

September 13, 2010

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

**Re: Recall Campaign
Fuel Level Sensor
2010-11 BMW 5-Series, 5-Series Gran Turismo
Supplemental Report**

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.

Please note that this is to supplement our July 21, 2010 report which, in accordance with Section 573.6(b), contained information pertaining to Section 573.6(c)(1), (c)(2), (c)(3) and (c)(5).

Pursuant to Section 573.6(c), we submit the following information.

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

Designated Agent: Jan Urbahn
BMW of North America, LLC
Woodcliff Lake, New Jersey 07677
- 2. Make:** BMW

Model Year / Model: 2010-11 / 5-Series, 5-Series Gran Turismo

Inclusive Dates of Manufacture: Jan. 12, 2010 – Jul. 1, 2010
- 3.** The number of vehicles affected is approximately 6,080.
- 4.** The percentage of vehicles estimated to actually contain the problem is unknown at this time.
- 5.** The issue involves the vehicle's fuel level sensor within the fuel tank. A lever that is a part of the sensor could become wedged against the tank. If this happened, the fuel gauge in the instrument cluster would display a larger amount of fuel than was actually in the tank. As a result, if the tank became empty, stalling would occur.
- 6.** BMW became aware of this matter through its normal quality control analyses and processes involving a limited number of field reports. These reports, received over the past several months, pertained to conditions of stalling. Inspection and analyses of the affected vehicles indicated that the lever of the fuel level sensor could become wedged against a vent line along the side of the tank. Further

Company
BMW of North America, LLC

BMW Group Company

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PO Box 1227
Westwood, NJ
07675-1227

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Woodcliff Lake, NJ
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investigations and analyses resulted in a determination of the number, and production range, of potentially affected vehicles. On July 15, 2010, BMW decided to conduct a voluntary recall. Accordingly, BMW submitted its initial report to NHTSA on July 21, 2010.

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 fuel level sensor will be replaced by a new version.

BMW began dealer notification in late July 2010 and completed dealer notification in August 2010. BMW expects to begin and complete owner notification in late September 2010.

9. Not applicable.
10. A copy of the Service Bulletin is attached.
11. A draft copy of the owner notification letter is attached.
12. Not applicable.

Sincerely,



Jan Urbahn
General Manager
Safety Engineering and Intelligent Transportation Systems

Attachments

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.