



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

1200 New Jersey Avenue SE
Washington, DC 20590

March 11, 2009

MR. FRANK J. DIERTL
GENERAL MANAGER
ENGINEERING SERVICES
MERCEDES-BENZ USA, LLC
PO BOX 350
MONTVALE, NJ 07645-0350

NVS-215dgl
09V-076

SUBJECT: POWER LIFT GATE

DEAR MR. DIERTL:

This letter serves to acknowledge Mercedes-Benz USA, LLC's notification to the National Highway Traffic Safety Administration (NHTSA) of a safety defect in the products described below for which a safety recall campaign shall be conducted pursuant to 49 U.S.C. § 30119.

Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

Makes/Models/Model Years:
MERCEDES BENZ/M-CLASS/2009

NHTSA Campaign Number: 09V-076

Mfg's Report Date: March 6, 2009

Components: EXTERIOR LIGHTING: TAIL LIGHTS

Potential Number of Units Affected: 16,300

Summary:

MERCEDES BENZ IS RECALLING 16,130 MY 2009 M-CLASS W164 PASSENGER VEHICLES EQUIPPED WITH THE OPTIONAL POWER LIFT GATE. AS A RESULT OF A FAULTY SEAL AROUND THE REAR TAIL LAMP ASSEMBLY, WATER MAY ENTER THE REAR COMPARTMENT CONTAINING THE SPARE TIRE. WATER CONTAMINATION OF THE CONTROL UNIT FOR THE POWER LIFT GATE CAN RESULT IN DISABLING OF THE POWER LIFT GATE MOTOR.

Consequence:

WATER WILL CAUSE A SHORT CIRCUIT WHICH COULD LEAD TO A FIRE.

Remedy:

DEALERS WILL REPLACE THE SEAL OF THE REAR TAIL LAMP ASSEMBLY WITH A THICKER ONE AND REPOSITION THE AFFECTED POWER LIFT GATE CONTROL UNIT INSIDE THE CHASSIS. THIS SERVICE WILL BE PERFORMED FREE OF CHARGE. THE RECALL IS EXPECTED TO BEGIN DURING APRIL 2009. OWNERS MAY CONTACT MERCEDES-BENZ AT 1-800-367-6372.

Notes:

CUSTOMERS MAY ALSO CONTACT THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'S VEHICLE SAFETY HOTLINE AT 1-888-327-4236 (TTY 1-800-424-9153), OR GO TO [HTTP://WWW.SAFERCAR.GOV](http://www.safercar.gov).

The information in your defect report appears to satisfy the requirements of 49 CFR 573.6.

Please provide the following additional information and be reminded of the following requirements:

You are required to submit a draft owner notification letter to this office no less than five days prior to mailing it to the customers. Also, copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

You are required to provide an estimated date including month, day, and year, when you will send notifications to owners, dealers, and distributors as soon as it becomes available.

As stated in Part 573.7, submission of the first of six consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on or before 30 days after the close of the calendar quarter.

Your contacts for this recall will be Delia Lopez or Kelly Schuler, who may be reached by phone at 202-366-9525 or 202-366-5227, or by email at Delia.lopez@dot.gov, or Kelly.Schuler@dot.gov, or through the office email at RMD.ODI@dot.gov. We look forward to working with you for successful completion of this recall campaign.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Person', with a long horizontal flourish extending to the right.

George H. Person
Chief, Recall Management Division
Office of Defects Investigation
Enforcement