

May 25, 2011

11V-299
(2 Pages)

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

**Re: Non-Compliance Report
Instrument Cluster
2011 MINI Cooper Clubman & Cooper S Clubman**

Dear Mr. Harris:

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: Jan Urbahn
BMW of North America, LLC
Woodcliff Lake, New Jersey 07677
- Make: MINI

Model Year / Model: 2011 / Cooper Clubman, Cooper S Clubman

Inclusive Dates of Manufacture: February 8, 2011 – May 11, 2011
- The number of vehicles affected is approximately 75.
- The percentage of vehicles estimated to actually contain the condition is 100%.
- The issue involves the instrument cluster (tachometer) that is mounted behind the steering wheel. Affected vehicles were equipped with a European specification tachometer. The European version includes telltales with non-US symbols for a brake system warning or malfunction (a symbol instead of the required word "BRAKE") and for an Antilock Brake System (ABS) warning (an ABS symbol (the letters "ABS" within a circle/brackets) instead of only the required letters "ABS"). As a result, the driver would be informed of a brake system warning or malfunction, or an ABS warning, as required by FMVSS 101, but European (not US) symbols would be displayed. Therefore, affected vehicles do not conform to FMVSS 101. This issue does not affect the vehicle's brake system.
- Not applicable.
- BMW became aware of this matter through its quality control analyses and processes at the assembly line on May 16, 2011. Immediate investigations and analyses resulted in a determination of the number, and production range, of

Company
BMW of North America, LLC

BMW Group Company

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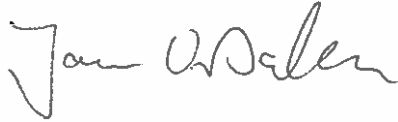


potentially affected vehicles. On May 18, 2011, BMW decided that affected vehicles do not conform to FMVSS 101.

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

8. BMW believes that this matter is inconsequential to motor vehicle safety and therefore will be filing a Petition for Inconsequential Noncompliance in accordance with the provisions of Part 556.
9. Not applicable.
10. Not applicable.
11. Not applicable.
12. Not applicable.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jan Urbahn".

Jan Urbahn
General Manager
Safety Engineering and Intelligent Transportation Systems