



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

1200 New Jersey Avenue SE
Washington, DC 20590

May 20, 2008

██████████
San Juan, PR ██████████

NVS-216 nlm
Ref. # 10225545

Dear ██████████:

Thank you for your correspondence dated April 23, 2008, concerning your model year (MY) 1987 Mercedes-Benz 300SDL. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence on May 2, 2008.

On behalf of NHTSA, please accept our sincere condolences for the tragic death of your son in a car accident. We certainly understand and commend your efforts to ensure that a similar accident does not occur. Our primary mission at NHTSA is to help reduce the frequency and severity of such accidents through developing and enforcing Federal vehicle safety standards, ensuring the recall of vehicles and vehicle equipment containing safety related defects, and promoting educational efforts on highway safety. 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, performance, or if they do not comply with the Federal motor vehicle safety standards (FMVSS).

NHTSA has the statutory authority to issue FMVSS applicable to new motor vehicles and items of motor vehicle equipment, including vehicles and equipment (tires, rims, brakes, motorcycle helmets, etc.). The law establishes a self-certification process in which the vehicle and equipment manufacturers themselves certify that their products are in compliance with all applicable FMVSSs, which establishes minimum criteria that the product must meet.

Each manufacturer is responsible for ensuring that its products are free of safety-related defects. If an item is found not to comply with applicable standards or is found to have a safety defect, the manufacturer is responsible for remedying the noncompliance or defect at no cost to the customer.

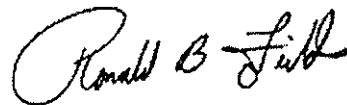
Please be advised that at the time that your MY 1987 Mercedes Benz 300SDL was manufactured, it was in compliance with FMVSS No. 114, Theft Protection. When FMVSS No. 114 was first effective (1/1/1970) it was just for theft and did not have the anti-rollaway requirement. In a 5/30/1990 final rule, we amended FMVSS No. 114 to require that the



transmission be locked in park before the key can be removed, effective 9/1/1992 (MY 1993). Later we added the paragraphs about override devices. Therefore, in MY 1970 ½ - MY 1992 there was no requirement that the transmission be locked in park before the key can be removed. We regret that we are unable to assist you further with this matter.

Should you encounter a safety-related problem with a motor vehicle or item of motor vehicle equipment in the future, you can complete an electronic Vehicle Owner's Questionnaire online at <http://www.nhtsa.dot.gov/ivoq>. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at <http://www.nhtsa.dot.gov/cars/problems>.

Sincerely,

A handwritten signature in black ink that reads "Ronald B. Fields". The signature is written in a cursive style with a large, looped initial "R".

Ronald B. Fields, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement

Enclosure:

FMVSS No. 114; Theft protection