

October 3, 2013

Via U.S. Mail

D. Scott Yon, Chief
Vehicle Integrity Division
Office of Defects Investigation
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

OFFICE OF DEFECTS &
INVESTIGATIONS
2013 OCT 17 A
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Re: PE13-026 – Preliminary Evaluation to Investigate Allegations of Rear Lamp Failures in MY 2008-2011 Mercedes-Benz C-Class Vehicles

Dear Mr. Yon:

This letter is submitted on behalf of Mercedes-Benz USA, LLC (“Mercedes”) to the National Highway Traffic Safety Administration (“NHTSA” or “Agency”) in response to the Office of Defects Investigation’s request for information relating to Preliminary Evaluation (PE) 13-026 to investigate allegations of rear lamp failures in model year (MY) 2008-2011 Mercedes-Benz C-Class vehicles.

This letter provides Mercedes’ response to Request Nos. 2-7. The response to Request No. 1 was provided on September 30, 2013, and the response to Request Nos. 8-12 will be provided by October 10, 2013.

Request No. 2:

State the number of each of the following, received by MB, or of which MB 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, injury or fatality;
- d. Reports involving a fire;
- e. Property damage claims; and
- f. Third-party arbitration proceedings where MB is or was a party to the arbitration; and
- g. Lawsuits, both pending and closed, in which MB is or was a defendant or codefendant.

For subparts "a" through "g," 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 "g," provide a summary description of the alleged problem and causal and contributing factors and MB's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "f" and "g," 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.

RESPONSE TO REQUEST NO. 2:

- a. Mercedes has received 270 consumer complaints in its Customer Assistance Center which relate to, or may relate to, the alleged defect in the subject vehicles.
- b. Mercedes has received 30 reports from field personnel which relate to, or may relate to, the alleged defect in the subject vehicles.
- c. Mercedes has received no reports involving a crash, injury or fatality relating to the alleged defect in the subject vehicles.
- d. Mercedes has received 2 reports involving a fire where there was also a complaint relating to the alleged defect in a subject vehicle. As discussed in detail in the response to Request No. 12, the Mercedes investigation for this information request has determined that the most common failure modes for rear tail lamps are failed bulbs and degradation of the electrical ground connection to the tail lamps. Neither of these failure modes generates sufficient heat to ignite any of the tail lamp components. Therefore as discussed in more detail in response to Request No. 12, Mercedes believes that these two incidents relate to extraordinary circumstances that are not directly related to the failure modes associated with the subject component in the subject vehicles. While there are some other complaints which allege fire, as indicated in the response to Request No. 3(j), Mercedes believes these allegations are based on the melting and deformation of the plastic components, which may appear to some customers to be evidence of fire. As discussed in response to Request No. 12, the melting temperature of the plastic components is significantly lower than their ignition temperature. Except for the two cases referenced here, for each fire allegation which Mercedes has been able to investigate, Mercedes has only found evidence of melted components, but no fire.
- e. Mercedes has received no property damage claims which relate to, or may relate to, the alleged defect in the subject vehicles.
- f. Mercedes is not aware of any arbitration proceedings in which it is or was a party which relate to, or may relate to, the alleged defect in the subject vehicles.
- g. Mercedes is not aware of any lawsuits in which it is or was a defendant which relate to, or may relate to, the alleged defect in the subject vehicles. Mercedes notes that one customer,

██████████ references a lemon law lawsuit in her consumer complaint (see complaint file numbers 3539363 and 4682056), in which a rear lighting complaint was included among a wide range of vehicle quality complaints. However, Mercedes has no record of this lawsuit.

Request No. 3: Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:

- a. MB'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 a fire is alleged;
- k. Whether property damage is alleged;
- l. Number of alleged injuries, if any; and
- m. Number of alleged fatalities, if any.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission

RESPONSE TO REQUEST NO. 3:

The information requested in Request No. 3 is provided in Attachment 2, Request Number Two Data. Please note that Mercedes' consumer complaints originate from two databases, the Fastracc database, which Mercedes utilized until recently, and the Customer 1 Connect ("C1C") database, which is Mercedes' current system. The Fastracc database includes two types of reports (summary notes and referrals). The consumer complaint information is provided separately for summary notes, referrals and C1C data in Attachment 2. Field report information from Dealer Technical Support ("DTS") cases, which are currently maintained in Mercedes' Product Technical Support System ("PTSS") database, also is provided in Attachment 2. As indicated in the response to Request No. 2, there have been no reports of a crash, injury, or property damage, and there are relatively few complaints or reports relating to the alleged defect in general, compared to the large vehicle population involved.

Request No. 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 MB used for organizing the documents.

RESPONSE TO REQUEST NO. 4:

The information requested in Request No. 4 is incorporated into Attachment 2, Request Number 2 Data.

Request No. 5:

State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by MB to date that relate to, 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. MB'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 2010, or a compatible format, entitled "WARRANTY DATA." See Enclosure 1, Data Collection Disc, for a pre-formatted table which provides further details regarding this submission.

RESPONSE TO REQUEST NO. 5:

Mercedes has identified 78,474 warranty claims that relate to, or may relate to, the alleged defect in the subject vehicles, as broadly defined in the IR. As explained in the response to Request No. 6, the warranty claim data include all claims involving loss of illumination in the subject component, including basic light bulb replacements. For example, of the 78,474 claims reported, 57,718 involve light sources.

The additional information requested in Request No. 4 is provided in Attachment 3, Warranty Data.

Request No. 6: Describe in detail the search criteria used by MB 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, by make and model year, the terms of the new vehicle warranty coverage offered by MB 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) that MB 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.

RESPONSE TO REQUEST NO. 6:

In order to identify the warranty claims reported in response to Request No. 5, Mercedes first identified all warranty claims for subject vehicles that included the following damage codes and damage location codes:

Damage Location	
59555	K/Z* Tail lamp
82154	Carrier, light source, tail lamp left/right
82C01	Tail lamp left
82R01	Tail lamp right
82A25	Seal, tail lamp, left
82N25	Seal, tail lamp, right
82A1C	Carrier, light source, tail lamp, left
82N1C	Carrier, light source, tail lamp, right
82268	Light source, turn signal light
82280	Light source, side-marker lamp
82282	Light source, tail light
82283	Light source, brake light
82284	Light source, backup light
82286	Light source, rear fog lamp

These warranty claims were then cross-referenced against the part numbers for the following subject component parts: tail lamp assembly; carrier; and light source (turn signal light, side marker lamp, tail light, brake light, backup light, and rear fog light).

The normal new vehicle warranty coverage period for Mercedes-Benz vehicles in the United States is four years/50,000 miles.

Request No. 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 MB 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 communication that MB is planning to issue within the next 120 days.

RESPONSE TO REQUEST NO. 7:

Mercedes has not issued any service documents that relate to, or may relate to, the alleged defect in the subject vehicles. Mercedes notes that two of the dealer field reports included in Attachment 2 reference a service document, LI82.10-P-.053604, with respect to tail lamp issues. These dealers incorrectly referenced a service document that is not applicable to the subject vehicles or the alleged defect. Specifically, LI82.10-P-.053604 applied to a different issue (turn signal lamps) in different model year (2012) vehicles which use a different type of tail lamp than the subject vehicles.

Please feel free to contact me with any questions regarding this matter.

Sincerely,



R. Latane Montague

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