

VIA CERTIFIED MAIL RRR AND EMAIL

February 7, 2013

Ms. Nancy Lewis
Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Ave., S.E.
Washington, DC 20590

**Re: Recall Campaign – Amended Notice
Brake Vacuum Pump
2007-10 BMW X5 Sports Activity Vehicle (SAV)
(Models with 8-cylinder engine)**

Dear Ms. Lewis:

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), this is an amendment to the November 9, 2010 report to add the following information indicated in **bold** pertaining to additional production.

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

Designated Agent: Samuel Campbell, III
(pending) Department Head, Safety Engineering and ITS
BMW of North America, LLC
200 Chestnut Ridge Rd. (Bldg. 150)
Woodcliff Lake, NJ 07677
2. **Make:** BMW

Model Year / Model **Inclusive Dates of Manufacture**
2007-10 / X5 SAV **Sep. 12, 2006 – Mar. 18, 2010**
(Models with 8-cylinder engine)
3. **The number of vehicles affected is approximately 30,265.**
4. The percentage of vehicles estimated to contain the condition is less than 1%.
5. This recall involves the power assist braking function of the affected vehicles. Specifically, the brake vacuum pump and the brake booster are connected by a vacuum hose. In rare occurrences, a check valve of the brake vacuum pump may leak a small amount of lubricating oil into the vacuum hose. Over time, this could result in contamination of the brake booster. If this occurred, then power assist braking could be affected. In an extreme case, loss of power assist braking could occur. However, the service brake control would still be available to slow and stop the vehicle, and the vehicle still satisfies the applicable FMVSS pertaining to conditions in which there is a loss of power assist braking.

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



The name, business address, telephone number, and contact person of the brake vacuum pump is:

Peter Klomann
Director Quality Management
Ixetic GmbH
Georg-Schaeffler-Straße 3
61352 Bad Homburg v.d.H.
Germany
Tel. 49-6172-122-370

6. **BMW conducted a recall campaign in 2010 on certain BMW 5-, 6-, and 7-Series models equipped with a similar power assist brake system design. However, the power assist brake system configuration on the Model Year 2007-10 BMW X5 SAV is different than on the models recalled in 2010. Specifically, the BMW X5 SAV brake vacuum line routing has an upward routing in comparison to the horizontal routing on the BMW 5-, 6-, and 7-Series. Therefore, this configuration is less susceptible to the condition in which oil can travel along the brake vacuum line from the vacuum pump toward the brake booster.**

At the time of the recall conducted on the other BMW models in 2010, analyses indicated that the BMW X5 SAV model was not affected. Extensive tests and analyses involving, e.g., lab (system/component) testing, and road (vehicle) testing, involving various levels of oil contamination, were conducted in an attempt to recreate this condition. In parallel, time-to-failure projections and Weibull (statistical) analyses were performed.

Additionally, the US warranty claim data was reviewed. By the end of 2008, over a period of two years, a total of only 10 warranty claims had been processed.

During 2009 calendar year, an additional 10 warranty claims (typically one per month), had been processed. Nevertheless, the field continued to be monitored for instances of this condition in the X5 SAV. In 2010, additional warranty claims were received, and were continuing to be processed at a very low rate.

The field continued to be monitored, and in mid-2011, the warranty claim rate started to increase, and in the first quarter of 2012 increased again. Because of the notable increase in the warranty claim rates, Weibull analyses were conducted in November 2012 in order to predict future rates of occurrence in the field. Analyses indicated that a continuing increase of warranty claims in the field was likely to occur.

Given the projection of an increasing rate of field occurrences, it was determined that the Model Year 2007-10 BMW X5 SAV models should now be included in the recall campaign.

Production and manufacturing records were examined in order to determine the number, and the production range, of potentially affected vehicles.

On January 31, 2013, BMW decided to conduct a voluntary recall.

BMW has not received any reports of any accidents or injuries related to this issue.

7. Not applicable.
8. BMW will conduct a recall campaign to remedy the affected vehicles. The brake vacuum line (including a check valve) will be inspected and replaced on all vehicles eliminating the possibility for oil to reach the brake booster. If necessary, the brake booster and brake master cylinder will also be replaced.

BMW expects to begin and complete dealer and owner notification in February.

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

Sincerely,

BMW OF NORTH AMERICA, LLC

A handwritten signature in black ink, appearing to read 'Sam Campbell', with a stylized flourish at the end.

Sam Campbell
Department Head
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.
- The Manufacturer's Suggested Retail Price (MSRP) for BMW Genuine Parts 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.

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.