

BMW sued in US over diesel emissions

March 28 2018



German automaker BMW is being sued in the United States over possible fraud in its emissions-monitoring software

German luxury carmaker BMW has been sued in the United States over "defeat devices" installed in tens of thousands of vehicles in order to cheat diesel emissions tests, lawyers for the plaintiffs said Tuesday.

The case, filed in federal court in New Jersey, will become a class-action suit once it is certified by a judge.

The suit singles out the BMW X5 and 335D model diesel cars sold between 2009 and 2013.

The attorneys at the Hagens Berman firm claim emissions from those cars were as much as 27 times higher than the standard allowed—a fact masked by the "defeat devices" and their "manipulative [software](#)."

"At these levels, these cars aren't just dirty—they don't meet standards to be legally driven on US streets and no one would have bought these cars if BMW had told the truth," said Steve Berman, the firm's managing partner.

"BMW blatantly chose to leave its loyal customers in the dark, forcing them to unknowingly fit the bill for its degradation of the environment."

BMW is the latest automaker to face legal action over emissions violations—rival Volkswagen was found to have built "defeat devices" into more than 11 million cars worldwide in the so-called "dieselgate" scandal.

The attorneys are seeking reimbursement for their clients for their car purchases.

A week ago, German authorities raided BMW headquarters in Munich and another site in Austria in connection with a preliminary investigation into possible fraud relating to emissions cheat systems built into more than 11,000 cars.

BMW confirmed the raids and repeated the company's stance that "a correctly programmed software subroutine was mistakenly allocated to

incompatible models."

In February, the German automaker admitted the software was present in some vehicles and said it would recall them for a software update as soon as one was approved by the KBA German vehicle licensing authority.

Volkswagen eventually was ordered to pay huge fines in the United States in connection with "dieselgate".

Since that scandal erupted, several automakers have been accused of using software to skirt [emissions standards](#).

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Citation: BMW sued in US over diesel emissions (2018, March 28) retrieved 25 April 2024 from <https://phys.org/news/2018-03-bmw-sued-diesel-emissions.html>

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