



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

1200 New Jersey Avenue SE.
Washington, DC 20590

May 28, 2009

[REDACTED]
[REDACTED]
Forest Park, GA [REDACTED]

NVS-216 nlm
Ref. # 10268148

Dear [REDACTED]:

Thank you for your correspondence dated March 18, 2009, concerning reimbursement for recall repairs to your model year (MY) 1999 Mercedes Benz ML320 vehicle. The Georgia Governor's Office of Consumer Affairs forwarded your correspondence to the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation (ODI). Your correspondence was received on May 17, 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. We notified Mercedes Benz of your request for reimbursement for having the safety-related corrective action performed on your 1999 Mercedes Benz ML320 prior to the announcement of NHTSA Campaign No. 08V-465 and requested that this matter be reviewed and to take the appropriate action. Federal regulations require a manufacturer conducting a safety recall of motor vehicles or motor vehicle equipment to reimburse owners who have paid to obtain a remedy for the problem within a reasonable time, which in many instances is one year, prior to the manufacturer's notification. Certain restrictions apply, including the need to submit



certain documents to the manufacturer. Owners should follow the instructions in the recall notification letter to file a claim. Owners who feel that their claim was wrongfully denied should pursue the matter with the manufacturer. Owners may also report any dispute to NHTSA by contacting the Department of Transportation's Vehicle Safety Hotline at 1-888-327-4236, TTY: 800-424-9153 or by filing a complaint via the agency's Internet Web site. While NHTSA does not have the resources to intervene in individual disputes, it does monitor this data and may address situations where appropriate.

Additionally, 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, 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.

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