

Chronology of Defect/Noncompliance Determination Supplement for ODI 22-00855-28767-10

In November 2018, before the introduction of this vehicle model to the U.S. market, a sled test (FMVSS-201 5.3.1c), during vehicle development showed that the lid of the front center console storage compartment had opened for a matter of milliseconds. Subsequently, analyses regarding the root cause for this condition were initiated. It was concluded that the crashlock mechanism of the lid did not meet production specifications due to deviations in the development process at a supplier.

In December 2018, a technical solution to improve the crashlock mechanism for the lid was introduced into series production and vehicles in MBAG's possession were reworked.

The vehicle model was introduced to the U.S. market in May 2019. At that point in time, the available information indicated that all vehicles potentially affected from this issue had already been reworked with the improved crashlock mechanism.

In July 2019, after a review of rework documentation, it was found that a number of vehicles might have been released to the market without first undergoing the rework on the crashlock mechanism. Over the next several months, MBAG carried out additional investigation and analysis to confirm whether vehicles without the rework were in fact released to the field and, if so, how the compartment door would perform in a crash and whether there was an actual risk of objects exiting the compartment in the event of a crash.

On October 11, 2019, MBAG determined that a non-compliance with FMVSS201 could not be ruled out, however, due to the geometrical design and the manner in which the compartment lid operates, as well as the fact the lid might be open inadvertently only for a matter of milliseconds and will immediately close again, preventing any objects contained inside the storage compartment from entering the passenger compartment.

MBAG determined that this noncompliance was inconsequential with regard to motor vehicle safety, and submitted a petition for inconsequential noncompliance ("inconsequentiality petition") in November 2019.

On December 7, 2022, NHTSA notified MBAG that it intended to deny MBAG's petition for inconsequentiality. Subsequently, on December 9, 2022, the denial was published in the Federal Register.

In accordance with that denial, MBAG determined on December 16 to conduct a recall.

MBAG confirms there are no warranty claims, field or service reports, and other information (such as the numbers of deaths and/or injuries) related to this defect in the USA.