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**BMW Group**

2007 APR 25 A 8:30

DEFECTS INVESTIGATION  
RECALL MGMT DIV.

April 13, 2007

Mr. Daniel Smith  
Associate Administrator for Enforcement  
National Highway Traffic Safety Administration  
400 Seventh Street, S.W.  
Washington, DC 20590

07V-178  
(6 pages)

**RE: Recall Campaign – Passenger Seat Occupant Detection System  
2007 BMW 6-series**

Dear Mr. Smith:

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: BMW

<u>Model Year / Model</u>	<u>Inclusive dates of manufacture</u>
2007 / BMW 6-series	September 1, 2006 – January 15, 2007
- The number of vehicles affected is approximately 225.
- The percentage of vehicles estimated to actually contain the noncompliance is 100%.
- The issue involves the front passenger seat occupant detection system. Over time, it has been continually developed in order to recognize the applicable child seats required by FMVSS 208.

In order to recognize the Expressway ISOFIX child seat, the system may not be able to reliably determine if the front passenger seat is occupied by a small adult or that child seat. If the system misinterprets a small adult as that specific child seat, the front passenger air bag would be deactivated. In that case, illumination of the passenger air bag indicator lamp in the overhead console with the message "PASSENGER AIR BAG OFF" would be visible.

Although the Expressway ISOFIX child seat has been included in FMVSS 208, its regulatory "effective date" has been moved to later dates, very late in the regulatory process. Because of that, changes to the occupant detection system to exclude the Expressway ISOFIX could not be performed in time to change production. Therefore, we have produced a number of MY07 BMW 6-Series vehicles with a

**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) 307-4000

**Fax**

(201) 782-0764

**Website**

bmwusa.com



detection system that detects the Expressway ISOFIX but perhaps not the small adult. As a result, we must now replace the system.

The name, business address, telephone number, and contact person of the front passenger seat occupant detection system is:

Ms. Diane Ingamells  
Siemens VDO Automotive Corp.  
2400 Executive Hills Boulevard  
Auburn Hills, MI 48326-2980  
Phone: (248) 209-5692  
Fax: (248) 209-4050

6. BMW became aware of this matter during quality control procedures. Subsequent investigations and analyses resulted in a determination of the problem, as well as, the number of potentially affected vehicles.

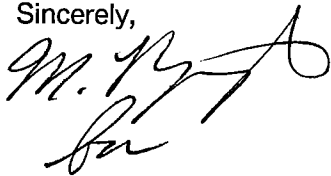
BMW has not received any reports, nor is BMW otherwise aware of any accidents or injuries related to this issue.

7. Not applicable.
8. BMW will conduct a recall campaign to remedy the affected vehicles. Specifically, the front passenger seat occupant detection system will be replaced.

BMW expects to begin and complete dealer and owner notification in April 2007.

9. Not applicable.
10. A copy of the Service Bulletin will be submitted when available.
11. A draft copy of the owner notification letter is attached.
12. Not applicable.

Sincerely,



Thomas C. Baloga  
General Manager  
Safety Engineering and Intelligent Transportation Systems

Attachment

TREAD ACT CUSTOMER REIMBURSEMENT PLAN  
(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 BMW center. Alternatively, the customer may submit the request for reimbursement to the following address:

Customer Relations and Services Department  
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 BMW center network will be considered; however, the procedure must meet BMW standards and use BMW Genuine Parts.
- When BMW 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 BMW are not eligible for reimbursement.
- Taxes and hazardous waste disposal, where previously paid, are eligible for reimbursement.
- BMW will not reimburse for prior repairs that did not utilize BMW Genuine Parts.

The authorized BMW center 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.

# DRAFT

April, 2007

## Recall Campaign No. 07V-XXX: Passenger Seat Occupant Detection System

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 decided that certain Model Year 2007 6-Series vehicles fail to conform to Federal Motor Vehicle Safety Standard No. 208 (Occupant Crash Protection). Our records indicate that you are the owner of a potentially affected vehicle.

We sincerely apologize for any inconvenience this may cause you.

### **DESCRIPTION OF DEFECT**

The front passenger seat of your vehicle has a sensing system to detect if the seat is occupied. This sensing is programmed to detect if the seat is occupied by a small adult or certain child ("car") seats. Placing certain child seats on the front passenger seat is designed to result in the automatic deactivation of the front seat passenger's air bag. (See your Owner's Manual for details.) However, in some cases, the sensing system may misinterpret a properly seated small adult as one of these specific child seats, resulting in deactivation of the front passenger air bag when the airbag might be beneficial for the adult. This deactivation would be indicated by the "passenger airbag off" lamp being lit.

**Please do not leave this problem unattended. Failure to observe the following precautions can increase a front passenger's risk of injury in a crash.**

### **PRECAUTIONS FOR YOUR SAFETY**

- 1. PLEASE CONTACT YOUR AUTHORIZED BMW CENTER IMMEDIATELY TO HAVE THE NECESSARY REPAIR PERFORMED AS SOON AS POSSIBLE.**
- 2. If the front passenger seat is occupied by a small adult, and this condition occurs, illumination of the passenger air bag indicator lamp in the overhead console with the message "PASSENGER AIR BAG OFF" would be visible.**
- 3. BMW recommends that you always wear your safety belt, and that all passengers are properly seated and restrained at all times.**
- 4. Please advise all other drivers and passengers of this vehicle of this important information.**

**DESCRIPTION OF REPAIR**

BMW will conduct a recall campaign to remedy the affected vehicles. Specifically, the front passenger seat sensor will be replaced to better recognize small adults.

The actual repair will require approximately two hours; however additional time may be required depending on the BMW center's scheduling and processing. This work will be performed *free of charge* by your Authorized BMW Center.

**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 BMW Center.**

Again, we sincerely apologize for any inconvenience this may cause you.

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 BMW Customer Relations and Services at 1-800-831-1117, or via Email at [CustomerRelations@bmwusa.com](mailto:CustomerRelations@bmwusa.com).

If the BMW Center 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, call the toll-free Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9153), or go to <http://www.safercar.gov>.

BMW OF NORTH AMERICA, LLC

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

If you have paid for the repair described in the attached letter, and you would like to be considered for reimbursement, please contact your authorized BMW center. Expenses from repair facilities outside of the BMW center network will be considered; however, the procedure must meet BMW standards and use BMW Genuine Parts.

Your authorized BMW center will request a copy of your 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 BMW of North America, LLC for reimbursement.

Please note the following:

- Only a repair that is the subject of this safety recall is reimbursable. Consequential expenses such as towing, rental, accommodations, damage repairs, etc will not be reimbursed.
- When BMW 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 BMW are not eligible for reimbursement.
- Taxes and hazardous waste disposal, where previously paid, are eligible for reimbursement.
- BMW will not reimburse for prior repairs that did not utilize BMW Genuine Parts.

We anticipate that your authorized BMW center 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 BMW center be your primary contact on this issue; however, our Customer Relations and Services 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 and Services Department  
BMW of North America, LLC  
P.O. Box 1227  
Westwood, NJ 07675-1227