



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

400 Seventh Street, S.W.  
Washington, D.C. 20590

FEB 8 2005

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Frank Diertl, General Manager  
Engineering Services  
Mercedes-Benz USA, LLC  
One Mercedes Drive, PO Box 350  
Montvale, NJ 07645

NVS-212lbs  
PE05-005

Dear Mr. Diertl:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE05-005) to investigate allegations of overheating and/or burning of the driver seat warmer installed as original equipment in certain Mercedes-Benz vehicles. As a part of the investigation, this letter requests certain information from Mercedes-Benz (MBUSA).

This office has received three (3) complaints from consumers that allege overheating of the driver seat heater assembly. The consumers reported localized burns of the seat cushion and in some cases, burns of the driver's clothing and/or skin. Copies of the three consumer complaints are enclosed for your information. We have also received one report of overheating of the front passenger's seat and a copy of that report is also enclosed.

Unless otherwise stated in the text of this letter, the following definitions apply to these information requests:

**Subject vehicles:** all MY 2003 Mercedes-Benz ML320 vehicles manufactured for sale or lease in the United States.

**Subject Components:** original equipment driver and passenger seat warmer/heater assembly installed in the subject vehicles.

**Mercedes-Benz:** Mercedes-Benz USA, LLC, all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of MBUSA (including all business units and



DOT AUTO SAFETY HOTLINE  
888-DASH-2-DOT  
888-327-4238

persons previously referred to), who are or, in or after 1996, were involved in any way with any of the following related to the alleged defect in the subject vehicles:

- a. Design, engineering, analysis, modification or production (e.g. quality control);
- b. Testing, assessment or evaluation;
- c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
- d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.

**Alleged defect:** the failure, malfunction, or otherwise unsatisfactory performance of the driver/passenger seat heater assembly which may result in overheating, potential for burning of the seat material or cushion and/or the occupant's clothing or skin, or produce a potential for occurrence of a fire.

**Document:** "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by MBUSA, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document, which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by the

manufacturer or not. If a document is not in the English language, provide both the original document and an English translation of the document.

**Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as MBUSA may have previously provided a document to ODI, MBUSA may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After MBUSA's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model and model year, the number of subject vehicles MBUSA has manufactured for sale or lease in the United States. Also state, as a subset of the total production volume the number of the subject vehicles produced and equipped with a driver and/or passenger seat heater capability. Separately, for each subject vehicle manufactured to date by MBUSA, state the following:
  - a. Vehicle identification number (VIN);
  - b. Make;
  - c. Model;
  - d. Model Year;
  - e. Date of manufacture;
  - f. Date warranty coverage commenced;
  - g. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease); and
  - h. Driver and passenger seat type (heated or not heated).

Provide the table in Microsoft Access 2000, or a compatible format, entitled "PRODUCTION DATA."

2. State the number of each of the following, received by MBUSA, or of which MBUSA is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles:
  - a. Consumer complaints, including those from fleet operators;
  - b. Field reports, including dealer field reports;

- c. Reports involving a crash, fire, injury, or fatality, based on claims against the manufacturer involving a death or injury, notices received by the MBUSA alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
- d. Property damage claims, including claims of burns of the driver/passenger's clothing or skin, driver/passenger seat fire, or occupant compartment fire originating from the driver/passenger seat;
- e. Third-party arbitration proceedings where MBUSA is or was a party to the arbitration; and
- f. Lawsuits, both pending and closed, in which MBUSA is or was a defendant or codefendant.

For subparts "a" through "d," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and MBUSA's assessment of the problem, with a summary of the significant underlying facts and evidence. For item "e" and "f," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

3. For each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
  - a. MBUSA's file number or other identifier used;
  - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
  - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
  - d. Vehicle's VIN;
  - e. Vehicle's make, model and model year;
  - f. Vehicle's mileage at time of incident;
  - g. Incident date;
  - h. Report or claim date;
  - i. Whether a crash is alleged;
  - j. Whether property damage is alleged;
  - k. Number and severity of alleged burn injuries, if any; and,
  - l. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method MBUSA used for organizing the documents.
5. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by MBUSA to date that relate, or may relate, to the alleged defect in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. MBUSA's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. VIN;
- d. Repair date;
- e. Vehicle mileage at time of repair;
- f. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- g. Labor operation number;
- h. Problem code;
- i. Replacement part number(s) and description(s);
- j. Concern stated by customer; and,
- k. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2000, or a compatible format, entitled "WARRANTY DATA."

6. Describe in detail the search criteria used by MBUSA to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State the terms of the new vehicle warranty coverage offered by MBUSA on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) related to the alleged defect that MBUSA offered for the subject vehicles and state by option, model, and model year, the number of vehicles that are covered under each such extended warranty.
7. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles, that MBUSA has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any such communication that MBUSA planning to issue within the next 120 days.

8. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, MBUSA. For each such action, provide the following information:
- Action title or identifier;
  - The actual or planned start date;
  - The actual or expected end date;
  - Brief summary of the subject and objective of the action;
  - Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and,
  - A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action.

9. Describe all modifications or changes made by, or on behalf of, MBUSA in the design, material composition, manufacture, quality control, supply, or installation of the subject components, from the start of production to date, which relate, or may relate, to the alleged defect in the subject vehicles. For each such modification or change, provide the following information:
- The date or approximate date on which the modification or change was incorporated into vehicle production;
  - A detailed description of the modification or change;
  - The reason(s) for the modification or change;
  - The part numbers (service and engineering) of the original component;
  - The part number (service and engineering) of the modified component;
  - Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
  - When the modified component was made available as a service component; and,
  - Whether the modified component can be interchanged with earlier production components.

Also, provide the above information for any modification or change that GM is aware of which may be incorporated into vehicle production within the next 120 days.

10. Provide a complete engineering description and appropriate engineering specifications (including engineering drawings) of the subject components installed in the subject vehicles. For each component part number, provide the supplier's name, address, and appropriate point of contact (name, title, and telephone number). Also identify by make, model and model year, any other vehicles of which MBUSA is aware, equipped with identical seat heater assemblies as the subject vehicles, whether installed in production or in service, and state the applicable dates of production or service usage.

11. Provide MBUSA's assessment of the alleged defect in the subject vehicle, including:

- a. The causal or contributory factor(s);
- b. The failure mechanism(s);
- c. The failure mode(s);
- d. The risk to motor vehicle safety that it poses;
- e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and,
- f. The reports included with this inquiry.

This letter is being sent to MBUSA pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information. MBUSA's failure to respond promptly and fully to this letter could subject MBUSA to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) Please note that maximum civil penalties under 49 U.S.C. § 30165 have increased as a result of the recent enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Public Law No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$5,000 per day, with a maximum of \$15 million for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond to ODI information requests.

If MBUSA cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If, on the basis of attorney-client, attorney work product, or other privilege, MBUSA does not submit one or more requested documents or items of information in response to this information request, MBUSA must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

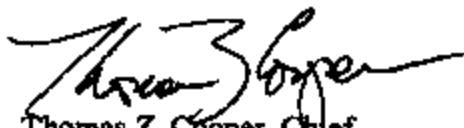
MBUSA's response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by March 31, 2005. Please refer to PE05-005 in MBUSA's response to this letter. If MBUSA finds that it is unable to provide all of the information requested within the time allotted, MBUSA must request an extension from me at (202) 366-5218 no later than five business days before the response due date. If MBUSA is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information MBUSA then has available, even if an extension has been granted.

If MBUSA claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C.

§ 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, MBUSA must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, to the Office of Chief Counsel (NCC-113), National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590. MBUSA is required to submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.

If you have any technical questions concerning this matter, please call Mr. Lee Strickland of my staff at (202) 366-5201.

Sincerely,



Thomas Z. Cooper, Chief  
Vehicle Integrity Division  
Office of Defects Investigation

Enclosures: VOQ Nos 10059309, 10094747, 10102096, 10010448





U.S. Department of Transportation  
National 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](http://www.nhtsa.dot.gov/hotline)

FOR AGENCY USE ONLY 1373

Date Received

19-FEB-2004

Repository

Reference No.  
10059309

**OWNER INFORMATION (Type or Print)**

Name

Address

City NEW YORK

State NY

Zip Code

Daytime Telephone Number

Evening Telephone Number

E-mail Address

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle?  YES  NO  
In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.  
Signature of Owner \_\_\_\_\_ Date 1/1

**VEHICLE INFORMATION**

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

4JGAB54E73

Make: MERCEDES BENZ

Model: ML320

Model Year: 2003

Date Purchased

Dealer's Name and Telephone Number

Engine:  
No. Cylinders

Fuel Type:

Original Owner

Dealer's City

State

Zip Code

Transmission Type

Antilock Brakes

Powertrain

Cruise Control

Vehicle Component Code

221700 SEATS:FRONT ASSEMBLY:SEAT HEATER/COOLER

Multiple Failure: 1

**FAILED COMPONENT(S) / PART(S) INFORMATION**

Incident Date(s)  
06-FEB-2004

Failure Mileage  
14500

Failure Speed  
25

**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 to detail the incident(s), failure(s), crash(es), and injury(es).)

Crash

Fire

Number of Persons Injured

Number of Deaths

Reported to Police

Yes  No

Yes  No

1

N

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

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).

WHILE DRIVING THE VEHICLE HEATED SEATS CAUSED SECOND DEGREE BURNS TO THE DRIVER'S BOTTOM. THERE WAS NO DAMAGE TO THE VEHICLE'S SEAT. THIS PROBLEM ALSO CALISE SOME REDNESS TO ANOTHER DRIVER'S BOTTOM. \*NM\* AFTER VISITING DOCTOR FOR TREATMENT OF BURNS, TOOK VEHICLE TO DEALER THE SAME WEEK. WAS INFORMED BY THREE DIFFERENT MECHANIC'S PROBLEM COULD NOT BE FOUND OR RESOLVED. "PICTURES ENCLOSED" THE VEHICLE SEATS WERE HEATED.

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

ATTACH ADDITIONAL SHEETS IF NECESSARY.

The Privacy Act of 1974 (Public Law 93-502) 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 responses 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.



U.S. Department of Transportation  
National 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 100222

Date Received: 30-SEP-2004  
Repository:   
Reference No.: 10094747

**OWNER INFORMATION (Type or Print)**

Name: [Redacted]  
Address: [Redacted]  
City: DENVER State: CO Zip Code: [Redacted]  
Daytime Telephone Number: [Redacted] E-mail Address:  
Evening Telephone Number:

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle?  YES  NO  
In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.  
Signature of Owner: \_\_\_\_\_ Date: / /

**VEHICLE INFORMATION**

17 digit Vehicle Identification Number Located at bottom of windshield on driver's side: 41GAB75EC [Redacted]  
Make: MERCEDES BENZ Model: ML320 Model Year: 2003  
Date Purchased: \_\_\_\_\_ Dealer's Name and Telephone Number: \_\_\_\_\_ Engine: \_\_\_\_\_ Fuel Type: Gas  
Original Owner:  Dealer's City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Transmission Type: AUTOMATIC  Antilock Brakes  Cruise Control Powertrain: UNKNOWN  
Vehicle Component Code: 221700 SEATS:FRONT ASSEMBLY-SEAT HEATER/COOLER  
Multiple Failure: 1

**FAILED COMPONENT(S)/PART(S) INFORMATION**

Incident Date(s): 10-AUG-2004 Failure Mileage: 17000 Failure Speed: \_\_\_\_\_

**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: D0THAL9ABC036)  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).

WHILE DRIVING DRIVER'S HEATED SEAT CAUGHT ON FIRE. MANUFACTURER OFFERED TO REPLACE THE VEHICLE WITH A NEWER MODEL \*AK

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 responses 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 responses, or a statistical summary thereof, may be used in support of the agency's action.

 U.S. Department of Transportation National Highway Traffic Safety Administration		<b>DOT Auto Safety Hotline</b> <b>Vehicle Owner's Questionnaire</b> To Report Vehicle Safety Defects 1-888-DASH-2-DOT (1-888-327-4236) INTERNET <a href="http://www.nhtsa.dot.gov/hotline">www.nhtsa.dot.gov/hotline</a>		FOR AGENCY USE ONLY 100148	
		Date Received 03-DEC-2004		Repository <input type="checkbox"/> Reference No. 10102096	
<b>OWNER INFORMATION (Type or Print)</b>					
Name		Daytime Telephone Number		E-mail Address	
Address		Evening Telephone Number			
City CHESTERFIELD	State MO	Zip Code			
Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer. Signature of Owner _____ Date <u>  </u> / <u>  </u> / <u>  </u>					
<b>VEHICLE INFORMATION</b>					
17 digit Vehicle Identification Number Located at bottom of windshield on driver's side 41GAB54E63		Make MERCEDES BENZ	Model ML320	Model Year 2003	
Date Purchased 09-OCT-02	Dealer's Name and Telephone Number TRI-STAR IMPORTS, INC 636-458-5222		Engine: No. Cylinders <u>  </u> E	Fuel Type: Gas	
Original Owner <input checked="" type="checkbox"/>	Dealer's City ELLISVILLE	State MO	Zip Code 63011		
Transmission Type AUTOMATIC	<input type="checkbox"/> Antilock Brakes <input checked="" type="checkbox"/> Cruise Control	Powertrain	Vehicle Component Code 221700 SEATS:FRONT ASSEMBLY:SEAT HEATER/COOLER		
			Multiple Failure: 1		
<b>FAILED COMPONENT(S)/PART(S) INFORMATION</b>					
Incident Date(s) 30-NOV-2004	Failure Mileage 22600	Failure Speed			
<b>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A TIRE FAILURE</b>					
Tire Make		Tire Model (Name or Number)		Tire Size (Example P215/65R15)	
DOT No. (Example: DOTM19ABC036)		<input type="checkbox"/> Original Equipment <input type="checkbox"/> Prior Repair	Failure Location:		
Tire Component Code			Tire Failure Type		
<b>ADDITIONAL ITEMS TO BE COMPLETED WHEN REPORTING A CHILD SEAT FAILURE</b>					
Make:		Date Manufactured:	Model No./Name:		
Seat Type:		Installation System:			
Child Seat Component Code:		Failed Part:			
<b>APPLICABLE INCIDENT INFORMATION</b> (Please describe in detail the incident(s), failure(s), condition, and injury(ies).)					
Crash <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Fire <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Number of Persons Injured 0	Number of Deaths 0	Reported to Police N	
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).					
DRIVER'S SEAT HEATER SHORTED OUT WHILE VEHICLE WAS BEING DRIVEN. THE EVENT OCCURRED SO QUICKLY AND WAS SO SEVERE THAT IT BURNED THROUGH THE LEATHER SEAT UPHOLSTERY AND A VERY HEAVY PAIR OF DENIM JEANS I WAS WEARING ALMOST IMMEDIATELY AND UNEXPECTEDLY. THE CONSEQUENCES ARE PRETTY MUCH OBVIOUS AND COULD RANGE FROM SEVERE BURNS, TO THE VEHICLE BURNING TO CAUSING A SERIOUS ACCIDENT BECAUSE OF THE SPONTANEOUS HAPPENING. NO RESPONSE FROM MERCEDES BENZ TO DATE. *AK					
Include, if available: Police/Fire Department Report, Photos, and Repair Invoices.			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 an administrative enforcement or litigation against a manufacturer, your response, or a statistical summary thereof, may be used in support of the agency's action.					



U.S. Department of Transportation  
National 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

14-MAR-2003

Repository

Reference No.  
10010448

**OWNER INFORMATION (Type or Print)**

Name

Address

City

PAWCATUCK

State

CT

Zip Code

Daytime Telephone Number

E-mail Address

Evening Telephone Number

Do you authorize NHTSA to provide a copy of this report to the manufacturer of your vehicle?  YES  NO

In the absence of an authorization, NHTSA WILL NOT provide your name or address to the vehicle manufacturer.

Signature of Owner

Date / /

**VEHICLE INFORMATION**

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

4JGAB54E3

Make

MERCEDES BENZ

Model

ML320

Model Year

2003

Date Purchased

12-FEB-02

Dealer's Name and Telephone Number

INSKIP AUTO CENTER 401-821-1515

Engine:

No: Cylinders 6

Fuel Type:

Gas

Original Owner

Dealer's City

WARWICK

State

RI

Zip Code

02886

Transmission Type

AUTOMATIC

Antilock Brakes

Cruise Control

Powertrain

ALL WHEEL DRIVE

Vehicle Component Code

221700 SEATS:FRONT ASSEMBLY:SEAT HEATER/COOLER

Multiple Failure: 1

**FAILED COMPONENT(S) / PART(S) INFORMATION**

Incident Date(s)

13-MAR-2003

Failure Mileage

18000

Failure Speed

25

**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

0

Number of Deaths

0

Reported to Police

N

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).

THE HEATED PASSENGER SEAT OVER HEATED AND BURNED A HOLE ON THE FAR RIGHT EDGE OF THE LEATHER CAPTAIN SEAT.\*JB

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

ATTACH ADDITIONAL SHEETS IF NECESSARY

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