



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

February 8, 2023

Mr. Jonathan Gannon
BMW of North America, LLC
150 Chestnut Ridge Road
Woodcliff Lake, NJ 07677

NEF-107DM
23V-050

Subject: Disabled Front Passenger Air Bags

Dear Mr. Gannon:

This letter serves to acknowledge BMW of North America, LLC's notification to the National Highway Traffic Safety Administration (NHTSA) of a safety recall which will be conducted pursuant to Federal law for the product(s) listed below. Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

Makes/Models/Model Years:

BMW/760I/2023
BMW/I7/2023

Mfr's Report Date: February 3, 2023

NHTSA Campaign Number: 23V-050

Components:

AIR BAGS
SEATS

Potential Number of Units Affected: 397

Problem Description:

BMW of North America, LLC (BMW) is recalling certain 2023 760i xDrive and i7 xDrive60 vehicles equipped with the Executive Lounge Seating Package. In certain seat monitoring conditions, the front passenger seat electronic control unit (ECU) software may not recognize the seat position, and disable the front passenger air bag, knee air bag, and active headrest.

Consequence:

A disabled front passenger air bag, knee air bag, or active headrest will not deploy as intended in a crash, increasing the risk of injury.

Remedy:

Dealers will reprogram the front passenger seat electronic control unit software, free of charge. Owner notification letters are expected to be mailed March 28, 2023. Owners may contact BMW customer service at 1-800-525-7417.

Notes:

Owners may also contact the National Highway Traffic Safety Administration Vehicle Safety Hotline at 1-888-327-4236 (TTY 1-800-424-9153), or go to www.nhtsa.gov.



We have received BMW's proposed owner notification letter and it is currently under review. You will be notified of any changes or concerns once our review is complete.

Please be reminded of the following requirements:

Copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

Please be reminded that under 49 U.S.C. § 30112(a)(3), it is illegal for a manufacturer, to sell, offer for sale, import, or introduce or deliver into interstate commerce, a motor vehicle or item of motor vehicle equipment that contains a safety defect once the manufacturer has notified NHTSA about that safety defect. This prohibition does not apply once the motor vehicle or motor vehicle equipment has been remedied according to the manufacturer's instructions.

As stated in Part 573.7, submission of the first of eight consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on, or before, 30 days after the close of the calendar quarter.

BMW of North America, LLC's contact for this recall will be DeMara Magruder who may be reached by email at demara.magruder@dot.gov. We look forward to working with you.

Sincerely,



Alex Ansley
Chief, Recall Management Division
Office of Defects Investigation
Enforcement