



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

# ODI RESUME

Investigation: DP 05-007  
 Prompted By: Defect Petition  
 Date Opened: 11/07/2005 Date Closed: 03/27/2006  
 Principal Investigator: Steve Chan  
 Subject: TRANSMISSION MALFUNCTION

Manufacturer: Mercedes-Benz USA, LLC.  
 Products: 2000-2001 Mercedes-Benz C Class, E Class, CLK Class, SLK  
 Population: 156358 (Estimated)

Problem Description: Cup holder design allegedly makes it easy for cup(s) to spill liquids into transmission shift mechanism and electronics below, resulting in engine stalling or failure of the electronic transmission.

## FAILURE REPORT SUMMARY

	ODI	Manufacturer	Total
Complaints:	11	0	11
Crashes/Fires:	0	0	0
Injury Incidents:	0	0	0
# Injuries:	0	0	0
Fatality Incidents:	0	0	0
# Fatalities:	0	0	0
Other*:	1	0	1

\*Description of Other: The petition.

Action: The petition has been denied.

Engineer: Steve Chan S.S.

Date: 03/27/2006

Div. Chief: Gregory E. Magno

Date: 03/27/2006

Office Dir.: Kathleen C. DeMeter

Date: 03/27/2006

**Summary** The petitioner alleges that coffee from a cup, placed in the cup holder, spilled onto the gear shifter and shut down the vehicle's entire electrical system. The concern raised by the petitioner was investigated (SQ01-010) and was closed after ODI concluded that the facts did not demonstrate a safety-related defect.

ODI has subsequently received nine more complaints alleging fluid contamination of the transmission shifter since the investigation was closed, none of which report crashes or injuries. These nine complainants mainly expressed dissatisfaction with the design of the cup holder and the cost of replacing the contaminated electronic selector module. Similarly, in petitioner's case she was able to operate the vehicle to a place where it could be safely stopped after the liquid spillage. The petitioner has not provided any evidence of a safety-related defect.

In view of the foregoing and the need to allocate and prioritize NHTSA's limited resources to best accomplish the agency's safety mission, the petition is denied.