



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

ODI RESUME

Investigation: AQ 15-003
Prompted by:
Date Opened: 08/18/2015
Investigator: Robert Garris
Approver: Michael Brown
Subject: International Autos, Inc. / Mini Recall

Date Closed: 08/23/2016
Reviewer: Jennifer Timian

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: BMW of North America, LLC
Products: 2014-2015 MINI Hardtop 2 Door
Population: 11 (Estimated)

Problem Description: NHTSA received information suggesting that International Autos, Inc., located in West Allis, WI, sold and delivered at least one new vehicle to a customer without having had all required safety recall repairs performed on that vehicle.

ACTION / SUMMARY INFORMATION

Action: Open Audit Query (AQ)

Summary:

The Safety Act requires, among other things, that a manufacturer notify its dealers of defects related to motor vehicle safety and non-compliances with Federal Motor Vehicle Safety Standards and, in turn, that a dealer not sell and deliver a new vehicle subject to a recall unless the recall remedy has been performed (49 U.S.C. §§ 30112(a), 30120 (i)).

NHTSA opened AQ15-003 to determine whether International Autos, Inc. of West Allis, Wisconsin complied with the requirements of the National Traffic and Motor Vehicle Safety Act, 49 U.S.C. Chapter 301 (Safety Act). NHTSA received information that International Autos sold and delivered at least one new model year (MY) 2015 Mini Cooper 2-door hardtop vehicle to a customer without having had all required safety recall repairs performed on that vehicle. NHTSA opened this investigation and then issued an information request (IR) to International Autos on August 20, 2015. A copy of this request is in this investigation's file, together with a public copy of International Autos' response.

A careful review of the information supplied confirm that International Autos sold and delivered at least eleven new vehicles with outstanding safety recalls on them. Under a Settlement Agreement dated April 26, 2016, International Autos committed to take concrete actions to improve its processes for verifying that prior to sale and delivery of any new vehicle International Autos has confirmed that the vehicle is not subject to an un-remedied recall. International Autos confirmed that it had engaged in these processes since June 25, 2015. International Autos also committed that it now also checks for open recalls on every customer vehicle brought in for service, and that it checks for open recalls on every used trade-in vehicle, regardless of make or model, and takes steps to have all used trade-in vehicles repaired prior to retail sale. International Autos admitted to violating the prohibition on sales of new vehicles with open recalls, and agreed to pay civil penalties in the amount of \$40,000.

This Audit Query is closed.