

BMW Group

July 6, 2004

Mr. Kenneth N. Weinstein
Associate Administrator for Enforcement
National Highway Traffic Safety Administration
400 7th Street, SW
Washington, DC 20590

RECEIVED
7-8-215

2004 JUL 12 P 4: 02

OFFICE OF
DEFECTS INVESTIGATION

04V-348

**RE: Recall Campaign – Flat Tire Monitor
2004 MINI Cooper & Cooper S**

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 573.6(c), we submit the following information.

- Manufacturer:** Bayerische Motoren Werke AG (BMW AG)

Designated Agent: BMW of North America, LLC
Woodcliff Lake, NJ 07677
- Make:** MINI

<u>Model Year / Model</u>	<u>Inclusive dates of manufacture</u>
2004 / Cooper & Cooper S	03/23/2004 – 04/15/2004
- The number of vehicles affected is approximately 1,193.
- The percentage of vehicles estimated to actually contain the defect is 100%.
- The potential defect involves the flat tire monitoring system's programming. Specifically, an audible signal that is used, in part, to alert the driver to a flat tire, has not been correctly programmed. In the event of a flat tire, the audible signal will not sound. Also, the system's indicator lamp will illuminate, but contrary to the description in the Owner's Manual will not flash. The flat tire monitoring system will still detect a flat tire and, when detected, will illuminate the indicator lamp.
- BMW initially became aware of this discrepancy in May 2004 through quality observations. Subsequent investigations and analyses resulted in an identification of the cause of this discrepancy, as well as, a determination of the range of potentially affected vehicles.

BMW has received no reports, nor is BMW otherwise aware of any accidents or injuries related to the defect.

Company
BMW of North America, LLC

BMW Group Company

Mailing address
PO Box 1227
Westwood, NJ
07675-1227

Office address
300 Chestnut Ridge Road
Woodcliff Lake, NJ
07677-7731

Telephone
(201) 907-4000

Fax
(201) 782-0784

Website
bmwusa.com



7. Not applicable.
8. BMW will conduct a recall campaign to remedy the affected vehicles. Specifically, the vehicles will be reprogrammed in order to actuate the flat tire monitoring system's audible signal in the event of a flat tire. Also, an insert will be added to the Owner's Manual stating that the Indicator lamp will illuminate in the event of a flat tire.

BMW expects to begin and complete owner notification in July 2004.
9. A copy of the Service Bulletin will be submitted when available.
10. A draft copy of the owner notification letter is attached.
11. Not applicable.

Sincerely,



Karl-Heinz Ziwick
Vice President
Engineering US

Attachment

DRAFT

July, 2004

Recall Campaign No. 04V-XXX: Flat Tire Monitor

Dear MINI Owner:

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

BMW AG has decided that a defect which relates to motor vehicle safety exists in certain 2004 Model Year MINI Cooper and Cooper S vehicles. Our records indicate that you are the owner of a potentially affected vehicle.

DESCRIPTION OF DEFECT

The defect involves the flat tire monitoring system. Although the Owner's Manual states that in the event of a flat tire, an audible signal will sound, and an indicator lamp will flash, an audible signal will not sound, and an indicator lamp will not flash. However, the system will still detect a flat tire and, when detected, will illuminate the indicator lamp.

Your vehicle can still be driven; however, do not leave this discrepancy unattended.

PRECAUTIONS

- 1. CONTACT YOUR AUTHORIZED MINI DEALER IMMEDIATELY TO HAVE THE NECESSARY REPAIR PERFORMED AS SOON AS POSSIBLE.**
- 2. If you experience a flat tire while driving, then you should pull over carefully as soon as possible to a safe location and away from traffic. Do not continue to drive your vehicle. Contact MINI Roadside Assistance at 1-866-646-4772 immediately to have your vehicle brought to the nearest Authorized MINI dealer.**
- 3. If your vehicle is equipped with Run-Flat Tires, and you experience a flat tire while driving, you may continue to drive your vehicle with certain speed and mileage restrictions. Drive cautiously and carefully. Do not exceed 50 mph. Specific mileage restrictions are contained in the Owner's Manual, and depend upon the number of passengers and additional load. Please refer to your Owner's Manual for specific details.**
- 4. We recommend that you always wear your safety belt, and that all passengers are properly seated and restrained at all times.**
- 5. If you are not the only driver of this vehicle, please advise all other drivers of this important information.**

DESCRIPTION OF REPAIR

Affected vehicles will be reprogrammed in order to actuate the flat tire monitoring system's audible signal in the event of a flat tire. Also, an insert will be added to the Owner's Manual stating that the indicator lamp will illuminate in the event of a flat tire.

The repair will require approximately 1½ hours. This work will be performed *free of charge* by your Authorized MINI dealer. Additional time may be required depending on the MINI dealer's scheduling and processing.

OTHER INFORMATION

If you are no longer the owner of this vehicle, we would appreciate your furnishing us with the name and address of the new owner, using the enclosed postage-paid card.

If you are a lessor of this vehicle, Federal Regulations require you to forward this notice to your lessee.

If you have already had this repair performed at your own expense, please see the attachment regarding possible eligibility for reimbursement.

Should you have any questions about this campaign, please contact your Authorized MINI dealer.

We appreciate your confidence in our product, and we wish to do everything we can to retain your confidence. Should you need additional assistance, you may contact MINI Customer Relations at 1-866-ASK-MINI (1-866-275-8464).

If the MINI dealer is unable to remedy the defect without charge or within a reasonable period of time, you may notify the Administrator, National Highway Traffic Safety Administration, 400 Seventh St., S.W., Washington, DC 20590, or call the toll-free Auto Safety Hotline at 1-888-327-4236.

MINI, a DIVISION OF BMW OF NORTH AMERICA, LLC

TREAD ACT CUSTOMER REIMBURSEMENT PLAN
(MINI, a Division of BMW of North America, LLC)

Please contact your authorized MINI dealer if you have paid for the repair described in this letter, and you would like to be considered for reimbursement. Expenses from repair facilities outside of the MINI dealer network will be considered; however, the procedure must meet MINI standards.

Your authorized MINI dealer will request a copy of this owner notification letter, as well as, a copy of your previously paid invoice, and then inspect the vehicle (if it is still in your possession) prior to submitting a claim on your behalf to MINI, a Division of BMW of North America, LLC for reimbursement.

Please note the following:

- Only a repair that is the subject of this safety recall is reimbursable, not consequential expenses such as towing, rental, accommodations, damage repairs, etc.
- When MINI Genuine Parts are used, the Manufacturer's Suggested Retail Price (MSRP) will be considered as the guideline for reasonable charges.
- Expenses for repairs performed more than 10 days after the date of the last owner notification letter sent by MINI are not eligible for reimbursement.
- Taxes and hazardous waste disposal, where previously paid, are eligible for reimbursement.

We anticipate that your authorized MINI dealer will be able to answer any questions that you may have regarding your qualifications for reimbursement of a previous repair. If you qualify for such a reimbursement, they will also be able to advise you of the manner in which you could receive reimbursement.

We recommend that your authorized MINI dealer be your primary contact on this issue; however, our Customer Relations Department may be contacted at 1-800-831-1117 for any special assistance that you may require.

Alternatively, you may submit your request for reimbursement to the following address:

Customer Relations Department
MINI Division
BMW of North America, LLC
P.O. Box 1227
Westwood, NJ 07675-1227

**TREAD ACT CUSTOMER REIMBURSEMENT PLAN
(MINI, a Division of BMW of North America, LLC)**

**Customer Reimbursement for Safety Related Recall Repairs
Effective with Safety related recalls initiated January 15, 2003**

The customer is encouraged to request reimbursement from their authorized MINI dealer. Alternatively, the customer may submit the request for reimbursement to the following address:

Customer Relations Department
MINI Division
BMW of North America, LLC
P.O. Box 1227
Westwood, NJ 07675-1227

In all cases:

- Repair expenses pertaining to the subject of the safety recall are reimbursable, not consequential expenses such as towing, rental, accommodations, damage repairs, etc.
- Expenses from repair facilities outside of the MINI dealer network will be considered; however, the procedure must meet MINI standards.
- When MINI Genuine Parts are used, the Manufacturers Suggested Retail Price (MSRP) will be considered as the guideline for reasonable charges.
- Expenses for repairs performed more than 10 days after the date of the last owner notification letter sent by MINI are not eligible for reimbursement.
- Taxes and hazardous waste disposal, where previously paid, are eligible for reimbursement.
- MINI will not reimburse for prior repairs that did not utilize MINI Genuine Parts.

The authorized MINI dealer will request a copy of the owner notification letter, as well as, a copy of the owner's previously paid invoice, and then inspect the vehicle (if still in the possession of the invoice holder) to determine the scope and quality of the previous repair. Claims shall be processed within 60 days of receipt.