Affairs
Michael Brooks, The Center for Auto Safety

Attachment

[REDACTED]
[REDACTED]
Reston, Virginia [REDACTED]
[REDACTED]

February 4, 2003

Mr. Frederick Valdez
BMW of North America
Representative for Executive Offices
National Customer Relations Service
300 Chestnut Ridge Road
Woodcliff Lake, New Jersey 07677

Re: BMW 325xi - VIN #WBAEU33484PR06840

Dear Frederick:

Thank you for the phone calls, explanations and "hand-holding" in the last week regarding the above-referenced vehicle.

I felt that my meeting with James "Pete" Peters on Monday, February 2, 2004 at BMW of Sterling was quite helpful, but I still have reservations and concerns as to the safety, reliability and road-worthiness of my particular vehicle. While Pete was very thorough in explaining the way the vehicle is designed to perform, I'm still unhappy with the way it hesitates with some acceleration and the "notchiness" in the throttle (Pete's description). I have driven three other similar BMWs since purchasing my car (one for two weeks when my car was being worked on) and never had the same problem; consequently I think it must be my particular car that has something amiss.

I also appreciate the offer to add the garage door opener and a security system at no further cost to me, but, while those two features would be nice, they would not resolve the issue of my loss of the sense of safety and reliability that I expected to have in this BMW product.

While I am willing to give this vehicle and my feelings about it more time, I must state again that the poor handling of this situation at the onset has

eroded any sense of confidence I have in the product. I certainly understand that malfunctions happen and can and should be repaired under warranty. However, that BMW of North America has known about the problem, but did nothing to inform the consumer, or to initiate a recall, is something that I still find reprehensible. I do hope that BMW will now do what it can to identify the vehicles with the potential for trouble and correct the problem before anyone is actually harmed.

Again, I'm trying to keep an open mind, but am having trouble in light of the continued "roughness" of the experience.

I'll keep you informed and thank you for your help.

Sincerely,



Cc: Stuart Ashby, Virginia Department of Consumer Affairs
Michael Brooks, Center for Auto Safety
John White, NHTSA, DOT, OFI ✓