



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

1200 New Jersey Avenue SE.
Washington, DC 20590

December 2, 2009

[REDACTED]
[REDACTED]
Highland, CA [REDACTED]

NVSS-216 nlm
Ref. # 10268180

Dear [REDACTED]

Thank you for your correspondence dated October 28, 2009, concerning your model year (MY) 2005 Mercedes Benz S430 vehicle. The National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation received your correspondence on October 28, 2009. We regret any inconvenience our delay in responding may have caused you.

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 have reviewed the documents you provided and our database in an effort to determine whether there is a safety-related defect to automatic transmission failures in MY 2005 Mercedes S430 vehicles consequential of NHTSA Recall Campaign No. 06V-028 which involves instrument clusters failing to illuminate in certain MY 2005 Mercedes S430 vehicles. Our research found no evidence that the instrument panel safety defect or the recall remedy is causing automatic transmissions failures. At this time, there is insufficient evidence to warrant opening a safety defect investigation. Also your request to have NHTSA locate the vehicle, which you no longer own, is outside of our authorizing jurisdiction. The information you



provided has been entered into our database. It will be considered with future reports to identify any safety defect trends that may require our attention.

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