

BMW Group

September 15, 2008

Mr. Daniel Smith
Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Ave., S.E.
Washington, DC 20590

08V-507
(6 pages)

RE: Recall Campaign – Front Brake Discs
2009 MINI John Cooper Works (JCW), JCW Clubman

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.

1. Manufacturer: Bayerische Motoren Werke AG (BMW AG)
Designated Agent: BMW of North America, LLC
Woodcliff Lake, NJ 07677
2. Make: MINI

<u>Model Year / Model</u>	<u>Inclusive dates of manufacture</u>
2009 / MINI JCW, JCW Clubman	May 7, 2008 – August 1, 2008
3. The number of vehicles affected is approximately 560.
4. The percentage of vehicles estimated to actually contain the problem is less than 10%.
5. The problem involves the front brake discs. Specifically, the affected vehicles were fitted with 16" diameter front brake discs instead of 17" discs. The 16" discs could be exposed to higher thermal loads during braking. If this occurred during conditions of intense brake usage, then braking performance would be reduced. However, sufficient braking capability would still be maintained to slow and stop the vehicle.
6. BMW became aware of this matter through its quality control analyses and processes involving delivery inspections at dealers. 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.

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) 571-5479

Website
bmwusa.com



7. Not applicable.
8. BMW will conduct a recall campaign to remedy the affected vehicles. Specifically, the front brake discs and brake pads will be inspected and, if necessary, replaced.

BMW expects to begin and complete dealer and owner notification in September 2008.
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,

A handwritten signature in blue ink, appearing to read "Jan Urbahn".

Jan Urbahn
General Manager
Safety Engineering and Intelligent Transportation Systems

Attachment

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 and Services 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.

DRAFT

September, 2008

Recall Campaign No. 08V-XXX: Front Brake Discs

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 2009 Model Year MINI John Cooper Works and John Cooper Works Clubman vehicles. 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 problem involves the front brake discs. Specifically, your vehicle may have been equipped with 16-inch diameter front brake discs instead of 17-inch discs. Under conditions of intense brake usage, braking performance would be reduced. However, sufficient braking capability would still be maintained to slow and stop the vehicle.

You may continue to drive your vehicle; however, you must have this problem corrected immediately. Failure to observe the following precautions, in conjunction with traffic and road conditions, and the driver's reactions, could increase the risk of a crash.

PRECAUTIONS

- 1. CONTACT YOUR AUTHORIZED MINI DEALER IMMEDIATELY TO HAVE THE NECESSARY REPAIR PERFORMED AS SOON AS POSSIBLE.**
- 2. Unless necessary, avoid intense, sharp braking maneuvers until the repair has been conducted.**
- 3. MINI recommends that you always wear your safety belt, and that all passengers are properly seated and restrained at all times.**
- 4. If you are not the only driver of this vehicle, please advise all other drivers and passengers of this important information.**

DESCRIPTION OF REPAIR

MINI will conduct a recall campaign to remedy the affected vehicles. Specifically, the front brake discs and brake pads will be inspected and, if necessary, replaced.

The actual repair will require approximately 2 hours; however additional time may be required depending on the MINI dealer's scheduling and processing. This work will be performed free of charge by your Authorized MINI Dealer.

OTHER INFORMATION

Should you need MINI Roadside Assistance during operation of your vehicle, they may be reached at 1-866-646-4772.

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.

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 MINI Customer Relations and Services at 1-866-ASK-MINI (1-866-275-6464), or via Email at MINI.Assistance@askminiusa.com.

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, 1200 New Jersey Ave., S.E., 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>.

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 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.

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 and Services Department may be contacted at 1-866-275-6464 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
MINI Division
BMW of North America, LLC
P.O. Box 1227
Westwood, NJ 07675-1227