

BMW Group

September 2, 2010

Scott Yon
Chief, Vehicle Integrity Division
Office of Defects Investigation
National Highway Traffic Safety Administration
1200 New Jersey Ave., S.E.
Washington, DC 20590

Re: PE10-020 (Consumer Complaints – Supplemental)

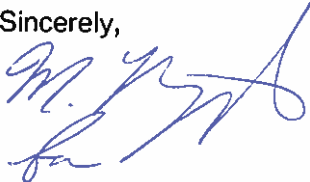
Dear Mr. Yon:

As we had indicated in our August 26, 2010 response in this matter, we needed to confirm some additional consumer complaint information, and would provide that information to NHTSA in approximately one week. This letter, and the attachments, provides such information.

BMW understands that it is NHTSA policy to protect the privacy of individuals under Exemption 6 of the Freedom of Information Act, 5 USC Section 552(b)(6). Certain information requested by NHTSA, such as personal information pertaining to BMW vehicle owners that is contained in the attachments, although not claimed herein to be "BMW Confidential" pursuant to 5 USC Section 552(b)(4) (Exemption 4) and 49 CFR 512, should not be made public by NHTSA in accordance with Exemption 6.

Should you have any questions pertaining to the information enclosed with this letter, please contact me at (201) 571-5360, or Martin Rapaport of my staff at (201) 571-5208.

Sincerely,



Jan Urbahn
General Manager
Safety Engineering & Intelligent Transportation Systems

Attachments:

CD No. 1a

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BMW of North America, LLC

BMW Group Company

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2. State, by model and model year, the number of each of the following, received by BMW, or of which BMW is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
- a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
 - d. Property damage claims;
 - e. Third-party arbitration proceedings where BMW is or was a party to the arbitration; and
 - f. Lawsuits, both pending and closed, in which BMW is or was a defendant or codefendant.

For subparts “a” through “f” state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items “c” through “f,” provide a summary description of the alleged problem and causal and contributing factors and BMW’s assessment of the problem, with a summary of the significant underlying facts and evidence. For items “e” and “f,” identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Response:

The source of this information is our customer contact database and is current as of 30 June 2010.

The number of consumer complaints is indicated in Table 1.

Consumer Complaint Code	Code Description	Number of Complaints
3200	Steering Unit Components (SUC)	173
3211	SUC – Steering Box	6
3213	SUC – Steering Rack	14
3231	SUC – Steering Column	54
3233	SUC –Steering Wheel	15
3241	SUC –Hydraulics – Pump, Hose	8

Table 1.

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3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:

- a. **BMW's file number or other identifier used;**
- b. **The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);**
- c. **Vehicle owner or fleet name (and fleet contact person), address, and telephone number;**
- d. **Vehicle's VIN;**
- e. **Vehicle's make, model and model year;**
- f. **Vehicle's mileage at time of incident;**
- g. **Incident date;**
- h. **Report or claim date;**
- i. **Whether a crash is alleged;**
- j. **Whether property damage is alleged;**
- k. **Number of alleged injuries, if any; and**
- l. **Number of alleged fatalities, if any.**

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

Response:

The source of this information is our customer contact database and is current as of 30 June 2010.

The consumer complaint codes and their descriptions that were utilized in the search are contained in Table 2.

Consumer Complaint Code	Code Description
3200	Steering Unit Components (SUC)
3211	SUC – Steering Box
3213	SUC – Steering Rack
3231	SUC – Steering Column
3233	SUC –Steering Wheel
3241	SUC –Hydraulics – Pump, Hose

Table 2.

Attachment "REQUEST NUMBER TWO DATA – CC (SUPPLEMENTAL)" on CD No. 1a contains the requested information for the code 3200 consumer complaints.

Although not specifically requested, we have included, within Attachment "REQUEST NUMBER TWO DATA – CC (SUPPLEMENTAL)" on CD No. 1a, the Complaint Code, in order to identify an individual complaint with its corresponding code. Also included are Model Year and Production Date.

Although not specifically requested, we have also included fields identified as "Type" and "Issue Summary" in Attachment "REQUEST NUMBER TWO DATA – CC (SUPPLEMENTAL)" on CD No. 1a. "Type" is used by the customer service representative to help categorize the

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customer's request, such as "inquiry", "complaint", etc., while "Issue Summary" is used by the customer service representative to help summarize, in a very brief manner, the customer's concern.

Approximately 40% of the consumer complaint Types are identified as "Survey", have a corresponding entry in the "Issue Summary" field, and pertain to Complaint Code 3200 ("Steering Unit Components"). The records pertaining to the Type ("Survey") are based upon individual telephone surveys, which are conducted as a follow-up with customers who have had a recent service or sales experience (standard follow-up procedure in the interest of product quality, customer loyalty, etc.). In some cases, some survey customers make a specific complaint during the survey. In other words, they do not initiate the complaint themselves; it is only in response to a company-initiated survey. These can be considered "second level" complaints, as the customer did not initiate the complaint, and did not contact us directly. Nevertheless, we do address these complaints in the normal course of business and therefore include these complaints as part of this submission.

- 4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method BMW used for organizing the documents.**

Response:

The source of this information is our customer contact database and is current as of 30 June 2010.

Attachment "CC – CONSUMER COMPLAINTS (SUPPLEMENTAL)" on CD No. 1a contains copies of the code 3200 consumer complaints