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January 10, 2022

Mr. Otto G. Matheke, III
Director, Office of Vehicle Safety Compliance
NHTSA
1200 New Jersey Ave, SE
W45-313
Washington, DC 20590

REF: Docket NHTSA-2020-0059

Notice of Receipt of Petition for Decision that Nonconforming Model Year 2012-2014 Mercedes Benz G500 and G500 Cabriolet Multi-Purpose Vehicles are Eligible for Importation - Comments

Dear Mr. Matheke:

We have the following comments regarding Docket NHTSA-2020-0059 Notice of Receipt of Petition for Decision that Nonconforming Model Year 2012-2014 Mercedes Benz G500 ("LWB") and G500 Cabriolet Multi-Purpose Vehicles ("SWB") are Eligible for Importation.

Up until recently, the status of petitions and their grant's, were updated on the NHTSA website so that manufacturers, Registered importers, and most importantly the public citizens, could follow along with what was in process, pending, and granted. The website is woefully out of date, and it makes it difficult to help the agency with providing comments and perspectives on safety that could directly impact the public. We believe the OVSC website petition processing sections are in desperate need of updating. We believe this is having a negative impact on public safety. Sadly, the information is already available as it is required to be published in the Federal Register, but this would go a long way to making sure the agency, and particularly this office is as transparent as possible since vehicles, however certified, impact public safety.

Along that line, the dockets for notice of Receipt of Petition for Decision that Nonconforming Model Year Vehicles used to include a copy of the original petition as submitted, in this case by G&K, so that the petition vehicle itself, especially the VIN number of the subject vehicle, parts lists, parts diagrams, and data sheets could be reviewed and researched. The original submission information is missing from the docket and that directly impacts the Agencies ability to gain information regarding the vehicles being discussed, at no cost to the Agency.

For instance, if the SWB VIN number was actually reviewed by the Agency, the data sheet would have alerted the OVSC that SWB have never been certified by the manufacturer in the USA, and therefore either require show or display waiver, or crash testing and certification through a Capable of being Modified petition ("VCP"). It would also have alerted the agency to the fact that it is a completely

different chassis from the other vehicle being considered. One is a long wheelbase with a roof, and the other is a short wheelbase without a roof (convertible/cabriolet).

The Agency allowed G&K to file a Substantially similar ("VSP") petition for two separate and distinct vehicles in one petition. The SWB Cabriolet is, and has been for nearly 20 years, a VCP Vehicle and there is no like Model in America for the SWB cabriolet.

The long wheelbase G500 is not sold in the USA, the only models that are available in the USA in the year that G&K has petitioned are the Mercedes Benz Long Wheelbase G550 and the long wheelbase AMG G63. The good news is that they at least share the same chassis.

The SWB 463 models were never certified under VSP as they were never certified in any capacity in the USA to be sold by the manufacturer. This means there is no crash data, and this is impactful from an engineering standpoint. According to NHTSA current website, the last SWB 463 Cabriolet's granted VCP petitions were in 9/2006, and after that, show or display 2011, and 2013 model years for the final edition models.

The chassis for the short wheelbase models cannot be compared to the long wheelbase versions because they are much shorter, are engineered differently in terms of weights, positions, and measurements, and would perform in a very different manner than the long wheelbase chassis in crash testing. The airbags and ALL other passive and active parts of the restraint systems are different than those used in the long wheelbase versions. The only way to determine crash worthiness and compliance with the USA FMVSS 208, 201, 214 and 301, is through destructive testing of several short wheelbase vehicles. But the Agency has already made a determination for these models, agreeing with our assessment, and they are already on the Approved Show or display list (THE FINAL 200 SPECIAL EDITIONS), both 2011 and 2013 model years.

G&K's petition, as published by the Agency is very different from what our research has uncovered for both the LWB and the SWB vehicles. We have conducted crash and engineering studies on the 463 SWB and LWB since roughly 1990, as has Gwagen USA, and have submitted them to the Agencies to gain approvals under VCP petition status. We do not believe the SWB is capable of being modified without the addition of advanced airbags, obdii, and other modifications that would require crash testing to prove compliance. The Agency has agreed with our assessment since the approval of the 2011 and 2013 final edition models and already made the exact same determination by granting 2011, and 2013 Model year SWB 463 Final Editions as eligible for importation under Show or display.

Please see the discussion below by Federal Motor Vehicle Safety Standard ("FMVSS") for basic differences in the 463 LWB vehicles that must, at a minimum, be addressed for certification.

A. FMVSS 101 controls and displays.

1. G&K states that they only must "reprogram" the instrument cluster to display MPH.
2. In the vehicles we have inspected, the instrument cluster must be replaced with USA part and then the front SAM must be reprogrammed to accept the new cluster. The placards in the USA cluster are different from those in the Euro cluster and cannot be replaced without destroying the cluster as it is constructed differently from those in the past that could have repaired or reskinned faces.

B. FMVSS 108 Lamps, reflective devices, and associated parts.

1. G&K states these systems are the same in USA and the EURO vehicle.
2. In the vehicles we have inspected, the USA marker lights must be added for the front and rear. Both the front and rear SAM's must be reprogrammed to accept the hardware and wiring changes.

C. FMVSS 208 Occupant crash protection

1. G&K States that these systems are the same in the USA and the EURO models.
2. In the vehicles we have inspected, the Advanced Airbag Systems in the USA vehicles are totally different than the systems in the EURO vehicles. The airbag control unit, the front wiring harness, the passenger seatbelt, and the 2nd row seat belts must all be replaced. Passenger seat belt has track position sensor, wire, replace and program the airbag module. After these changes the front SAM must be reprogrammed to accept these hardware and software changes.

D. FMVSS 301 Fuel system integrity

1. G&K States that these systems are the same in the USA and the EURO models.
2. In the vehicles we have inspected, the systems in the USA incorporate the ORVR. EURO models do not yet have ORVR systems. The entire rear wiring harness needs to be replaced and wired to incorporate fuel tank pressure sensor, charcoal canister shut-off valve to the DME. The fuel tank, the fuel tank sending unit, charcoal canister, and the filler neck must be replaced. After these changes are made then the rear SAM, the front SAM and the engine ECU must be reprogrammed to accept these changes and activate USA OBD II.

You will note that I have stated that after each of the changes I have outlined, that there is "reprogramming" of either ECU's and or SAM's. This reprogramming is only able to be accomplished with very specialized, very expensive, BENCH programming systems.

We have attached engineering, for the USA LWB including parts print outs that outline the missing components that require programming on ROW vehicles. If you pull the data sheet and parts lists for the ROW vehicles it will show the difference in parts numbers for each country for that VIN number.

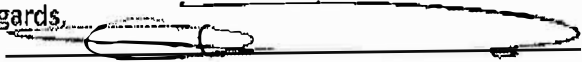
The LWB petition can be approved with the changes, and checks outlined in this document as there is a similar chassis in the USA.

The SWB Cabriolet should be eliminated completely from this petition as it is not the same chassis, has different weight, measurements, and construction, including a missing roof, and doesn't meet FMVSS 101, 111, 201, 208, 209, 210, 214 and 301. A VCP filing would require data, views, and arguments,

including Dynamic crash testing to prove compliance. Crash testing would result in the complete destruction of a number of vehicles to prove compliance and they are no longer in production. Further, The FINAL 200 of these vehicles are already approved for entry into the USA under Show or display and have been since 2013. It doesn't make sense to crash test vehicles that are historically significant, extremely rare, and quite frankly irreplaceable.

Thank you for your kind attention to this submission.

Regards,



Jonathan Weisheit, Project Engineering
JK Technologies, LLC

Datacard

USA

Identification number: WDC4632371X222939 1
VIN: WDCYC3HF2EX222939

Chassis

Sales designation: G 550 4X4 2850
Order number: 6 4 705 19400
Delivery date: 11 04 2014

Paint code 1: 9040 No code designation available

Engine no.: 273963 30 474506
Transmission: 722904 05 559549
Steering: 765503 00 140302946
Transfer case: 750654 10 108764
Front axle 1: 730332 R 283848
Rear axle 1: 742605 R 523741

Engine

Engine no.: 273963 30 474506

Major assembly variant: A 273 010 93 00
Part var. design.: 27396330

Text BITTE BASISMOTOR A 273 010 93 00 80 BESTELLEN.
PLEASE ORDER BASE ENGINE A 273 010 93 00 80.

Front axle 1

Front axle 1: 730332 R 283848

Major assembly variant: X 006 015 207

Part var. design.: 7303321

Text ACHSE AL0 1, 45TO MIT:
 SPERRE
 SCHEIBENBREMSE
 VERSCHLEISSANZEIGE

Rear axle 1

Rear axle 1: 742605 R 523741

Major assembly variant: X 004 015 146

Part var. design.: 7426050

Text ACHSE HL0 1, 9TO MIT:
 SPERRE
 SCHEIBENBREMSE
 VERSCHLEISSANZEIGE S/W

SA code

040U JET BLACK STANDARD FINISH

110K STEUERCODE FUER SERVICEINTERVAL 15000 KM *UNG*

124K STEUERCODE TELEAID SERVICE PROVIDER *UNG*

130K STEUERCODE FUER KENNZEICHENLEUCHE LED *UNG*

312B HEAD UNIT + INSTRUMENT CLUSTER LANGUAGE - AMERICAN

401B DVD PLAYER WITH REGIONAL CODE 1 USA *INV*

427 No code designation available

494 USA

705 UNITED STATES (USA)

731H WOOD VERSION HURRED WALNUT ENV*

9D40	No code designation available
BB3	ELECTRONIC STABILITY PROGRAM (ESP)
C75	STAINLESS STEEL BRUSH GUARD
E07	INNER HEADLINER FABRIC GRAY *INV*
D27	ELECTRIC SLIDING ROOF WITH LIFTING FUNCTION *INV*
D38	OVERSEAS VERSION *INV*
E47	SOCKET, 115 V
EA2	BLIND SPOT ASSISTANT
EH3	MEDIA INTERFACE
ENE5	EMERGENCY CALL ASSIST SYSTEM *INV*
EU2	COMAND ONLINE WITH DVD CHANGER *INV*
E68	HARMAN KARDON LOGIC 7 SURROUND SOUND SYSTEM *INV*
EZ8	PARK ASSIST PARKTRONIC
EZ9	ACTIVE DISTANCE ASSIST DISTRONIC
F463	SERIES PRODUCTION 463 - CROSS-COUNTRY VEHICLE
F49	WINDSHIELD HEATED
FG3	BOTTLE HOLDER RR *INV*
FR1	AMBIANCE ILLUMINATION
FR8	REAR-VIEW CAMERA
FZ5	ANTI-THEFT ALARM SYSTEM (ATA) *INV*
G41	AUTOMATIC GEARBOX 7G-TRONIC PLUS *INV*
GA	AUTOMATIC TRANSMISSION
H10	SEAT HEATER FOR DRIVER AND FRONT PASSENGER
H11	HEATING F. REAR BENCH SEAT *INV*
I86	TIRES 265/60 R18
IC8	INV* 37 (COMPRESSION STAGE 5-8)
IG1	SERIES PRODUCTION 463 - CROSS-COUNTRY VEHICLE
IH0	BENZIN
IK0	COMPLETE VEHICLE
IL2	EXPORT (OUTSIDE GERMANY)
IL5	LEFT-HAND STEERING
J41	SPEEDOMETER KM/MILES
JC9	LEATHER-CLAD DASHBOARD
K60	SPORT EXHAUST SYSTEM
L	LEFT-HAND STEERING
M273	V8 GASOLINE ENGINE M273
M55	DISPLACEMENT 5.5 LITRE *INV*

MC5	ENGINE M273 E56 KE "INV"
PA1	SEAT COMFORT PACKAGE "INV"
PA3	EXTERIOR STAINLESS STEEL PACKAGE
Q59	TRAILER HITCH, REMOVABLE
RB9	SPARE WHEEL COVER, STAINLESS STEEL
RM9	45,7 CM (18") LT ALLOY WHEELS IN 5 DBL-SPOKE DES.
RY6	TIRE PRESSURE CHECK
SD0	ISOFIX CHILD SEAT FIXTURE
SP2	LEATHER INTERIOR STEERING WHEEL
TB4	SIDE STEP
U46	LEATHER EQUIPMENT
V56	BURR WALNUT TRIM ELEMENTS "INV"
V57	LOAD COMPARTMENT COVER
VK1	WOOD/LEATHER STRG WHEEL, BROWN BURR WALNUT "INV"
VL2	VELOUR FLOOR MATS
W72	HEAT-INSULATING, DARK TINTED GLASS
X42	ENGLISH LABELS / PRINTED MATERIAL
XC3	MODEL PLATE FOR USA
XC6	ASSIGNMENT OF VIN AND CHASSIS NUMBER
XM4	STEUERCODE MY2014
XZ3	MODIFICATION YEAR 2013 (MODEL YEAR 2014)
Y01	ACCESSORIES, COUNTRIES
Y78	SCRATCH RESISTANT CLEAR VARNISH
YF9	GARAGE DOOR OPENER INTEGRATED INTO INSIDE MIRROR
ZA2	TRANSPORT FULL PACKAGING
ZD0	G-CLASS MODEL SERIES 463
ZD6	CHROME PACKAGE "INV"
ZU8	USA COUNTRY VERSION

SA numbers

Group 33

33 504002/40	33 504002/42	33 504003/62	33 504003/71	33 504005/28
33 504007/24	33 504007/25	33 504019/76	33 504202/48	33 504202/50
33 504400/19	33 504401/23	33 504402/20	33 504404/08	33 504405/07
33 504517/29	33 504521/17	33 504522/19		

Group 35

35 504000/18	35 504001/26	35 504002/40	35 504002/42	35 504003/62
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35 504003/71	35 504004/03	35 504005/28	35 504007/24	35 504007/25
35 504017/01	35 504018/01	35 504019/76	35 504202/48	35 504202/50

Group 39

39 504007/24	39 504007/25	39 504019/76
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Group 42

42 504000/18	42 504014/02	42 504016/09	42 504017/01	42 504019/76
42 504020/71	42 504020/75	42 504025/42	42 504025/76	42 504028/02
42 504402/20				

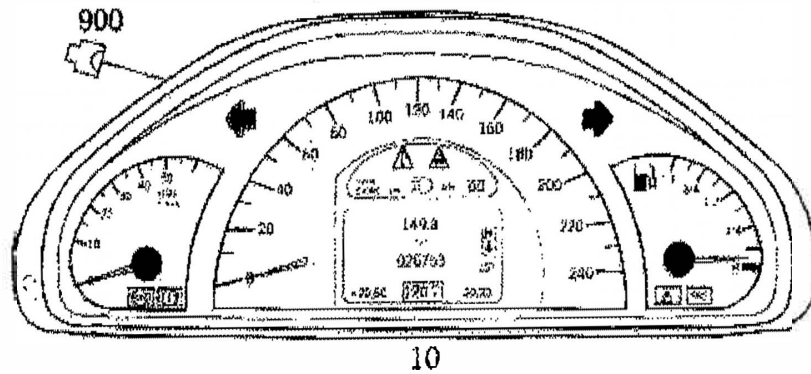
Other

Body:

3

- Picture -

Mode	MD moda	Mod. des. overview	G-CLASS STATION WAGON LONG
FIN/MD	WDC 4632371X222839	Catalog	62U -As of ident. no. 144226
VIN	WDCYC3HF2EX222839	Major assembly:	
Sales designation	G 550 AX42850	Major assembly MD	
Assortment class	Cross-country vehicle	Group	54 - ELECTRICAL EQUIPMENT AND INSTRUMENTS
Market	North America	Subgroup	585 - INSTRUMENT CLUSTER
Picture number	B54585000194, 180413		



- Parts list -

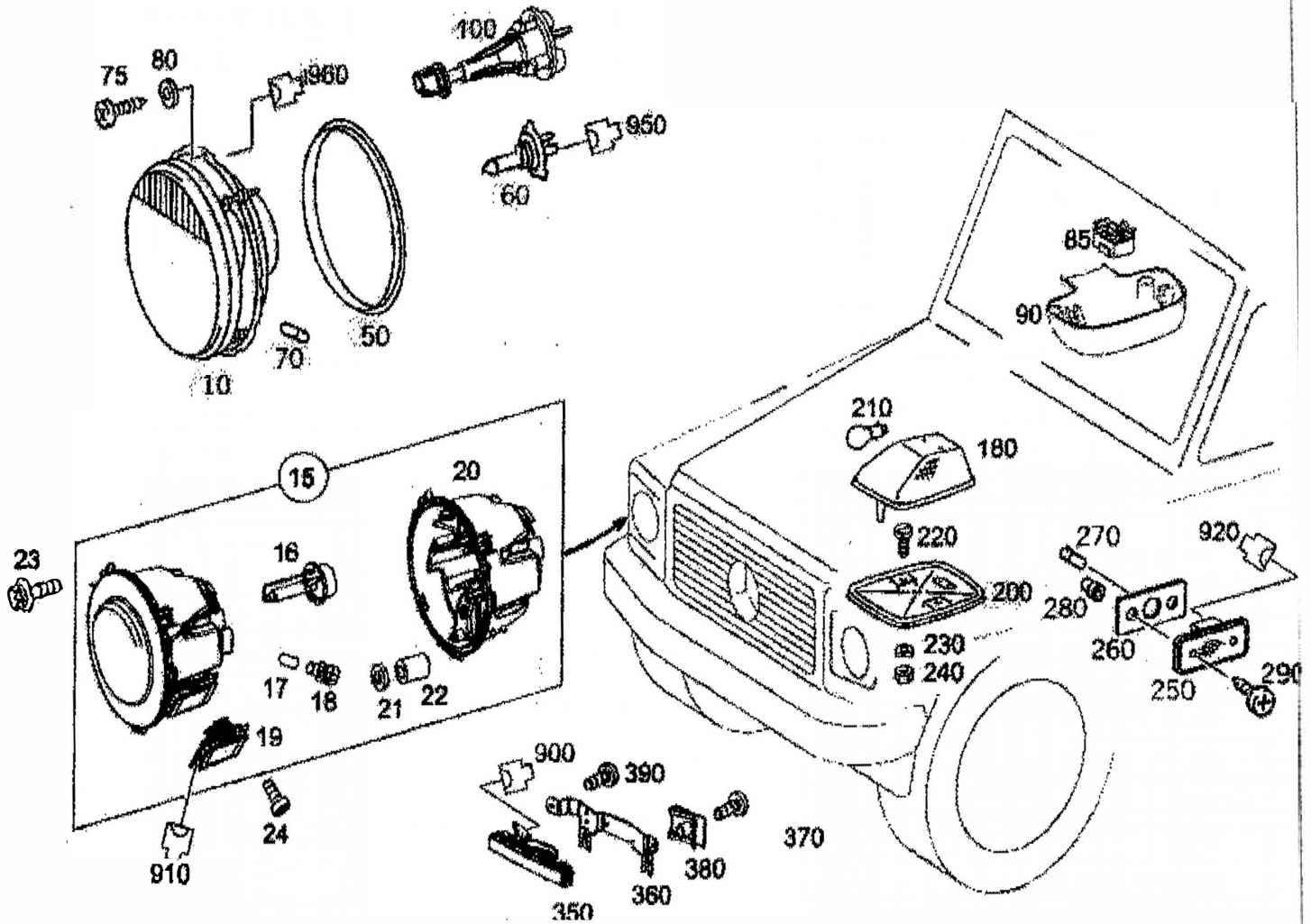
Mode	MD mode	Mod. des. overview	G-CLASS STATION WAGON LONG
FIN/MD	WDC 4632371X222939	Catalog	62U -As of ident. no. 144226
VIN	WDCYC3HF2EX222939	Major assembly:	
Sales designation	G 550 4X42850	Major assembly MD	
Assortment class	Cross-country vehicle	Group	54 - ELECTRICAL EQUIPMENT AND INSTRUMENTS
Market	North America	Subgroup	585 - INSTRUMENT CLUSTER

Item no.	Part number	Designation/description	Quantity	Version
10	A 463 540 74 01	INSTRUMENT CLUSTER Code: EZ9+J11+ZU8 → [672] PART MUST BE CHECKED AFTER INSTALLATION FOR CURRENT FLASHWARE	001	

EUROPEAN PART # - 463 540 69 47

- Picture -

Mode	MD mode	Mod. des. overview	G-CLASS STATION WAGON LONG
FIN/MD	WDC 4632371X222939	Catalog	62U -As of ident. no. 144226
VIN	WDCYC3HF2EX222939	Major assembly:	
Sales designation	G 550 4X42850	Major assembly MD	
Assortment class	Cross-country vehicle	Group	82 - ELECTRICAL SYSTEM
Market	North America	Subgroup	175 - FRONT LIGHTING
Picture number	B82175000163.151102		



- Parts list -

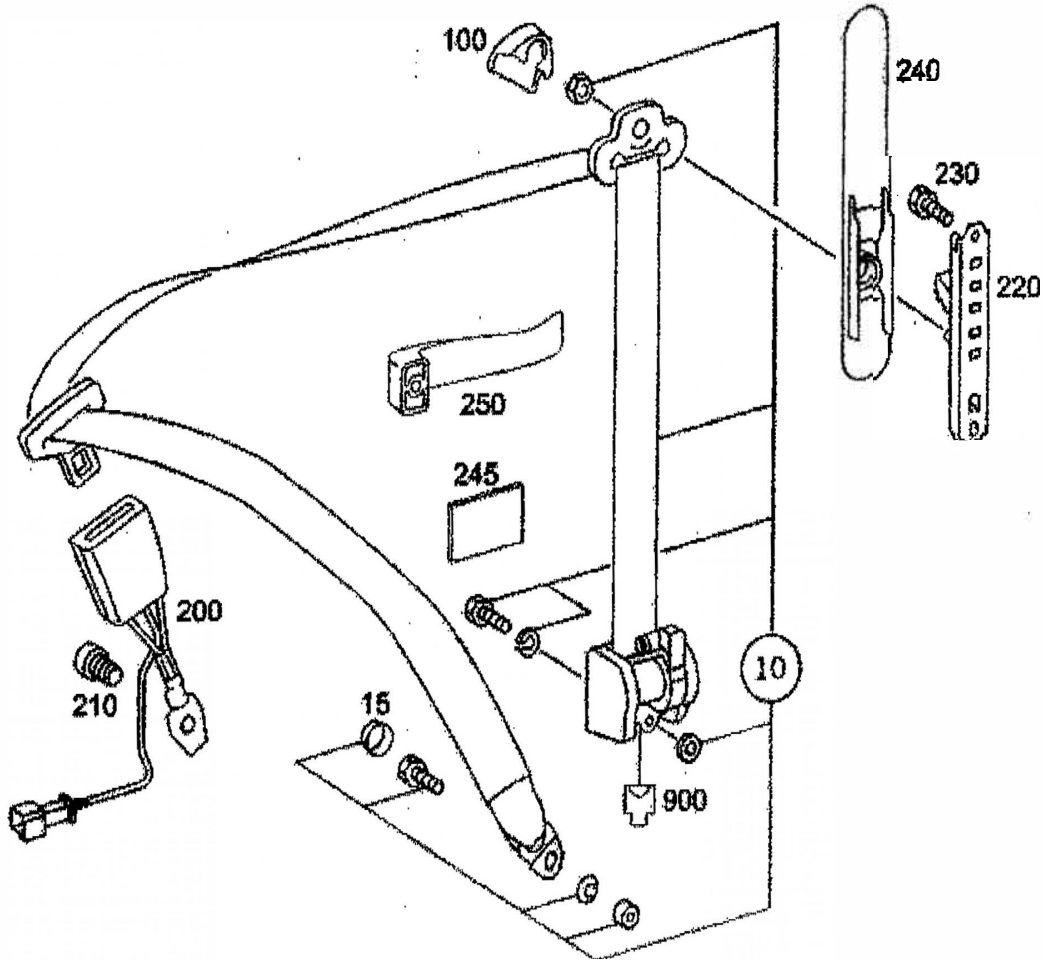
Mode	MD mode	Mod. des. overview	G-CLASS STATION WAGON LONG
FIN/MD	WDC 4632371X222939	Catalog	62U -As of ident. no. 144226
VIN	WDCYC3HF2EX222939	Major assembly:	
Sales designation	G 550 4X42850	Major assembly MD	
Assortment class	Cross-country vehicle	Group	62 - ELECTRICAL SYSTEM
Market	North America	Subgroup	175 - FRONT LIGHTING

Item no.	Part number	Designation/description	Quantity	Version
15	A 463 820 07 59	LAMP UNIT FRONT LEFT AND RIGHT	002	L
15	A 463 820 07 59	LAMP UNIT FRONT LEFT AND RIGHT	002	
250	A 463 826 00 41	[083] From Chassis: X 166926 From Date: 31/05/2006 SIDE REFLECTOR (SIDE MARKER LAMP), AMBER Code: ZU7/ZU8	002	
250	A 463 826 #1 41	[086] To Chassis: X 226541 To Date: 03/07/2014 SIDE REFLECTOR (SIDE-MARKER LAMP), RED Code: ZU7/ZU8 — [086] To Chassis: X 226541 To Date: 03/07/2014	002	

NO EUROPEAN PART NUMBER - SYSTEM PARTS ARE NOT USED IN EUROPE

- Picture -

Mode	MD mode	Mod. des. overview	G-CLASS STATION WAGON LONG
FIN/MD	WDC 4632371X222939	Catalog	62U -As of ident. no. 144226
VIN	WDCYC3HF2EX222939	Major assembly:	
Sales designation	G 550 4X42850	Major assembly MD	
Assortment class	Cross-country vehicle	Group	91 - DRIVER'S SEAT
Market	North America	Subgroup	225 - FRONT SEAT SAFETY BELT
Picture number	B91225000076.180708		



- Parts list -

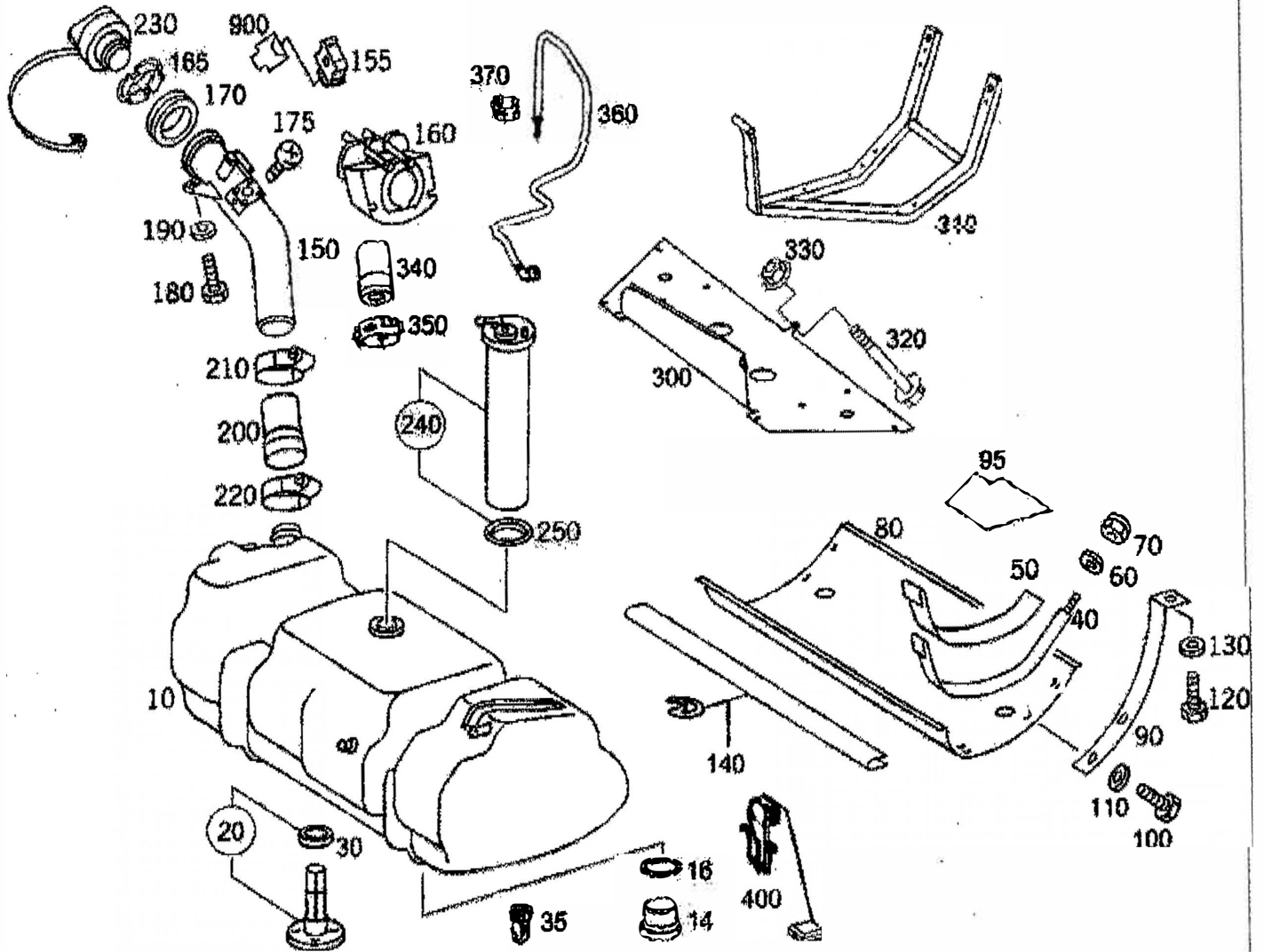
Mode	MD mode	Mod. des. overview	G-CLASS STATION WAGON LONG
FIN/MD	WDC 4632371X222939	Catalog	62U -As of Ident. no. 144228
VIN	WDCYC3HF2EX222939	Major assembly:	
Sales designation	G 550 4X42850	Major assembly MD	
Assortment class	Cross-country vehicle	Group	91 - DRIVER'S SEAT
Market	North America	Subgroup	225 - FRONT SEAT SAFETY BELT

Item no.	Part number	Designation/description	Quantity	Version
10	A 463 860 19 00 9A86	SEAT BELT LEFT SEAT — [071, 933] Color footnote	001	
10	A 463 860 19 00 9A86	SEAT BELT LEFT SEAT — [071, 934] Color footnote	001	
10	A 463 860 20 00 9A86	SEAT BELT RIGHT SEAT Code: SDD — [071, 933] Color footnote	001	L
10	A 463 860 20 00 9A86	SEAT BELT RIGHT SEAT Code: SDD — [071, 934] Color footnote	001	L

EUROPEAN PART # - 463 860 22 85 9A86
463 860 22 85 9A86

- Picture -

Mode	MD mode	Mod. des. overview	G-CLASS STATION WAGON LONG
FINUMD	WDC 4632371X222939	Catalog	62U -As of ident. no. 144226
VIN	WDCYC3HF2EX222939	Major assembly:	
Sales designation	G 550 4X42850	Major assembly MD	
Assortment class	Cross-country vehicle	Group	47 - FUEL SYSTEM
Market	North America	Subgroup	015 - FUEL TANK WITH ATTACHMENT PARTS
Picture number	B47015000229.150304		



- Parts list -

Mode	MD mode	Mod. des. overview	G-CLASS STATION WAGON LONG
FIN/MD	WDC 4832371X222939	Catalog	82U -As of ident. no. 144228
VIN	WDCYC3HF2EX222939	Major assembly:	
Sales designation	G 550 4X42850	Major assembly MD	
Assortment class	Cross-country vehicle	Group	47 - FUEL SYSTEM
Market	North America	Subgroup	015 - FUEL TANK WITH ATTACHMENT PARTS

Item no.	Part number	Designation/description	Quantity	Version
10	A 463 470 43 01	FUEL TANK Code: -XZ5-XZ6+ZU7/-XZ5-XZ6+ZU8... --- [002, 004] From Chassis: X 204078 From Date: 31/10/2012	001	

EUROPEAN PART # - A 463 470 42 01