

RECEIVED FEB 23 AM

 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 (Do Not Fill In)	
National Highway Traffic Safety Administration				Date Received 09-JAN-2023	
Name [REDACTED]				Repository ☐	
Address [REDACTED]				Reference No. 11500767	
City Brewster				Daytime Telephone Number [REDACTED]	
State MA				E-mail Address [REDACTED]	
ZIP Code [REDACTED]				Evening Telephone Number [REDACTED]	
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. 4, 2004).					
VEHICLE INFORMATION					
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side WDCGGDEBEG			MAKE MERCEDES BENZ		Model GLK250
Date Purchased January 2014			Dealer's Name and Telephone Number Bridgewater Mercedes (900) 212-5622		Model Year 2014
Original Owner Joseph Hebert			Engine: 2.1 liter		Fuel Type: diesel
Dealer's City Brewster			STATE MA		Incident Date(s) 06-JAN-2023
Transmission Type 5 speed auto.			Powertrain AWD		Multiple Failure: [REDACTED]
☒ Antilock Brakes			☒ Cruise Control		
FAILED COMPONENT(S)/PART(S) INFORMATION					
Vehicle Components Codes: 181000 VEHICLE SPEED CONTROL-ACCELERATOR PEDAL				Failure Mileage 122000.0	
to be determined				Failure Speed to be determined	
ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE					
Tire Make NA		Tire Model (Name or Number) [REDACTED]		Tire Size (Example P215/65R15) [REDACTED]	
DOT No. (Example: DOTM18AB0336) [REDACTED]		☐ Original Requirement		Failure Location: [REDACTED]	
☐ Prior Repair		Tire Failure Type: [REDACTED]			
ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE					
Make: NA		Date Manufactured: [REDACTED]		Model No./Name: [REDACTED]	
Seat Type: [REDACTED]		Installation System: [REDACTED]			
Child Seat Component Code: [REDACTED]		Failure Part: [REDACTED]			
APPLICABLE INCIDENT INFORMATION					
(Please describe in detail the incident(s), failure(s), crash(es), injury(ies).)					
Crash ☒ Yes ☐ No		Fire ☐ Yes ☒ No		Number of Persons Injured 1	
				Number of Deaths 0	
				Reported to Police Y	
Narrative Description of Incident(s), Crash(es), 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 replaced or replaced (and if old part is available).					
The contact owns a 2014 Mercedes Benz GLK250. The contact stated while driving at a slow speed and seeking a parking spot, the vehicle accelerated independently and caused her to crash into a parked vehicle. The contact stated no warning light was illuminated. The air bags did not deploy. The contact stated she did not sustain any injuries and her daughter (front passenger side) was feeling dizzy but declined to seek medical attention. A police report was filed. The vehicle was not drivable. The contact towed the vehicle to an independent mechanic. The vehicle was not diagnosed or repaired. A dealer was not contacted. The manufacturer had not been informed of the failure. The failure mileage was approximately 122,000. [REDACTED] Supplement 2/17/23 to complaint filed 1/23/23. A follow-up letter was submitted on January 20, 2023 to NHTSA. The cover letter and follow-up letter are attached herein. In addition, a copy of the police report is attached. Also, three photos taken at the crash scene are attached. Law enforcement has thus far not requested a subpoena from the judge to obtain the EDV from this vehicle. I believe the information in the EDV is objective evidence of the pre-crash data (events before the collision (including information on forward crash sensor, brake and throttle status, yaw/steering, etc.) to be used in my defense of this very serious charge of "careless driving, likely to endanger person or property." Also, if NHTSA is unable to retrieve and provide analysis of the EDV, I would appreciate a referral to an EDV-crash data analysis expert (acceptable to the court) to perform this evaluation. At this point, I am willing to pay for this evaluation.					
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 Administration and subsequent successors. 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.					

Email to: FAX: (202) 366-1767

Reference: ODI 11-50-07-87

Revised/updated: February 18, 2023

Complaint: Sudden Unintended Acceleration – Date: January 6, 2023

Filed by [REDACTED]

Mercedes Benz GLK250, Year 2014 Vin:WDCGG0EB6E [REDACTED]

License [REDACTED] (Massachusetts)

West Windsor, N.J. Accident Report [REDACTED]

For the record, below is a recap (of what I told ODI by telephone on January 9, 2023) concerning the above-referenced complaint, in my own words, of what happened on January 6:

I was driving the above-referenced vehicle with my daughter in the parking lot in Market Fair Shopping Center, West Windsor, New Jersey, on Friday afternoon, January 6, 2023. The vehicle suddenly accelerated uncontrollably and ran into the back of a parked Cadillac Escalade. My daughter called the police. Officer Brown of the West Windsor police department asked me what happened and I said the car just "took off" accelerating uncontrollably. It did not stop. I told the officer there were two witnesses. I believe he spoke with one of the witnesses. My daughter went up to Officer Brown in his car and told him she was dizzy. He asked her if she wanted him to call an ambulance and she replied, "No.". Officer Brown then gave me a card with a case number and an email address to obtain a copy of the police report. He also said I would be mailed the ticket in a few days.

The following is an update since filing the complaint on January 9, 2023:

- Your office (ODI) said I should call Mercedes Benz to obtain the EDR for my car. The Mercedes Customer Assistance Center told me that, to obtain the EDR, I would have to ask the officer who filed the report to request a subpoena from the Judge.
- I called the West Windsor Police Department (West Windsor, NJ) and both Officer Brown and Sergeant Loretucci refused to request a subpoena for access to the EDR, saying the judges are "too busy to issue subpoenas for every accident." I was frustrated and upset by my inability to obtain the EDR data, as I feel in my particular case- the car surging forward, suddenly accelerating out of control- evidence from the EDR would be very objective and helpful in determining the cause of this acceleration. In other words, a defect in the car, perhaps in the car's electrical/throttle/cruise control systems, caused the car to suddenly accelerate, and data from the EDR would most likely confirm this defect.
- I have also now received a traffic ticket from the West Windsor Police Department, [REDACTED]. (court I.D. [REDACTED] Prefix [REDACTED]).

- Allstate Insurance Co. also called me to say they have done an appraisal of my car, as "it was totaled." The vehicle my car hit- a Cadillac Escalade (Vin: 1GYS4KKL4MF[REDACTED], NJ [REDACTED] - "was also totaled." I told the police and AllState the air bags never were deployed, and asked if a mechanical inspection could be done on my car, and was told, "no."
- Note that nothing was mentioned in the police report about the witnesses who saw my car quickly accelerating. Officer Brown told me "the witnesses just said the car was accelerating."
- Also, the extensive damage to the front end of the other vehicle is not documented. The collision and damage were severe enough to push the large, Cadillac Escalade forward into the metal post of the Handicap parking sign and crushing in the front end of this vehicle in addition to the back end damage.
- In addition, Officer Brown took no pictures of the totaled vehicles at the accident scene.
- The report did not mention that the air bags did not deploy.
- The report states "based on the driver's statement and physical evidence at the scene, D1 [my vehicle] was found to be sole fault of this collision."
- The report also states that I was issued a ticket for Careless Driving, Likely to Endanger Person or Property.

I need to know whether ODI will be accessing the data from my car's EDR.

(AllState has refused to do a mechanical inspection and has towed the damaged car to my driveway, so I would like to have this matter resolved as soon as possible. Also, please let me know if you need photos taken of the accident damage.

In addition, I would appreciate receiving, either by email or telephone call, confirmation that your office has received this update.

Thank you very much,

[REDACTED]
Telephone [REDACTED]

PAGE 1 of 2		New Jersey Police Crash Investigation Report		☒ Reportable ☐ Non-Reportable ☐ Change Report	
05	1 Case Number	16 Crash Occurred At: 3535 U.S. ROUTE 1		11 Road Unit	
01	2 Police Dept of	Code		12 Route No. Suffix 13 Milepost	
01	WEST WINDSOR POLICE 01	14 ☐ At Intersection With Road Name		15 ☐ of MARKETFAIR PARKING LOT	
01	3 Station/Precedent	16 ☐ Feet ☐ Miles		17 Cross Road Name	
09	4 Date of Crash	5 Day Of Week		6 Time (use 2400 hrs)	
01	01/06/23	FRIDAY		1514 1113	
04	23 Veh #	24 Policy No.		25 RI Ins. Code	
04	1	370		53 Veh #	
02	26 Driver's First Name	27 Last Name		28 Sex	
01				M	
02	29 Number & Street	30 City		31 State Zip	
01		BREWSTER		MA	
04	32 Eyes	33 DL Class		34 Restrictions	
02	02	B		-	
06	35 Driver's License Number	36 DOB		37 Expires	
06		12		25	
04	38 Owner's First Name	39 Last Name		40 Sex	
04				M	
04	41 Make	42 Model		43 Color	
04	MERCEDES-B GLK-CLASS	GY		2014	
01	44 VIN	45 Expires		46 State	
01	WDCGGDEB6EG2	08		23	
01	47 Vehicle Removed To	48 Vehicle Removed To		49 Vehicle Removed To	
01	ALS SUNOCO	ALS SUNOCO		ALS SUNOCO	
01	☐ Driven ☒ Towed Disabled ☐ Towed Disabled & Impounded	☐ Driven ☒ Towed Disabled ☐ Towed Disabled & Impounded		☐ Driven ☒ Towed Disabled ☐ Towed Disabled & Impounded	
01	50 Carrier No.	51 GWR/GCWR		52 Motor Carrier or Government Entity	
01	USDOT	Weight <= 10,000 lbs		-	
01	MC/MR	Weight 10,001-26,000 lbs		-	
01		Weight >= 26,001 lbs		-	
01	53 Operator's First Name	54 Last Name		55 Sex	
01				M	
01	56 Number & Street	57 City		58 State Zip	
01		MANALAPAN		NJ	
01	59 Make	60 Model		61 Color	
01	CADILLAC	ESCALADE		SL	
01	62 VIN	63 Expires		64 State	
01	1GYS4KKL4NR1	12		24	
01	65 Hazardous Material	66 Hazardous Material		67 Hazardous Material	
01	☐ None ☐ On Board ☐ Spill	☐ None ☐ On Board ☐ Spill		☐ None ☐ On Board ☐ Spill	
01	68 Type: ☐ Breath ☐ Blood ☐ Urine	69 Results: D = % ☐ Pending		70 Hazard Class	
01					
01	71 Damage To Other Property	72 Damage To Other Property		73 Damage To Other Property	
01	☐ Yes (If Yes, describe) ☒ No	☐ Yes (If Yes, describe) ☒ No		☐ Yes (If Yes, describe) ☒ No	
01	136 Charge	137 Summary No.		138 Charge	
01	39:4-97	E23000039		-	
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PAGE 2 OF 2

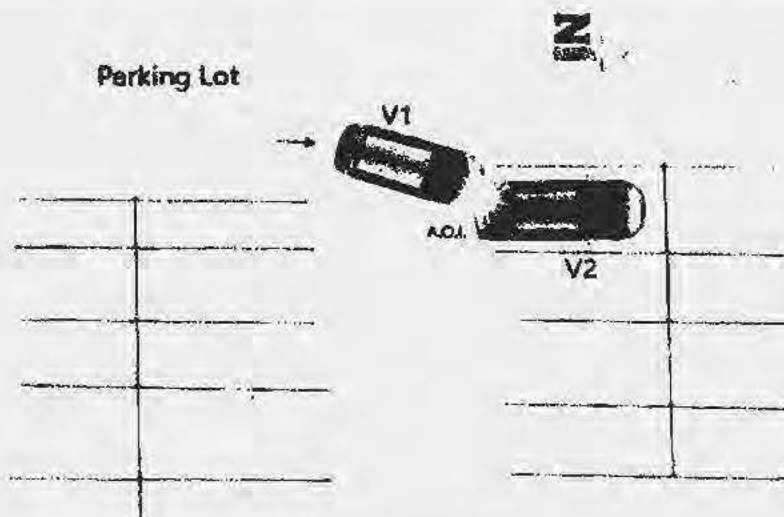
New Jersey Police Crash Investigation Report

Police Dept: **WEST WINDSOR POLIC** Code: **01**Station: **[REDACTED]**Case No: **[REDACTED]**

(Refer to vehicle by number)

	Veh Occ	Pos In/Oc	Eject	Phys Cond	Age	Sex	Loc In	Type In	Ref Med	Equip Front	Equip Used	Bag Dept	Resp Code	Names & Addresses of Occupants - If Deceased, Date & Time of Death
ALL INVOLVED	03	04	05	06	07	08	09	10	11	12	13	14	15	

144 Crash Diagram (NOT TO SCALE)



145 Crash Description/Narrative

*Box 25 - Out of State Insurance, MA All State

D1 related that she was making the turn when her vehicle just accelerated into the parked car.

Damage:

V1 sustained major damage to the front bumper, hood, grill and quarter panel area.

V2 sustained major damage to the rear bumper area.

Conclusion:

D1 was making a right turn down the aisle when D1 accelerated into the rear of V2. V2 was parked legally and unoccupied at the time of the collision. Based on the driver's statement and physical evidence found at the scene, D1 was found to be at sole fault for this collision. D1 was issued summons **[REDACTED]** for Careless Driving. **[REDACTED]** The front seat passenger in V1 advised me that she was dizzy from the collision and she did not want any medical attention.

146 Officer's Signature

KYLE BROWN

147 Badge #

0000

148 Reviewer

BROWN

149 Badge #

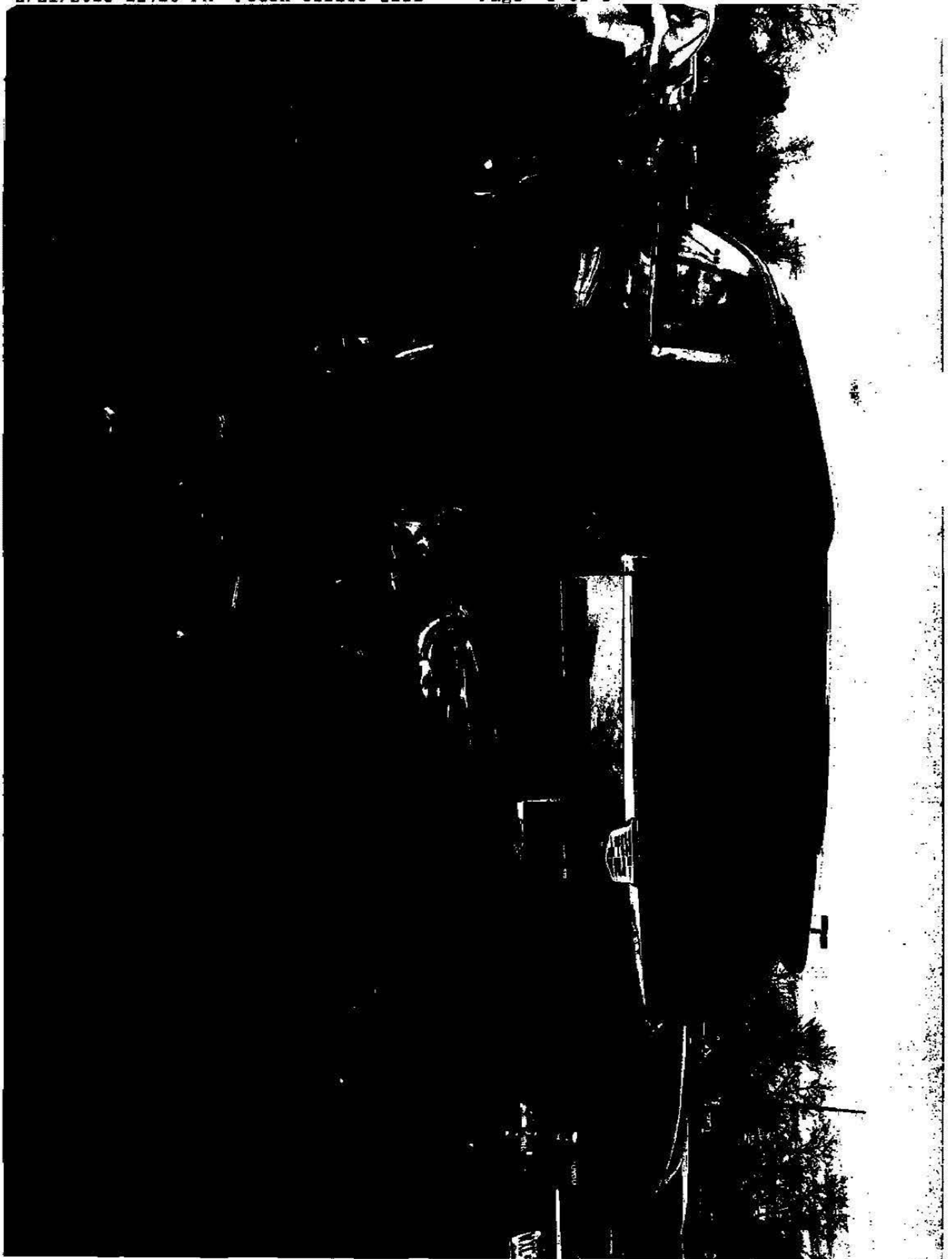
0000

149 Case Status

☐ Pending ☒ Complete









Fax Cover Sheet

Date Feb 21, 2023Number of pages 9 (including cover page)

To:

From:

Name ODIName [REDACTED]Company NHTSACompany [REDACTED]Telephone [REDACTED]Telephone [REDACTED]Fax 202-366-1767Comments Reference: ODI 11-50-07-87Vehicle Owner's Questionnaire

Fax - Local Send



Fax - Domestic Send



Fax - International Send

fedex.com 1.800.GoFedEx 1.800.463.3339

96	PAGE 1 OF 2		☐ Fatal		New Jersey Police Crash Investigation Report		☒ Reportable		☐ Non-Reportable		☐ Change Report		
05	1 Case Number				10 Crash Occurred On: 3535 U.S. ROUTE 1				11 Speed Limit				118a
97													02
01	2 Police Dept of				Code				12 Route No.				118b
98	WEST WINDSOR POLICE				01				13 Milepost				
01	3 Station/Precinct								14 Speed Limit				
99													119a
09	4 Date of Crash				5 Day of Week				6 Time (Use 2400 hrs)				119b
100a	01/06/23				FRIDAY				1514				
01					7 Municipality Code				8 Total Killed				119c
100b					1113				1				
04	23 Veh #				24 Policy No.				25 NJ Ins. Code				120a
101	1								370				01
02	☐ Parked ☐ Ped ☐ Pedalcyclist ☐ Resp To Emergency ☐ Hit & Run				☒ Parked ☐ Ped ☐ Pedalcyclist ☐ Resp To Emergency ☐ Hit & Run								120b
101	26 Driver's First Name				Initial Last Name				29 Sex				121a
102									M				
01	27 Number & Street								57 Number & Street				121b
103													
01	28 City				State Zip				58 City				
104	BREWSTER				MA								
2	30 Eyes				DL Class				Restrictions				122
105	02				D				B				02
06	32 Driver's License Number				33 DOB				34 Expires				123
106	S								10				
106	35 Owner's First Name				Initial Last Name				65 Owner's First Name				124
107	☒ Same As Driver								☐ Same As Driver				11
107	36 Number & Street								66 Number & Street				125
108													
04	37 City				State Zip				67 City				04
109	BREWSTER				MA				MANALAPAN				126a
04	38 Make				39 Model				40 Color				28
110	MERCEDES-B				GLK-CLASS				GY				28
01	41 Year				42 Rate No.				43 State				126b
111	2014								MA				
01	44 VIN				45 Expires				74 VIN				126c
112	WDCGG0EB6E				05 23				1GYS4KKL4MR				
01	46 Vehicle Removed To				ALS SUNOCO				76 Vehicle Removed To				126d
113	☐ Driven ☒ Towed Disabled ☐ Towed Disabled & Impounded				☐ Driven ☒ Towed Disabled ☐ Towed Disabled & Impounded								126e
114	☐ Left At Scene ☐ Towed Impounded				☐ Left At Scene ☐ Towed Impounded								28
115	47 Authority				☒ Owner ☐ Driver ☐ Police				77 Authority				127a
116	☒ Owner ☐ Driver ☐ Police								☒ Owner ☐ Driver ☐ Police				26
01	48 Alcohol/Drug Test				49 Hazardous Material				78 Alcohol/Drug Test				127b
117	Given: ☒ No ☐ Yes ☐ Refused				☐ None ☐ On Board ☐ Spill				Given: ☒ No ☐ Yes ☐ Refused				
01	Type: ☐ Breath ☐ Blood ☐ Urine								Type: ☐ Breath ☐ Blood ☐ Urine				127c
118	Results: 0. - % ☐ Pending				Hazard Class				Results: 0. - % ☐ Pending				
01	50 Carrier No.				51 GVWR/GCWR				80 Carrier No.				127d
119	☐ USDOT ☐ None				☐ Weight <= 10,000 lbs ☐ Weight 10,001-26,000 lbs ☐ Weight >= 26,001 lbs				☐ USDOT ☐ None				127e
01	☐ MC/MX								☐ MC/MX				26
120	52 Motor Carrier or Government Entity				82 Motor Carrier or Government Entity								128
121	Number & Street				Number & Street								28
122													129
123	City				State Zip				City				12
124													130
125													12
126	135 Damage To Other Property				☐ Yes (If Yes, describe) ☒ No								131
127													06
128	136 Charge				137 Summons No.				138 Charge				132
01	39:4-97				E23000039								06
129	140 Charge				141 Summons No.				142 Charge				133
130													04
131													134
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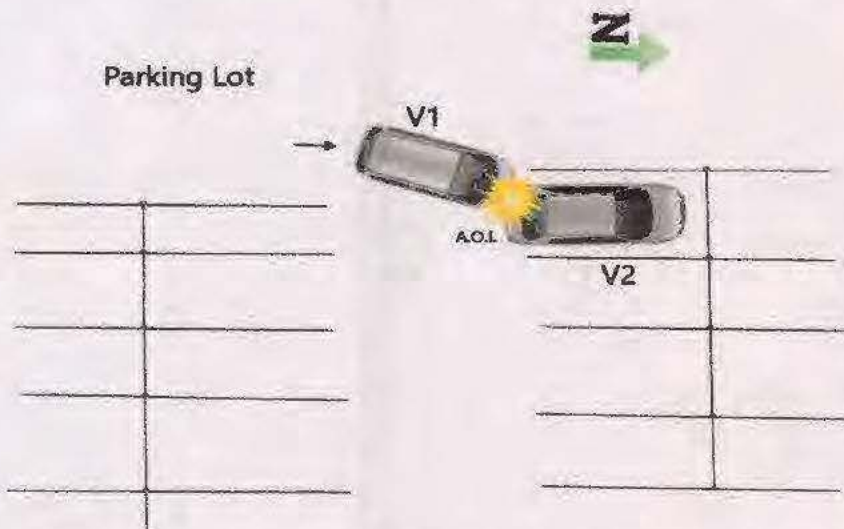
New Jersey Police Crash Investigation Report

Police Dept: **WEST WINDSOR POLIC** Code: **01**Station: **[REDACTED]** Case No: **[REDACTED]**

(Refer to vehicle by number)

	Veh Occ	Pos In/On	Eject	Phys Cond	Age	Sex	Loc Inj	Type Inj	Ref Med	Equip Avail	Equip Used	Bag Dept	Hosp Code	Names & Addresses of Occupants - If Deceased, Date & Time of Death
	83	84	85	86	87	88	89	90	91	92	93	94	95	
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D														
J														

144 Crash Diagram (NOT TO SCALE)



145 Crash Description/Narrative

***Box 25 - Out of State Insurance, MA All State**

D1 related that she was making the turn when her vehicle just accelerated into the parked car.

Damage:

V1 sustained major damage to the front bumper, hood, grill and quarter panel area.

V2 sustained major damage to the rear bumper area.

Conclusion:

D1 was making a right turn down the aisle when D1 accelerated into the rear of V2. V2 was parked legally and unoccupied at the time of the collision. Based on the driver's statement and physical evidence found at the scene, D1 was found to be at sole fault for this collision. D1 was issued summons # [REDACTED] for Careless Driving, [REDACTED]. The front seat passenger in V1 advised me that she was dizzy from the collision and she did not want any medical attention.

146 Officer's Signature
KYLE BROWN147 Badge #
0089148 Reviewer
BROWNBadge #
0089149 Case Status
☐ Pending ☒ Complete



Ref. ODI# 11-50-07-87

[REDACTED]
To: NHTSA.webmaster@dot.com

Thu, Jan 19, 2023 at 4:05 PM

Attached is a file that I have tried to send to you through my msn account. It was return "despite repeated attempts to deliver the message." I am now attaching the letter through my gmail account. I was given this email address from the customer service hotline.

This claim involves sudden unintended acceleration of my vehicle, a serious complaint. It's fortunate no one was killed.

I would appreciate an email or phone call from someone at your agency, so that I know this complaint is being followed-up and this additional information has been received.

Thank you very much,

[REDACTED]
email: [REDACTED]

I would appreciate

 [REDACTED] -Unintended Acc..docx
151K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

To: [REDACTED]

Fri, Jan 20, 2023 at 6:31 PM



Delivery incomplete

There was a temporary problem delivering your message to **NHTSA.webmaster@dot.com**. Gmail will retry for 45 more hours. You'll be notified if the delivery fails permanently.

[LEARN MORE](#)

The response was:

The recipient server did not accept our requests to connect. Learn more at
[redacted] 2606:4700:20::681a:2bd: timed out] [dot.com
2606:4700:20::ac43:4491: timed out] [dot.com 2606:4700:20::681a:3bd: timed out]
[dot.com 172.67.68.145: timed out] [dot.com 104.26.3.189: timed out] [dot.com 104.26.2.189:
timed out]

Final-Recipient: rfc822; NHTSA.webmaster@dot.com

Action: delayed

Status: 4.4.1

Diagnostic-Code: smtp; The recipient server did not accept our requests to connect. Learn more at
[redacted]

[dot.com 2606:4700:20::681a:2bd: timed out]

[dot.com 2606:4700:20::ac43:4491: timed out]

[dot.com 2606:4700:20::681a:3bd: timed out]

[dot.com 172.67.68.145: timed out]

[dot.com 104.26.3.189: timed out]

[dot.com 104.26.2.189: timed out]

Last-Attempt-Date: Fri, 20 Jan 2023 15:31:23 -0800 (PST)

Will-Retry-Until: Sun, 22 Jan 2023 13:05:47 -0800 (PST)

----- Forwarded message -----

From: [redacted] >

To: NHTSA.webmaster@dot.com

Cc:

Bcc:

Date: Thu, 19 Jan 2023 16:05:36 -0500

Subject: Ref. ODI# 11-50-07-87

----- Message truncated -----

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

To: [redacted]

Sat, Jan 21, 2023 at 6:35 PM



Delivery incomplete

There was a temporary problem delivering your message to
NHTSA.webmaster@dot.com. Gmail will retry for 21 more
hours. You'll be notified if the delivery fails permanently.

[LEARN MORE](#)

The response was:

The recipient server did not accept our requests to connect. Learn more at

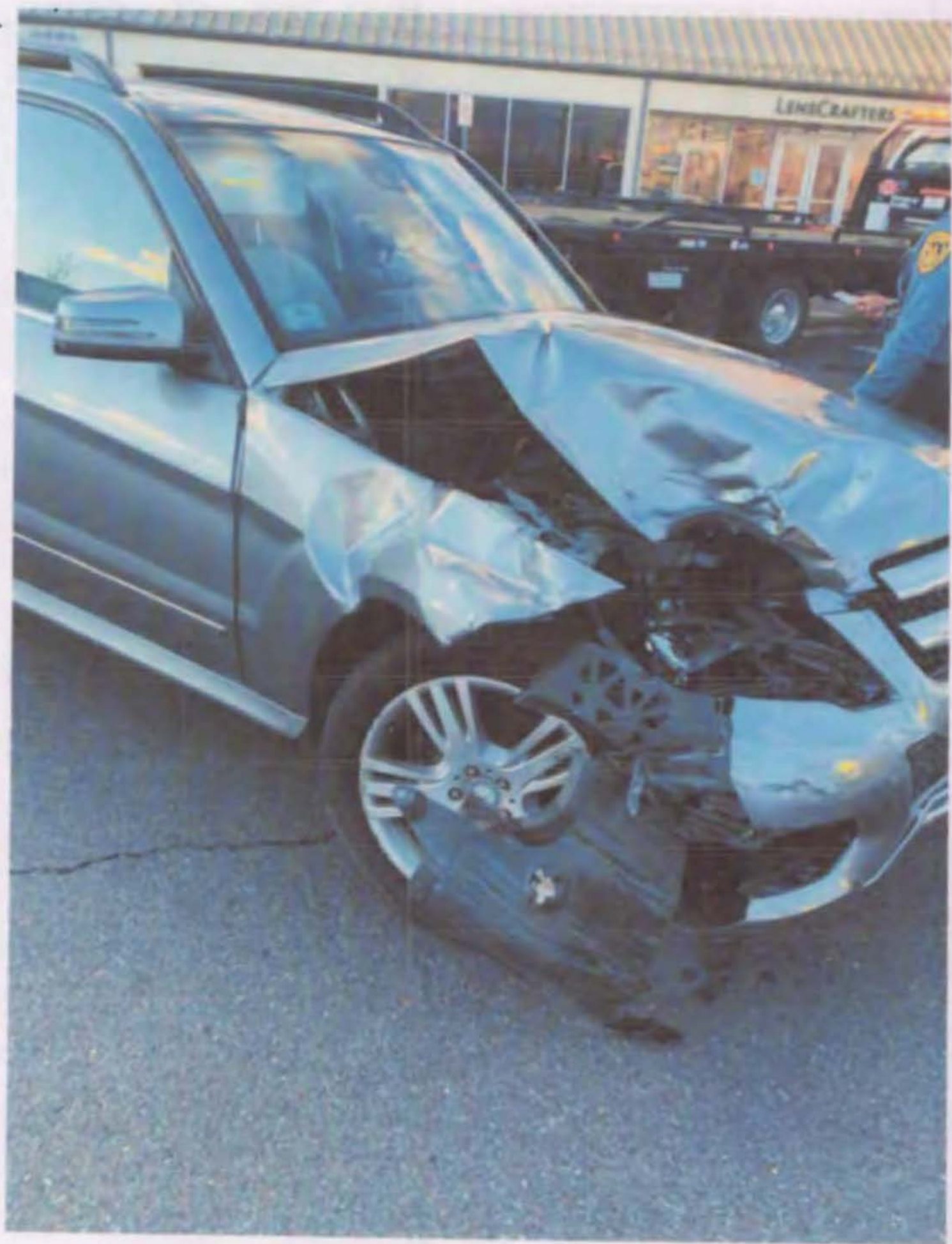
- **Note that nothing was mentioned on the police report about the witnesses who saw my car quickly accelerating. Officer Brown told me "the witnesses just said the car was accelerating. "**
- **Also, the extensive damage to the front end of the other vehicle is not documented. The collision and damage were severe enough to push the large, Cadillac Escalade forward into the metal post of the Handicap parking sign and crushing the front end of this vehicle in addition to the back end damage.**
- **In addition, Officer Brown took no pictures of the totaled vehicles at the accident scene.**
- **The report did not mention that the air bags did not deploy.**
- **The report says "based on the driver's statement and physical evidence at the scene, D1 [my vehicle] was found to be sole fault of this collision."**
- **The report also states that I was issued a ticket for Careless Driving.**

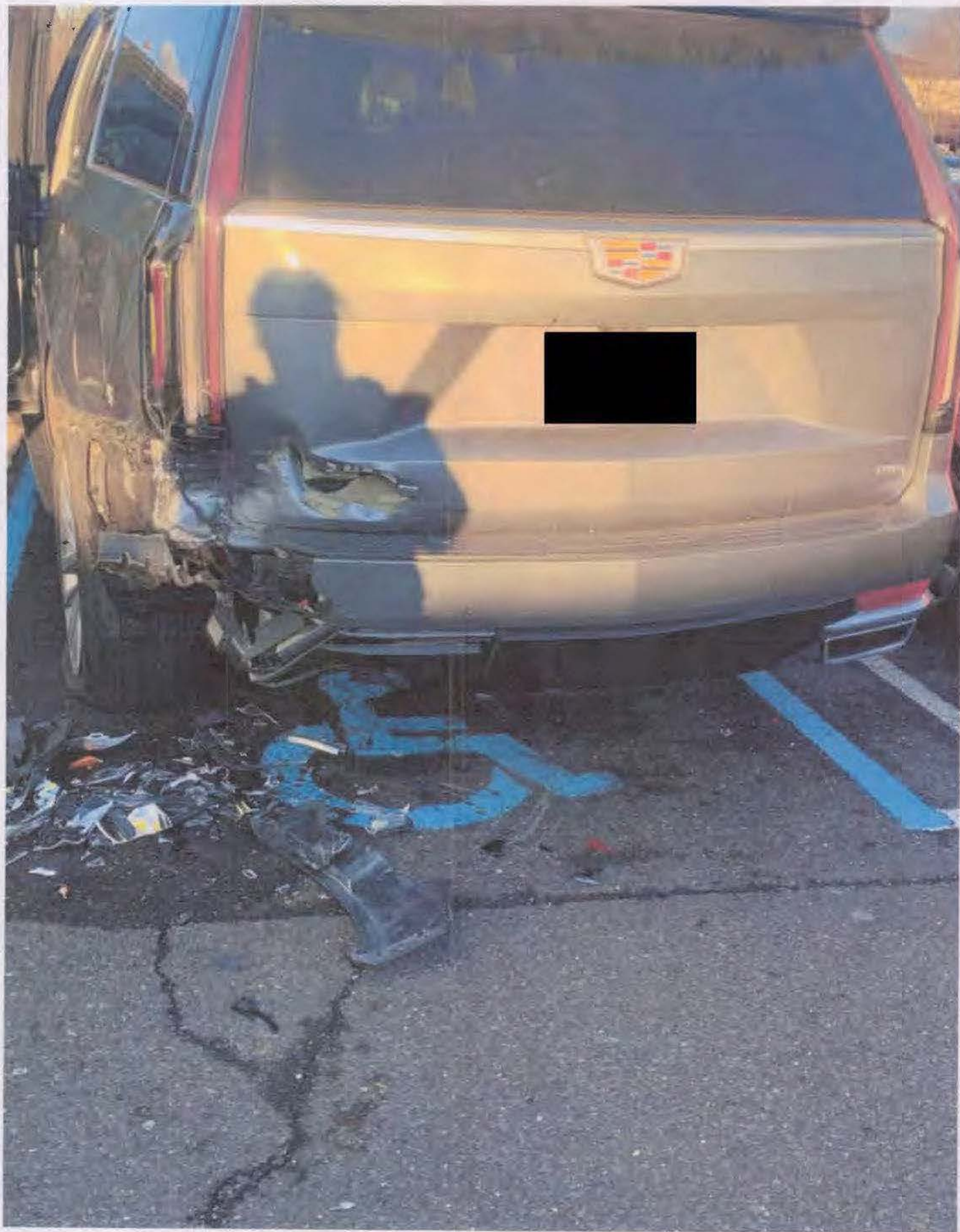
I need to know whether ODI has or will be remotely accessing the data from my car's EDR. (AllState has refused to do a mechanical inspection and has towed the damaged car to my driveway, so I would like to have this matter resolved as soon as possible. Also, please let me know if you need photos taken of the accident damage.

In addition, I would appreciate receiving, either by email or telephone call, confirmation that your office has received this update.

Thank you very much,

[REDACTED]
[REDACTED]
 Telephone. **[REDACTED]**







CERTIFIED MAIL

Princeton, NJ



Department of Transportation

To: W48-226

Building: DOT

Mailstop: 4 West

Rtg Symbol: NVS-200,210,300,010

External Camer: PRIORITY

Sender:

DOT

2/28/2023 10:30:02 AM

NHTSA

1200 New Jersey

Washington, DC

Attention: Office of Defects

Investigation Staff

W48-226