



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

1200 New Jersey Avenue SE.  
Washington, DC 20590

March 27, 2009

[REDACTED]  
Oceanside, CA [REDACTED]

NVS-216 et  
Ref. No. 10261250

Dear [REDACTED]

Thank you for your correspondence dated February 17, 2009, concerning your model year (MY) 2001 Mercedes-Benz ML 320 vehicle. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence on March 5, 2009.

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. We also monitor the adequacy of manufacturers' recall campaigns. In order for the agency to initiate an investigation, we look carefully at the body of consumer complaints and other available data to determine whether a defect may exist. We cannot act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

We appreciate the report you provided. Reports from motorists are a very important source of information for us. In your letter you express your dissatisfaction with your dealership's refusal to replace the power steering pump in your vehicle and agreeing to only perform the preventive remedy repairs specified in the recall. You also request reimbursement for previous charges you incurred to repair your vehicle.

Chapter 301 of Title 49 of the United States Code (U.S.C.) requires a manufacturer of motor vehicles or items of motor vehicle equipment that contain a defect relating to motor vehicle safety or fail to comply with a Federal Motor Vehicle Safety Standard to remedy the defect or noncompliance without charge. However, our statute does not require manufacturers to reimburse owners for costs associated with a safety recall (e.g., lost wages while the vehicle is



being repaired, car rentals, repairs not performed by an authorized dealership, damage caused by the defect, etc.). Nor does the statute authorize the Federal government to reimburse vehicle owners for any costs associated with safety recalls or assist vehicle owners in obtaining reimbursements for costs associated with an alleged defect. Although not required by the statute, under certain conditions, manufacturers may reimburse vehicle owners for recall work completed prior to receiving a recall notice. Please confer with an authorized Mercedes-Benz dealership for further details.

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 cursive script that reads "Randy Reid".

Randy Reid  
Chief Correspondence Research Division  
Office of Defects Investigation  
Enforcement