



[REDACTED]
Boca Raton, Florida
November 3, 2010

Mr. Randy Reid, Chief
Correspondence Research Division
Office of Defects Investigation Enforcement
U.S. Department of Transportation
Federal Highway Administration
1200 New Jersey Ave, SE
Washington, D.C. 20590

RE: No. 10354847 – Additional Narrative to be Added to Corrected OMB Form 2127-0008

Dear Mr. Reid:

I recently received your letter regarding my automobile defects; your reference number 10354847. Attached to your letter was a partially filled out VOQ which contained incorrect information; this response will correct the VOQ and supply additional required information.

Additional Narrative to be Added to Corrected OMB Form 2127-0008: This incident is a multiple failure of an OEM airbag electrical module and airbag. Which caused the 200# of nitrogen air pressure (from the airbag) to be discharged directly at my chest, while the airbag did not discharge but remained inside the steering wheel unit; see Attachment #1 photos showing automobile condition when airbag was first removed on 09/11/10 the morning after the incident. This is a very dangerous condition and I suspect it has caused accidents which were incorrectly reported as airbag non-deployments. While said accidents may have been caused by the nitrogen discharge with a resultant loss of automobile control; due to the tremendous air forces exerted on a driver's chest from the non-deployed airbag.

Attachment #2 is the VOQ with corrections; please note under accident information I removed "NOT" twice, as the vehicle was examined by multiple people and was repaired. To

DEC 1 5 2010

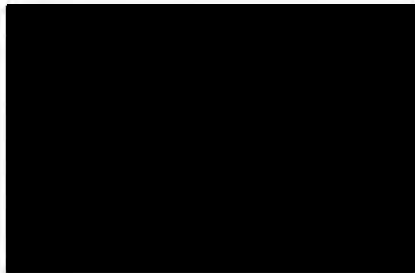
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date, the removed air bag electrical module and removed air bag have been retained as well as the chain of custody maintained for laboratory examination.

Attachment #3 is a true copy of the Boca Police Department report (Case# 2010-011514) regarding this incident.

Attachment #4 is a true copy of the bill for \$347.75 paid to purchase both the electric air bag module and airbag replacements.

Attachment #5 is a true copy of the bill for \$234.28 paid for the removal of the failed electrical air bag module and airbag and the installation of both replacements.





Automobile when Berchag first removed on morning after incident. All parts returned with chain of custody.

ATTACHMENT #1

U.S. Department
of TransportationNational Highway
Traffic Safety
Administration

DOT Auto Safety Hotline
Vehicle Owner's Questionnaire
To Report Vehicle Safety Defects
1-888-DASH-2-DOT
(1-888-327-4236)
INTERNET:www.nhtsa.dot.gov/hotline

FOR AGENCY USE ONLY 100148

Date Received

10-SEP-2010

Repository ☐Reference No.
10354847**OWNER INFORMATION (Type or Print)**

Name

Address

City

BOCARATON

State

FL

Zip Code

Daytime Telephone Number

E-mail Address

Evening Telephone Number

The information you provide will be used to identify potential safety-related defects. We may share your information with the applicable vehicle manufacturer during an investigation or recall in accordance with the routine uses described in the agency's Privacy Act notice. See 49 FR 53971 (Sep. 3, 2004).

VEHICLE INFORMATION

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side

WDBDA29D6PG

Make

MERCEDES BENZ

Model

190E

Model Year

1993

Date Purchased

DEC 1993

Dealer's Name and Telephone Number

MERCEDES BENZ (954) 943-5000

Engine:

No: Cylinders 6

Fuel Type:

Gas

Original Owner

☒

Dealer's City

POMPANO BEACH

State

FL

Zip Code

33064

Transmission Type

AUTO

☒ Antilock Brakes

Powertrain

☒ Cruise Control

Multiple Failure:

ELECT
AIR BAG MODULE
AIR BAG

Incident Date(s)

09-SEP-2010

FAILED COMPONENT(S)/PART(S) INFORMATION

Vehicle Component Code: 140000 AIR BAGS

- AIR BAG ELECT MODULE
- AIR BAG

Failure Mileage

55000

Failure Speed

5

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE

Tire Make

Tire Model (Name or Number)

Tire Size (Example P215/65R15)

DOT No. (Example: DOTM19ABC036)

☐ Original Equipment
☐ Prior Repair

Failure Location:

Tire Component Code

Tire Failure Type:

ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE

Make:

Date Manufactured:

Model No./Name:

Seat Type:

Installation System:

Child Seat Component Code:

Failed Part:

APPLICABLE INCIDENT INFORMATION

(Please describe in detail the incident(s), failure(s), crash(es), and injury(ies).)

Crash

☐ Yes ☒ No

Fire

☐ Yes ☒ No

Number of Persons Injured

Number of Deaths

Reported to Police

Y

Narrative Description of Incident(s), Crash(es), and Injury(ies).

Please describe (1) events leading up to the failure, (2) failure and its consequences, and (3) what was done to correct the failure; i.e. parts repaired or replaced (and if old part is available).

TL*THE CONTACT OWNS A 1993 MERCEDES BENZ 190E. WHILE THE VEHICLE WAS PARKED HE COULD SMELL WHAT WAS DESCRIBED AS A BURNING ODOR. HE BEGAN TO ACCELERATE AND WHILE DRIVING APPROXIMATELY 5 MPH HE WAS STRUCK BY A STRONG FORCE OF AIR COMING FROM THE AIR BAG COMPARTMENT BUT THE AIR BAG DID NOT DEPLOY. THE CONSUMER PULLED OVER AND PARKED. THE VEHICLE WAS EXAMINED FOR THE CAUSE OF FAILURE AND WAS REPAIRED. THE FAILURE AND CURRENT MILEAGES WERE 55,000. ☐

UPDATED 09/23/10 *BFQ

UPDATED 09/30/10

- SEE ATTACHED.

Include, if available: Police/Fire Department Report, Photos, and Repair Invoice.

ATTACH ADDITIONAL SHEETS IF NECESSARY

The Privacy Act of 1974-Public Law 93-579 This information is requested pursuant to authority vested in the National Highway Traffic Safety Act and subsequent amendments. You are under no obligation to respond to this questionnaire. Your response may be used to assist the NHTSA in determining whether a Manufacturer should take appropriate action to correct a safety defect. If the NHTSA proceeds with administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.

ATTACHMENT # 2

INCIDENT/INVESTIGATION REPORT

Agency Name Boca Raton Police Department
ORI FL 0500200

Case# 2010-011514
Date / Time Reported 09/10/2010 13:41 Fri
Last Known Secure 09/09/2010 17:00 Thu
At Found 09/09/2010 17:00 Thu

Location of Incident 5100 N Federal Hwy, Boca Raton FL 33487-	Premise Type Highway / Street / Road /	Zone/Tract 37	
#1 Crime Incident(s) Traffic Other TRO	(Com)	Weapon / Tools NONE/NOT APPLICABLE	
		Entry	Exit
		Security	
#2 Crime Incident	()	Weapon / Tools	
		Entry	Exit
		Security	
#3 Crime Incident	()	Weapon / Tools	
		Entry	Exit
		Security	

MO	# of Victims 0	Type:	Injury:	Domestic: N					
VICTIM	Victim/Business Name (Last, First, Middle)		Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
				Age					
	Home Address						Home Phone		
	Employer Name/Address						Business Phone		Mobile Phone
	VYR	Make	Model	Style	Color	Lic/Lis	VIN		

OTHERS INVOLVED	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)									
	Type: INDIVIDUAL (NOT A LE OFFICER)									
	Injury:									
	Code			Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	CM				Age 63	W	M		Resident	
	Home Address							Home Phone		
	Employer Name/Address							Business Phone		Mobile Phone
	Type:									
	Injury:									
	Code	Name (Last, First, Middle)		Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
				Age						
Home Address							Home Phone			
Employer Name/Address							Business Phone		Mobile Phone	

PROPERTY	L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found ("OJ" = Recovered for Other Jurisdiction)									
	VI #	Code	Status From/To	Value	OJ	QTY	Property Description		Make/Model	Serial Number
		01	O	\$0.00		1	1993 GRN, M851TP FL		MERZ Sedan	WDBDA29D6PG

Officer/ID#	QUINN, M. R. (FS, A1) (487)		
Invest ID#	(0)		
Supervisor	(0)		
Status	Complainant Signature	Case Status <i>Report Written</i>	Case Disposition:
		09/10/2010	

ATTACHMENT # 3

By: HSHED, ECORDSFR1 09/13/2010 15:20

Boca Raton Police Department

Case# 2010-011514

Status Codes	1 = None	2 = Burned	3 = Counterfeit / Forged	4 = Damaged	5 = Recovered	6 = Seized	7 = Stolen	8 = Unknown
1								
2								
3								
4								
5								
6								
7								
8								

D
R
U
G
S

Suspect Hate / Bias Motivated: *None (No bias)*

Complainant [REDACTED] advised me on 9/9/10 at 1700 hours, he was traveling northbound at 5100 North Federal Hwy in his 93 green Mercedes bearing Florida tag [REDACTED]. He stated he heard an explosion, than felt something hit his chest. He believes it was a malfunction of his airbag.

REPORTING OFFICER NARRATIVE

Boca Raton Police Department

Victim	Offense <i>TRAFFIC OTHER</i>	OCA 2010-011514 Date / Time Reported Fri 09/10/2010 13:41
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On 9/9/2010 at approximately 1700 hours, complainant [REDACTED] was stopped at a traffic light, 5100 North Federal Hwy. [REDACTED] was driving his 93 green Mercedes bearing Florida tag [REDACTED]. He smelled something burning. After the light turned green, [REDACTED] proceeded west onto Yamato Rd. [REDACTED] advised me that he was traveling approximately five miles an hour when he heard an explosion than felt something hit his chest hard. [REDACTED] advised me that the airbag did not come out but the air came out of the steering wheel. [REDACTED] advised me that he was not hurt from the incident. [REDACTED] reported the incident to National Highway Safety who gave [REDACTED] the following ODI # 10354847. [REDACTED] advised me that the National Highway Safety Council wanted a police report completed.

I conducted a vehicle inspection on the Mercedes. There was no exterior damage. The airbag was not exposed and the steering wheel was in normal condition. There was an odd odor in the vehicle but I was unable to identify the smell. The vehicle did not have any signs of dust.

I gave [REDACTED] a case number.

Incident Report Related Vehicle List

Boca Raton Police Department

OCA: 2010-011514

1	VehYr/Make/Model 1993 MERZ, Sedan		Style 4D		Color GRN		Lic/Lis /Decal [REDACTED] FL 2010		Vin WDBDA29D6PG [REDACTED]		
	IBR Status Other		Date 09/09/2010		Location 5100 N FEDERAL HWY, BOCA RATON FL						
	Condition		Value \$0.00		Offense Code		Jurisdiction Locally		State # NIC #		
	Name (Last, First, Middle) [REDACTED]				Also Known As				Home Address [REDACTED] BOCA RATON, FL [REDACTED]		
	Business Address										
DOB [REDACTED]		Age 63	Race W	Sex M	Hgt 601	Wgt	Scars, Marks, Tattoos, or other distinguishing features				

Notes

Need OEM Air Bags?

We Can Help!

AIR BAG CENTER



Ascunce Enterprises, Inc.

14032 N.W. 82nd Ave.
Miami Lakes, FL 33016
Phone: 1-866-636-2247
Fax: (305) 818-6973

Date: 9/16/2010
Invoice Number: 15376
PO: Q85089
Due Date:
Ship: Customer Pickup

Sales Person: Ana
Pay: CC Visa

Billing Address:

[REDACTED]

Boca Raton, Florida
US

Shipping Address:

Same

Item	Description	Quantity	Price	Total
91679	1993 Mercedes 190 Airbag Driver Black VIN: WDBHA22E9RF [REDACTED] S/N: YE1DZP3RAEM	1	\$250.00	\$250.00
91680	1993 Mercedes 190 Airbag Computer n/a VIN: WDBCB34D5MA [REDACTED] S/N: 91110613024	1	\$75.00	\$75.00
Notes:		Unless otherwise stated all SRS systems are sold as recycled. A 25% restocking fee is charged on all accepted returns. Products that have been altered will not be accepted. No returns after 30 days. Proof of purchase required. Customer is responsible for having SRS systems inspected and approved. No liability is assumed by seller.		SubTotal: \$325.00
				Tax: \$22.75
				Shipping: \$0.00
				Total: \$347.75

ATTACHMENT #4

BOCA TECH AUTO CENTER
2540 N.W. 2ND AVENUE
BOCA RATON, FL. 33431
Phone - 561-395-0087 Fax - 561-395-0878
www.Bocatechautocenter.com

INVOICE

16318

Org. Est. # 036344
FL Reg. #: MV-42941

INVOICE FROM HISTORY

Work Completed Date : 09/22/2010

Invoice Date : 09/22/2010

Print Date : 09/22/2010



Boca Raton, FL

Home [REDACTED] Ext **** --- Office [REDACTED] Ext CELL

Cust ID : 3607

Ref # :

1993 Mercedes-Benz - 190E

2.6L, In-Line6, VIN (Not Avail

Lic # :

Odometer In : 55964

Unit # :

Vin # : **WDBD A29D 6PG** [REDACTED]

Hat # :

Part Description / Number	Qty	Sale	Extended	Labor Description	Extended
				REMOVE & REPLACE AIR BAG MODULE	219.98
[Technicians : Alves, Mike]					

Org. Estimate \$234.28 Revisions \$0.00 Current Estimate \$ 234.28 Additional Cost Revised Estimate

Labor:	219.98
Parts:	0.00
Sublet:	0.00

Sub:	219.98
Tax:	14.30
Total:	234.28
Bal Due:	\$0.00

[Payments - Check - \$234.28]

Your Alternative to the Dealer

Warranty on and parts and labor is 2 Years or 24,000 miles whichever comes first. Warranty work has to be performed in our shop & cannot exceed the original cost of repair. Shop fees represent cost/profit to the motor repair facility misc, shop supply or waste disp.

SIGNATURE..... Date..... Time.....

Written By: Cleveland, Stubbs

Page 1 of 1

01.17.07 Copyright Mitchell 1 Invoice1

ATTACHMENT # 5

Boca Raton, FL



U. S. DOT
ATTN: Mr. Randy Reid, Chief
Office of Defects Investigation & Enforcement
~~Federal Highway Admin~~
1200 New Jersey Ave, SE
Washington, D.C. 20590
W48-308
JL