

Add to 10237596-1836

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CMT

NHTSA Office of Communications and Outreach 400 7th Street, SW, Room 5119, NTS-22, Washington, DC 20590

Office of Defects Investigations/CRD
NVS-216
1200 New Jersey Ave SE
Washington, DC 20590

Office of the Attorney General
55 Elm Street
Hartford, Connecticut, 06106

September 27, 2008

Dear NHTSA, ODI, and Connecticut Attorney General Richard Blumenthal,

I have a very serious concern regarding a very dangerous vehicle defect. I corresponded with a Mercedes USA case manager, Robert M, a few weeks ago. I explained that while vacationing in Scarborough Maine, my 1999 Mercedes E320 had a serious suspension bracket failure with my wife driving, requiring a tow to Prime Motor Cars in Scarborough, Maine, and repairs of \$976.01. That was August 4-8, 2008. The bracing that holds the shock and spring failed, causing the suspension to come crashing down. My wife was scared to death, and had it happened while the car was traveling at highway speed, my wife and son would have faced serious medical issues. The dealer explained that this is a "common" problem with early E320's and that they "see a lot of them". The Mercedes case manager put me in touch with the Scarborough Service Manager, who arranged a refund of \$460. I've since studied this issue more closely, and spoke with other Mercedes dealers. They all agree that this is a common problem that should be addressed by Mercedes. My brother, who has been in the automobile business for 55 years, tells me that he never encountered this particular problem, with any car! Mercedes Benz USA refused to acknowledge the problem and told me I should be happy with my \$460 refund.

It's now clear that this is a serious safety hazard that Mercedes is trying to hide, and as E320's get older, the chance of serious accidents increases. This is preventable, and Mercedes should take the steps necessary to protect their customers. Had I known about this potential hazard, I would have taken the steps necessary to prevent it from happening. Had Mercedes made me aware of this potential hazard and offered a preventive fix, I would not be complaining about how they handled it. I would have been forewarned, and if I did not take the steps to prevent it, I would have been responsible. At this point, I don't even feel comfortable driving the car, as I'm worried that the repaired side or the other side might fail. It also scares me to think about how many other families are driving E320's, unaware that their lives are at risk.

I know that the NHTSA monitored tests conducted by Mercedes in 2002 and deemed that a safety related defect was not found. I also know that the test itself was faulty in that it did not measure the effect of suddenly losing the suspension while the car is moving. It only measured the driver's ability to steer the vehicle after the part failed. My wife said the noise was so loud that drivers in front and in back got out of their cars to see what caused the "explosion". Had this happened while traveling at 60 MPH my wife tells me she would have lost complete control of the vehicle. I understand that you (NHTSA) left the door open, in 2002, for further testing. I believe the time is now for you to conduct additional tests with an eye toward requiring a recall. Remember, as these E320s get older, the problem is going to escalate. Waiting until someone gets seriously injured or killed is unconscionable. Please reconsider your position. Mercedes, one of the finest automobile manufacturers in the world, can and should do better. At the very least, someone should be warning E320 owners of the potential hazard.

Sincerely,

Guilford, CT

ref to NHTSA

M Carey
7/29/10
DI

RICHARD BLUMENTHAL
ATTORNEY GENERAL



MacKenzie Hall
110 Sherman Street
Hartford, CT 06105-2294

Office of The Attorney General
State of Connecticut

November 5, 2008

[REDACTED]
Guilford, CT [REDACTED]

RE: Mercedes-Benz USA

Dear Mr. [REDACTED]

This is to acknowledge receipt of your correspondence and to thank you for contacting our Office in connection with this matter.

By copy of this letter, we are forwarding your correspondence to the U.S. Consumer Protection Safety Commission, which will follow-up with you. We sincerely apologize for any delay this transfer may cause, but the subject of your letter can best be reviewed by that agency. If you have any questions concerning this matter, please contact the U.S. Consumer Protection Safety Commission at (301) 504-7923 regarding your complaint.

Please do not hesitate to contact this Office in the future if we can be of further assistance to you.

Very truly yours,

M. G. Alonzo

M. G. Alonzo
Assistant Attorney General

Enc.

cc: U.S. Consumer Protection Safety Commission
4330 East West Highway
Bethesda, MD 20814

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