



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



July 28, 2021

[REDACTED]
North Weymouth, MA [REDACTED]

NEF-109 ela
Ref. No. 11424913

Dear [REDACTED]:

Thank you for the letter about your model year (MY) 2003 Mercedes-Benz CLK320 vehicle. Your letter was received in the National Highway Traffic Safety Administration's (NHTSA) Office of Defects Investigation. I am pleased to respond.

NHTSA is the Federal agency responsible for improving safety on our Nation's roadways. We are authorized to order manufacturers to recall and repair vehicles or motor vehicle equipment when our investigations indicate that they contain safety defects, such as in their design, construction, or performance. Among other activities, we also monitor the completion rates and adequacy of manufacturers' recall campaigns.

We appreciate the report you provided. Reports from motorists are a very important source of information for us. We reviewed our database to identify whether a safety defect trend exists with corrosion of the sunroof frame rail in MY 2003 Mercedes-Benz CLK320 vehicles. At this time, NHTSA has not identified sufficient evidence to open a safety defect investigation or to initiate a recall.

Please note that recalls are very specific with regard to vehicle build dates, affected vehicle identification numbers (VIN), assembly plants, remedy procedures, and defective components. NHTSA Safety Recall Campaign No. 19V-918 addresses a problem with the bonding adhesion between the sunroof glass and the sliding roof frame in certain MY 2003 Mercedes-Benz CLK320 vehicles. The roof rust that you are experiencing with your vehicle is not caused by the defect identified in Recall No. 19V-918. Vehicles that had their sunroofs repaired with sunroofs that were produced between December 12, 2005 and July 15, 2006 were affected by the bonding adhesion defect. You indicate that your vehicle was inspected by the dealer and they advised that your sunroof does not fall within the date range of the affected vehicles. Mercedes-Benz advised that vehicles with sunroofs manufactured prior to and after these dates are not affected. Therefore, your vehicle is not eligible for a free remedy under Recall No. 19V-918.

We entered your information into NHTSA's database, where it will be used with other reports to identify any safety defect trends that may require our attention. You can learn more about NHTSA's investigation and recall process on our website at www.nhtsa.gov/sites/nhtsa.gov/files/documents/14895_odi_defectsrecallspubdoc_110520-v6a-tag.pdf.

We encourage you to continue working with Mercedes-Benz and your dealer to explore the potential for an amicable resolution to your problem. You may also ask your dealership for a meeting with a Mercedes-Benz district manager regarding your problem. In addition, the Federal Trade Commission (FTC) regulates and investigates warranty and dealership problems, reimbursement matters, and fair-trade practices. Therefore, if you believe this issue potentially relates to such a practice, you may contact the FTC to discuss the matter. There are three ways to contact the FTC: by toll free telephone at 877-382-4357; by mail at Federal Trade Commission, CRC-240, Washington, DC 20580; and by using the Internet complaint form at www.ftccomplaintassistant.gov.

Finally, you may also consider contacting the Better Business Bureau (BBB) Auto Line. The BBB offers free mediation/arbitration to resolve warranty disputes under guidelines established by the FTC. Remedies include repair, reimbursement, repurchase or replacement, depending on program eligibility. You can visit their website at www.bbb.org to file a complaint and review eligibility information or call the BBB Auto Line at 800-955-5100.

If you encounter a safety-related problem with a motor vehicle or motor vehicle equipment in the future, please complete an electronic Vehicle Owner's Questionnaire online at www.nhtsa.gov or call the Vehicle Safety Hotline at 888-327-4236. Also, you may review owners' complaints, safety recalls, manufacturers' service bulletins, etc., on our website.

Sincerely,

A handwritten signature in cursive script that reads "Randy Reid".

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