



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

1200 New Jersey Avenue SE.
Washington, DC 20590

November 12, 2008

[REDACTED]
Newport Beach, CA [REDACTED]

NVS-211gem
Ref # 10167967
10152244
10130247
10118292

Dear [REDACTED]

Thank you for your most recent e-mail correspondence dated October 7, 2008, pertaining to engine compartment wire harness degradation in certain Mercedes vehicles. This correspondence is related to information that you have sent us since 2005 concerning your Model Year (MY) 1993 Mercedes 500E vehicle in particular, and certain MY 1991–1996 Mercedes vehicles in general. Your initial letter (10118292) was received by the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation (ODI) on April 21, 2005. In your most recent e-mail you expressed concern about your perceived lack of follow-up from our office concerning recent wire harness complaints that alleged fires and stall/control-loss incidents.

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 safety defects in their design, construction, or performance that pose an unreasonable risk to motor vehicle safety. However, we cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

We appreciate the reports that you have furnished us concerning your vehicle and on behalf of others (via your website and e-mail). We have reviewed these reports throughout the time we have corresponded. Based on their content and the ages of the vehicles involved, we do not see sufficient evidence to warrant the opening of a safety defect investigation. We do agree that engine compartment wire harness degradation is widespread in these vehicles and we sympathize with the resulting (and frequently unexpected) repair costs. However, the evidence does not indicate an unreasonable safety risk- or suggest that a safety recall would significantly reduce any safety risks posed by this problem.

ODI receives approximately 35,000 consumer complaints annually. These complaints, along with other information, are used to identify emerging safety defect trends and to support existing

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investigations. Each complaint is read by an investigator in ODI's Defects Assessment Division (DAD) within one business day of receipt and is subjected to periodic data trend analysis. DAD's goal is to identify safety defect trends that pose the greatest risk to motor vehicle safety. To accomplish this goal, DAD seeks indications of defects (e.g., components that fail prematurely under normal use); examines the safety consequences of these defects (e.g., stalling and vehicle fires, and whether any crashes, injuries, or deaths resulted); the rate at which they take place; and the age of the vehicles in which they occur. In order to maximize agency resource and to accomplish the greatest risk mitigation, DAD focuses its attention on widespread concerns that have the greatest potential to injure or kill.

Our complaint data indicate certain MY 1991 – MY 1996 Mercedes vehicles experience pervasive cracking and degradation of the engine compartment wire harness and that a majority (over half) of these complaints were received within the last two years. However, the complaint content itself does not allege a strong safety consequence: half of the complaints described no specific failure mode or cited non-safety concerns such as rough idle, no-start, and hesitation. Distinct safety concerns were identified in a third of the complaints- engine stalls and fires. Four crashes and one injury were attributed to engine stalls. We also note that many of these events were preceded by engine warning lights or wire harness repair attempts (indicating the vehicle operators were aware of a pre-existing condition).

As noted above, DAD prioritizes its work based on a number of factors including the rate at which safety-related consequences occur and the severity of the risk to be mitigated. Compared to peer stall and fire investigations and to recent complaint volume for these conditions, the rates for the subject vehicles are low. ODI has devoted considerable effort to researching and reviewing this topic. However, after analyzing this problem, we do not see enough risk to justify the opening of a safety defect investigation for this condition in these vehicles.

With respect to your concern about our follow-up activities, the incoming complaint volume is too great for us to reasonably reply to each complainant; and, for complaints that do receive follow-up, we do not release our notes from that work to the public. By way of comparison, in a one week period, ODI receives 680 complaints that include 46 crashes, 29 fires, and 62 stall events. As a result, we prioritize the follow-up work so as to mitigate the most risk.

We sympathize with the repair cost that this condition has imposed on you and other Mercedes owners and apologize for not expressing our views on this matter more clearly and in a more timely fashion.

Sincerely,

A handwritten signature in black ink that reads "Frank S. Borris II". The signature is written in a cursive, slightly slanted style.

Frank S. Borris II, Acting Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement