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Mercedes-Benz

Mercedes-Benz USA, LLC
A Daimler Company

September 30, 2011

SENT BY E-MAIL (rmd.odi@dot.gov)

**11V-493
(2 Pages)**

Mr. Claude Harris
Acting Associate Administrator for Enforcement
National Highway Traffic Safety Administration
1200 New Jersey Avenue, S.E.
NVS-200, Room W45-306
Washington, D.C. 20590

Re: Part 573 Noncompliance Information Report

Dear Mr. Harris:

Pursuant to the requirements of 49 C.F.R. Part 573, and on behalf of our parent company, Daimler AG (DAG), Mercedes Benz USA, LLC (MBUSA) is filing this report with respect to a non-compliance with a motor vehicle safety standard which has been determined to exist in the vehicles identified below.

573.6 (c)(1): Manufacturer's Name

Daimler AG, Stuttgart, Germany

Designated Agent: Mercedes-Benz USA, LLC
Montvale, NJ 07645

573.6(c)(2)(i): Identification of Vehicles

Make	Line/Model	Model Year	Inclusive Dates of Manufacture
Mercedes-Benz	S-Class (221 platform)	2011/2012	March 2011- August 2011

573.6(c)(3): Total Number of Vehicles Potentially Containing the Noncompliance

Approximately 4,769 Mercedes-Benz S-Class vehicles are potentially affected in the US.

573.6(c)(4): Percentage of Vehicles Estimated to Actually Contain the Noncompliance

All of the subject vehicles contain the noncompliance.

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573.6(c)(5): Description of Noncompliance

The subject vehicles contain tire pressure monitoring system software which does not meet certain tire pressure monitoring system (TPMS) indicator requirements of 49 C.F.R. § 571.138. In the subject vehicles, the tire pressure monitoring system indicators may only illuminate for a portion of the time required by FMVSS 138, and may not re-illuminate immediately after vehicle restart under certain conditions, as required.

573.6(c)(6-7): Chronology of Principal Events

The issue was discovered in August of 2011 during unrelated vehicle testing of different tire and rim combinations on a subject S-class vehicle. During that tire and rim testing, various different wheels were mounted on the vehicle. One of the technicians noticed that certain TPMS warnings did not display as expected. The operation of the TPMS was further investigated, including a review of the software coding. A single character in the TPMS programming code was found to be entered incorrectly in the test vehicle. Additional investigation determined that on March 2011, the tire pressure placard and corresponding TPMS programming were updated in certain S-Class vehicles. The tire and rim test vehicle was determined to be one of those vehicles. Additional investigation determined the population of subject vehicles with the same affected TPMS programming. The TPMS functionality of the programming on these vehicles was then further analyzed and found to be noncompliant with FMVSS 138.

573.6(c)(8)(iii): Remedy Program

MBUSA intends to file a petition for exemption from the notification and remedy requirements of the Motor Vehicle Safety Act pursuant to 49 C.F.R. Part 556, on the basis that this noncompliance is inconsequential to motor vehicle safety.

Should you have any questions, please do not hesitate to contact Mr. R. Thomas Brunner at brunnert@mbusa.com.

Sincerely,



Frank J. Diertl
General Manager,
Engineering Services



R. Thomas Brunner
Department Manager,
Vehicle Compliance and Analysis