

Jimenez, Alberto

10138804

From: Jimenez, Alberto
Sent: Thursday, September 08, 2005 11:33 AM
To: [REDACTED]
Subject: RE: 2000 Mercedes Benz E430

Thank you for your e-mail correspondence dated September 1, 2005, concerning your Mercedes Benz 2000 E430.

We appreciate the response to our e-mail and the report you provided. Reports from motorists are a very important source of information for us. Each report is analyzed and entered into a database to determine whether an investigation into a possible safety defect is warranted.

We reviewed of our database relative to the problem associated with the cup holder which is located in a position that if liquid is spilled it causes damages to the electrical system that causes complete shut down of the vehicle. A review of that data revealed insufficient evidence to warrant opening a safety defect investigation at this time. As mention in our previous e-mail, in order for the agency to initiate an investigation, sufficient data must exist to warrant the expenditure of agency resources. The information you provided will be entered into our database. It will be considered with other reports to identify any safety defect trends that may require our attention.

-----Original Message-----

From: [REDACTED]
Sent: Thursday, September 01, 2005 1:07 PM
To: Jimenez, Alberto
Subject: Re: 2000 Mercedes Benz E430

Thank you for finally responding to my email. I had originally written and sent the email on Feb. 10th of this year and sent another email on the 15th of March requesting to know the status of my concern. Since you have no record in your consumer complaint file, I have rewritten the email as follows:

Re: 2000 Mercedes Benz E430

I had initially contacted Mercedes Benz after this problem and being dissatisfied with their response, then contacted the local office of the Department of Justice & Consumer Affairs. They received a similar response and suggested that I now contact you. The Mercedes that I currently own is designed in such a way that the cup holder sits over the gear shift mechanism. Liquid in a cup sitting in the cup holder spilled into the gear shifter and caused the electrical system to completely shut down. This cost over \$900 to repair. I was told by the service tech at the time that any sort of liquid that "dripped" into the gear shaft would cause the same problem with the electrical system. Since I live in Florida, I questioned whether rain water from my umbrella would have the same effect and the reply was "yes". In response to our complaint, Frank Parente, Consumer Relations with Mercedes Benz, replied to our email directly and apologized for the inconvenience and relayed that this issue had been resolved in later models by installing a rubber seal and leather cover around the shifter. I guess having a later model which has since been discontinued excludes me? He wrote back in the letter to the Dept. of Justice & Consumer Affairs quoting from the manual - "Do not fill containers to a height where the contents could spill during vehicle maneuvers, especially hot liquids". Note, no reason as to why this should be avoided nor does it specifically note that spilling the liquid in or near the gear shaft could present major problems. It sounds to me only a cautionary measure after the lawsuit that McDonald's endured with "hot liquids". FYI, the coffee cup was half filled and it was no longer hot! It is obvious this was a design flaw that was later redesigned. I feel that Mercedes Benz is not being honest with me as a consumer and although they claim the redesign was not based on a problem but on better efficiency, I am certain that they are hiding behind the truth. I would appreciate your investigation into this matter and look forward to your reply.

Thank you!

9/8/2005

AL
9/8/05

-----Original Message-----

From: Jimenez, Alberto <Alberto.Jimenez@nhtsa.dot.gov>

To: [REDACTED]

Sent: Wed, 24 Aug 2005 10:17:24 -0400

Subject: RE: Re:2000 Mercedes Benz E430

Dear Consumer

NVS-216 aaj

Thank you for your e-mail to NHTSA's Webmaster, which was received by National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. We apologize for the delay in answering your e-mail; however, due to the number of e-mails received and limited resources, we were not able to respond to e-mail received from February 1, 2005 through April 29, 2005.

NHTSA is the Federal agency responsible for improving safety on our Nation's highways. We are authorized to order manufacturers to recall and repair vehicles or items of motor vehicle equipment when our investigations indicate that they contain serious safety defects in their design, construction, or performance. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, sufficient data must exist to warrant the expenditure of agency resources. We cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

Reports from motorists concerning vehicle problems are a very important source of information for us. The information you provided will be added to our database. If you have not do so, in order for the agency to efficiently record your complaint please complete the vehicle owner's questionnaire that is available on NHTSA's Web site at www.nhtsa.dot.gov/ivog. By filling out this questionnaire, the agency will have the minimum necessary description of the vehicle or vehicle equipment about which you are complaining and a more complete picture of the problem you are experiencing. Each report can then be analyzed and compiled into a database to assist us in identifying potential safety problems or recall inadequacies that require our attention. Please fill this questionnaire out as completely as possible. A fully filled-out report will better enable us to identify similar reports in our system.

Sincerely,

Alberto A. Jimenez, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement

P.S. There is no record of having receive your e-mail in our consumer complaint file.

-----Original Message-----

From: Webmaster

Sent: Wednesday, March 16, 2005 10:19 AM

To: Jimenez, Alberto

Subject: Fw: Re:2000 Mercedes Benz E430

9/8/2005