

August 30, 2018

Mr. Jonathan Morrison
Chief Counsel
National Highway Traffic Safety Administration
(NCC-111), Room W41-227
1200 New Jersey Avenue, SE
West Building
Washington, DC 20590

RE: Docket No. NHTSA-2015-0055 – Correction to Mercedes-Benz USA Request for Extension of Priority Group 5 Sufficient Supply and Remedy Launch Deadline Under ¶ 39 of the Third Amended Coordinated Remedy Order to Address Takata Recalls

Dear Mr. Morrison:

On behalf of our clients, Daimler AG (“DAG”) and Mercedes-Benz USA, LLC (“MBUSA”), and pursuant to ¶ 39 of the Third Amended Coordinated Remedy Order (“ACRO”) to address the Takata recalls, this letter requests a correction to the extension request submitted by MBUSA on June 21, 2018. The June 21, 2018 extension request asked for an extension of time to remedy certain vehicles in Priority Groups (“PGs”) 4 and 5. The request inadvertently omitted reference to the same vehicles in PGs 7 and 9 for which MBUSA is planning to implement the passenger side remedy at the same time as the PG 5 driver side remedy.

A. MBUSA’s One Workshop Visit Approach

As explained in prior communications to NHTSA, MBUSA’s Takata recall strategy involves replacing the passenger airbag modules at the same time as the driver airbag modules in applicable recalled vehicles, in order to minimize customer inconvenience, streamline the recall process, and improve recall completion rates. To implement this strategy, MBUSA pulled forward several vehicle models in later PGs, including PGs 7 and 9, in order to implement the passenger airbag remedy simultaneously with the driver airbag remedy covered by an earlier PG.

B. Vehicles Affected

The PG 7 vehicles to which this request relates are as follows:

- MY 2012 GLK, zone A; and
- MY 2012 SLS-Class Coupe and Roadster, zone A.

These PG 7 vehicles were originally subject to a remedy launch deadline of December 31, 2017 under the ACRO. They were included in MBUSA's comprehensive extension request filed on April 5, 2017, which was granted by NHTSA as part of the Fifth Amendment to the November 3, 2015 Coordinated Remedy Order (Nov. 9, 2017) ("Fifth Amended Order"). Pursuant to the Fifth Amended Order, these PG 7 vehicles were subject to a revised remedy launch deadline of June 30, 2018. See Fifth Amended Order ¶ 33 (PG 7).

The PG 9 vehicles to which this request relates are as follows:

- MY 2009 C-Class (204 platform), zone non-A; and
- MY 2013 SLS-Class Coupe and Roadster, zone A.

These PG 9 vehicles were subject to a remedy launch deadline of June 30, 2018 pursuant to the ACRO. See ACRO ¶ 34. These PG 9 vehicles were listed in MBUSA's April 5, 2017 extension request, in which MBUSA indicated that the airbag modules for the passenger-side (PG 9) would be replaced at the same time as the airbag modules for the driver-side (PG 5). The April 5, 2017 extension request asked for, and the Fifth Amendment granted, a remedy launch deadline of June 30, 2018 for PG 5. The PG 9 vehicles listed above were not included in the Fifth Amendment, presumably because the ACRO launch deadline of June 30, 2018 remained unchanged under MBUSA's remedy launch plan, so that no extension was deemed necessary for these vehicles.

C. MBUSA's June 21, 2018 Extension Request

MBUSA's June 21, 2018 extension request explained that a number of factors – including contractual issues with supplier [], expansion of the Takata recalls to additional markets, and supply chain logistical issues – were preventing MBUSA from meeting the June 30, 2018 remedy launch deadline for PG 5. Please refer to MBUSA's June 21, 2018 extension request for a full summary of these issues.

The June 21, 2018 request asked for additional time in which to implement the remedy for certain PG 5 vehicles, including the MY 2012 GLK; the MY 2012 SLS-Class Coupe and Roadster; the MY 2009 C-Class (204 platform); and the MY 2013 SLS-Class Coupe and Roadster.

Because these same vehicles are also included in PGs 7 and 9 for the passenger side airbag module, and because the factors detailed in the June 21, 2018 request similarly impacted the PG 7 and PG 9 launch for these vehicles, the June 21, 2018 extension request should have referenced the later PGs as well. Moreover, MBUSA's intention has always been to implement the driver and passenger-side remedies simultaneously. The inadvertent omission of PGs 7 and 9 from the June 21, 2018 extension request would otherwise subject these vehicles to two separate remedy launch deadlines, one for the passenger side airbag module and one for the driver side airbag module. MBUSA now seeks to correct this omission.

D. Corrected Extension Request

MBUSA is hereby requesting that the PG 5 table included in its June 21, 2018 extension request be corrected as follows to reference the associated PG 7 and PG 9 models for which

MBUSA intends to implement the passenger-side remedy simultaneously with the PG 5 driver-side remedy for the same vehicles:

PG5 (and associated PG 7 and 9 models)				
Make	Platform	Model	Model Years	Launch
Mercedes-Benz	171/203	SLK/C-Class DAB	2007-2008/ 2005-2007	Launched in June 2018 (no extension requested)
Mercedes-Benz	164/251	ML-/GL-/R-Class DAB	2009 (Non-A)	partially launched in June 2018
Mercedes-Benz	164/251	ML-/GL-/R-Class DAB	2010 (Zone A)	partially launched in June 2018
Mercedes-Benz	164/251	ML-/GL-/R-Class DAB	2009 (Non-A)	balance by October 31, 2018 (partial launch in June 2018)
Mercedes-Benz	204	C-Class DAB/ PAB	2008	by October 31, 2018
Mercedes-Benz	204	C-Class DAB/ PAB ^a	2009	by October 31, 2018
Mercedes-Benz	X204	GLK-Class DAB/PAB	2010	by October 31, 2018
Mercedes-Benz	212	E-Class DAB	2010	by October 31, 2018
Mercedes-Benz	207	E-Class Coupe/Cabriolet DAB/PAB	2010	by October 31, 2018
Mercedes-Benz	164/251	ML-/GL-R-Class DAB	2010 (Zone-A)	balance by December 31, 2018 (partial launch in June 2018)
Mercedes-Benz	204	C-Class DAB/PAB	2010	by December 31, 2018
Mercedes-Benz	X204	GLK-Class DAB/PAB	2011	by December 31, 2018
Mercedes-Benz	212	E-Class DAB	2011	by December 31, 2018
Mercedes-Benz	207	E-Class Coupe/Cabriolet DAB/PAB	2011	by December 31, 2018
Mercedes-Benz	164	ML-/GL-Class DAB	2011	by March 31, 2019
Mercedes-Benz	251	R-Class DAB	2011	by March 31, 2019
Mercedes-Benz	204	C-Class DAB	2011	by March 31, 2019
Mercedes-Benz	X204	GLK-Class DAB/ PAB ^a	2012	by March 31, 2019
Mercedes-Benz	164	ML-/GL-Class DAB	2012	by March 31, 2019
Mercedes-Benz	251	R-Class DAB	2012	by March 31, 2019
Mercedes-Benz	197	SLS-Class Coupe/Roadster DAB/PAB ^a	2011-2015	by March 31, 2019

^a Includes PAB from PG 7 and/or 9.

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Accordingly, MBUSA hereby requests that the June 30, 2018 remedy launch deadline for the PG 7 (MY 2012 GLK; and MY 2012 SLS-Class Coupe and Roadster) and PG 9 (MY 2009 C-Class (204 platform); and MY 2013 SLS-Class Coupe and Roadster) models discussed above be revised to match the extended deadlines requested in the foregoing table. Specifically, these models, and the corresponding corrected remedy launch deadlines, would be as follows:

- MY 2012 GLK, zone A: March 31, 2019.
- MY 2012 SLS-Class Coupe and Roadster, zone A: March 31, 2019.
- MY 2009 C-Class (204 platform), zone non-A: October 31, 2018.
- MY 2013 SLS-Class Coupe and Roadster, zone A: March 31, 2019.

Thank you for your consideration of this request. Please let us know if you need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Latane Montague". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

R. Latane Montague

Attachment: Certificate in Support of Notice of Anticipated
Shortage and Request for Extension

Cc: Stephen Hench, Esq.
R. Thomas Brunner