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OFFICE OF DEFECT INVESTIGATION
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

November 22, 2005

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BY FAX AND U.S. MAIL

Thomas Z. Cooper, Chief
Vehicle Integrity Division
Office of Defects Investigation
National Highway Traffic Safety Administration
400 Seventh St., S.W.
Washington, D.C. 20590

**Re: NHTSA Request for Information in Preliminary Evaluation
PE05-051 (Brake Lamp Assemblies)**

Dear Mr. Cooper:

This letter is submitted by Mercedes-Benz USA, LLC ("MBUSA") to the National Highway Traffic Safety Administration ("NHTSA" or "Agency") in response to the Office of Defect Investigation's September 30, 2005 request for information relating to the brake light assemblies in certain MY 1998-2001 Mercedes-Benz SLK vehicles.

On October 28, 2005, MBUSA filed a Part 573 Noncompliance report with information on all vehicles equipped with the subject tail light assembly, which includes MY 1998-2004 SLK vehicles. Attached below, following a restatement of the Agency's original request, is the additional information requested by your staff in order to close this investigation.

- *State, by model and model year, the number of subject vehicles Mercedes-Benz has manufactured for sale or lease in the United States.*

Approximately 69,301 MY 1998-2004 SLK vehicles containing identically designed rear lamp modules were produced for sale or lease in the U.S. The following table identifies the total U.S. production by model year:

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MY 98	12,958
MY 99	13,911
MY 00	8,068
MY 01	17,336
MY 02	8,168
MY 03	6,888
MY 04	8,898

- *State the number of each of the following, received by Mercedes-Benz, or of which Mercedes-Benz 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 manufacturer 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;*
 - e. *Third-party arbitration proceedings where Mercedes-Benz is or was a party to the arbitration; and*
 - f. *Lawsuits, both pending and closed, in which Mercedes-Benz is or was a defendant or codefendant.*

MBUSA has received 183 customer complaints and two dealer Field Reports which may relate to the alleged defect. MBUSA has not identified any Crash/Injury Reports, or claims responsive to requests c-d. In response to request e-f, MBUSA is aware of 11 Lemon law arbitrations and lawsuits where the need to repair the brake lamps and sockets was raised as one of the defects related to the case.

- *State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Mercedes-Benz 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*

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reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

MBUSA has received a total of 56,965 warranty claims for right and left side rear lamp assemblies on potentially affected vehicles, although the company has not identified which specific claims relate to the subject condition. The following table identifies total warranty claims by model year:

MY 98	15,218
MY 99	14,200
MY 00	6,149
MY 01	11,917
MY 02	5,706
MY 03	3,068
MY 04	707

If you have any additional questions regarding this matter, please do not hesitate to contact me or Latane Montague at (202) 637-6567.

Sincerely,

Patrick M. Rahe

cc: Frank Diertl
Gary Bowne
Norbert Wintzen