



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

1200 New Jersey Avenue SE.
Washington, DC 20590

INFORMATION Redacted PURSUANT TO THE FREEDOM OF
INFORMATION ACT (FOIA), 5 U.S.C . 552(B)(6)

May 23, 2017

[REDACTED]
Bronx, NY [REDACTED]

NEF-109
Ref. No. 10965648

Dear [REDACTED]

Thank you for your correspondence concerning the air bag(s) in your model year 2010 Mercedes-Benz ML 350. Your letter was forwarded to the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. Last year our office received an unprecedented increase in the number of correspondence due to the Takata air bag recalls. Our limited resources were overwhelmed and we are now just getting to your letter. We regret any inconvenience this delay 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 motor vehicles or 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 trend may exist. We do not have authority to act on isolated problems or resolve disputes between individual owners, dealers, or manufacturers.

NHTSA is aware of Mercedes-Benz's delay in producing the air bag inflators for NHTSA Safety Recall Campaign No. 16V-081 and understands your frustration. The recall addresses a problem with air bag inflators produced by Takata that may rupture in a frontal crash and disperse metal fragments. Please note that it is not unusual for manufacturers to have an inadequate inventory of recall parts or a final remedy shortly after a recall is announced. Recall parts availability and recall remedies can be affected by numerous factors including, but not limited to, redesign, testing, manufacturing, and logistics.

Testing and analysis show that the problem with the Takata air bag inflators does not appear until the affected vehicle has been continuously exposed to high temperatures and high absolute humidity (HAH) for 6 years or more. Therefore, the oldest vehicles in the most dangerous areas will be repaired first. When sufficient parts are available to repair vehicles in the high risk areas such as the Gulf Coast States and certain U.S. Territories with HAH, parts will be allocated to lower risk areas like New York. You can contact Mercedes-Benz or your local dealer for updates on the recall and parts availability.



There are currently 46 million recalled Takata air bag inflators in 29 million vehicles in the United States. Under an Amended Consent Order issued to Takata in May 2016, automakers will be required to recall additional inflators over the next 3 years, ultimately affecting approximately 64 to 69 million inflators in 42 million total recalled vehicles. The Takata recall is the largest, most complex recall in NHTSA's history. Under the Consent Order, Takata has agreed to Federal oversight for the next 5 years, to phase out the use of the propellant believed to be related to the air bag inflator ruptures, and to pay record civil penalties up to \$200 million. For the most up-to-date information on the Takata recalls, your constituent should visit our website at www.safercar.gov/rs/takata/index.html.

Should you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, we would appreciate it if you would complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.dot.gov/ivoq or call the Auto Safety Hotline at 888 327-4236. Also, a summary listing of vehicle owners' complaints, safety recalls, manufacturers' service bulletins, etc. can be obtained at www.nhtsa.dot.gov/cars/problems.

Sincerely,

A handwritten signature in black ink that reads "Randy Reid". The signature is fluid and cursive, with the first name "Randy" and last name "Reid" clearly distinguishable.

Randy Reid, Chief
Correspondence Research Division
Office of Defects Investigation
Enforcement