



Mercedes-Benz

Mercedes-Benz USA, LLC
A Daimler Company

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June 27, 2008

National Highway Traffic Safety Administration
Office of Defect Investigation
Attention: George Person, Chief Recall Management Division NVS 215
1200 New Jersey Avenue, S.E.
Washington, D.C. 20590

Re: 49 CFR Part 573; Recall of Mercedes-Benz ML and GL Trailer Hitch

Dear Mr. Person:

Pursuant to 49 CFR Part 573.6(c)(10), this letter contains 1 document that was communicated to our dealers on the above subject and will be submitted in the Mercedes-Benz USA, LLC (MBUSA) regular monthly mailing for the month of June, 2008.

Manufacturer's Campaign Identification Number
2008050004

NHTSA Recall Number
08V - 242

Should you have any questions, please do not hesitate to contact me at 201-573-2719.

Sincerely,

Gary H. Bowne
Department Manager
Product Compliance, Analysis, Safety and Emissions

GB:sk

Enclosure



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UPDATE

TO: Mercedes-Benz Dealer Principals, General Managers, Sales Managers, Service Managers, Parts Managers

FROM: Gary Bowne; Department Manager; Product Compliance, Analysis, Safety & Emissions; Engineering Services

DATE: June 25, 2008

RE: **Recall Campaign 2008050004 - Rework Trailer Hitch, Models 164, 164.8, Model Year 2006 - 2008 - Frequently Asked Questions #2**

Dealers have identified several questions concerning this Recall campaign which we have answered below:

1. The Warranty Policy & Procedures Manual indicates that new vehicles, prior to retail, cannot be repaired using remanufactured parts. Would welding of the hitch be considered remanufacturing?

No. We are asking dealers to modify an existing part. We are not replacing a new part with a remanufactured part.

2. Don't state laws for Damage Disclosure Requirements prevent us from performing the trailer hitch modification on new vehicles in stock without informing the buyer?

No. We are not repairing "material damage" to the vehicle, we are only modifying an existing part. Also, the cost of the repair would not meet the threshold amounts for disclosure.

3. Is the dealer/Service Manager assuming liability for this modification by signing the "Quality Assurance Certificate"?

By signing the Quality Assurance Certificate, the dealer/Service Manager is verifying that each step was performed and confirming that the modification was completed according to the work instructions using a certified welder. This form does not assign liability for the modification. The potential liability for a dealer's improperly performing this modification is no different than for the improper performance of any other repair by a dealer.

4. I have a vehicle with a Flex-N-Gate hitch but it has an ORIS towing capacity label on the electrical plug connection. Should we perform the recall?

Yes. During the production period of June 2006 thru December 2006, it is possible that hitches manufactured by Flex-N-Gate may have ORIS towing capacity labels on the adjacent electrical plug connection. If the VIN is flagged in VMI, perform the recall modification.

If you have any additional questions please contact you SPOM.