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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 The website is woefully out of date, and it makes it difficult to help the agency with providing comments and perspectives on safety that could directly impact the public.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.

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 83 00 80 BESTELLEN.  
PLEASE ORDER BASE ENGINE A 273 010 83 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
115K	STEUERCODE FUER SERVICEINTERVALL 15000 KM *UNG*
124K	STEUERCODE TELEAID SERVICE PROVIDER *UNG*
130K	STEUERCODE FUER KENNZEICHENLEUCHTE 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 BURRED WALNUT *INV*

9040	No code designation available
BB3	ELECTRONIC STABILITY PROGRAM (ESP)
C75	STAINLESS STEEL BRUSH GUARD
D07	INNER HEADLINER FABRIC GRAY *INV*
D27	ELECTRIC SLIDING ROOF WITH LIFTING FUNCTION *INV*
D36	OVERSEAS VERSION *INV*
E47	SOCKET, 115 V
EA2	BLIND SPOT ASSISTANT
EH3	MEDIA INTERFACE
EM5	EMERGENCY CALL/ASSIST SYSTEM *INV*
EU2	COMAND ONLINE WITH DVD CHANGER *INV*
EU9	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 5-6)
IG1	SERIES PRODUCTION 463 - CROSS-COUNTRY VEHICLE
IHO	BENZIN
IK0	COMPLETE VEHICLE
IL2	EXPORT (OUTSIDE GERMANY)
IL5	LEFT-HAND STEERING
J11	SPEEDOMETER KM/MILES
JC9	LEATHER-CLAD DASHBOARD
K69	SPORT EXHAUST SYSTEM
L	LEFT-HAND STEERING
M273	V8-GASOLINE ENGINE M273
M55	DISPLACEMENT 5.5 LITRE *INV*

MC5	ENGINE M273 E55 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
SP3	LEATHER UPHOLSTERY, BLACK
T84	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
XC8	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				

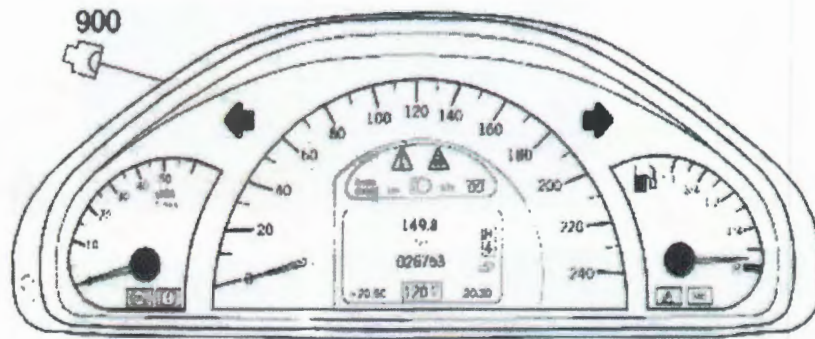
**Other**

**Body:** 3

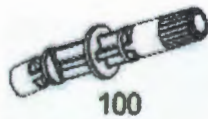


- Picture -

<b>Mode</b>	MD mode	<b>Mod. des. overview</b>	G-CLASS STATION WAGON LONG
<b>FIN/MD</b>	WDC 4632371X222939	<b>Catalog</b>	62U -As of ident. no. 144226
<b>VIN</b>	WDCYC3HF2EX222939	<b>Major assembly:</b>	
<b>Sales designation</b>	G 550 4X42850	<b>Major assembly MD</b>	
<b>Assortment class</b>	Cross-country vehicle	<b>Group</b>	54 - ELECTRICAL EQUIPMENT AND INSTRUMENTS
<b>Market</b>	North America	<b>Subgroup</b>	585 - INSTRUMENT CLUSTER
<b>Picture number</b>	B54585000194.180413		



10



- Parts list -

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

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

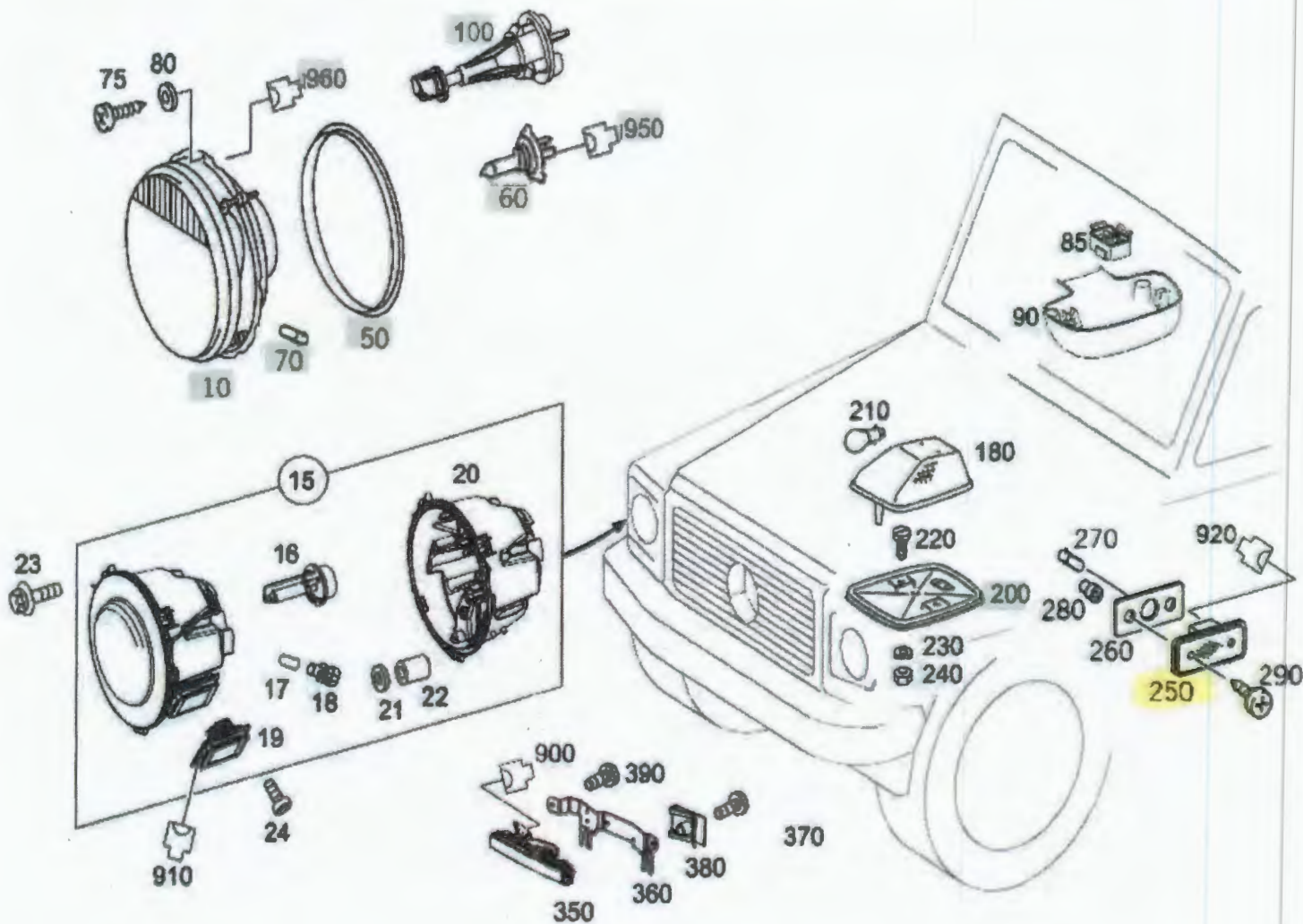
EUROPEAN PART # - 463 540 69 47

- Picture -

**Mode** MD mode  
**FIN/MD** WDC 4632371X222939  
**VIN** WDCYC3HF2EX222939  
**Sales designation** G 550 4X42850  
**Assortment class** Cross-country vehicle  
**Market** North America  
**Picture number** B82175000153.151102

**Mod. des. overview**  
**Catalog**  
**Major assembly:**  
**Major assembly MD**  
**Group**  
**Subgroup**

**G-CLASS STATION WAGON LONG**  
**62U -As of ident. no. 144228**  
**82 - ELECTRICAL SYSTEM**  
**175 - FRONT LIGHTING**



**- Parts list -**

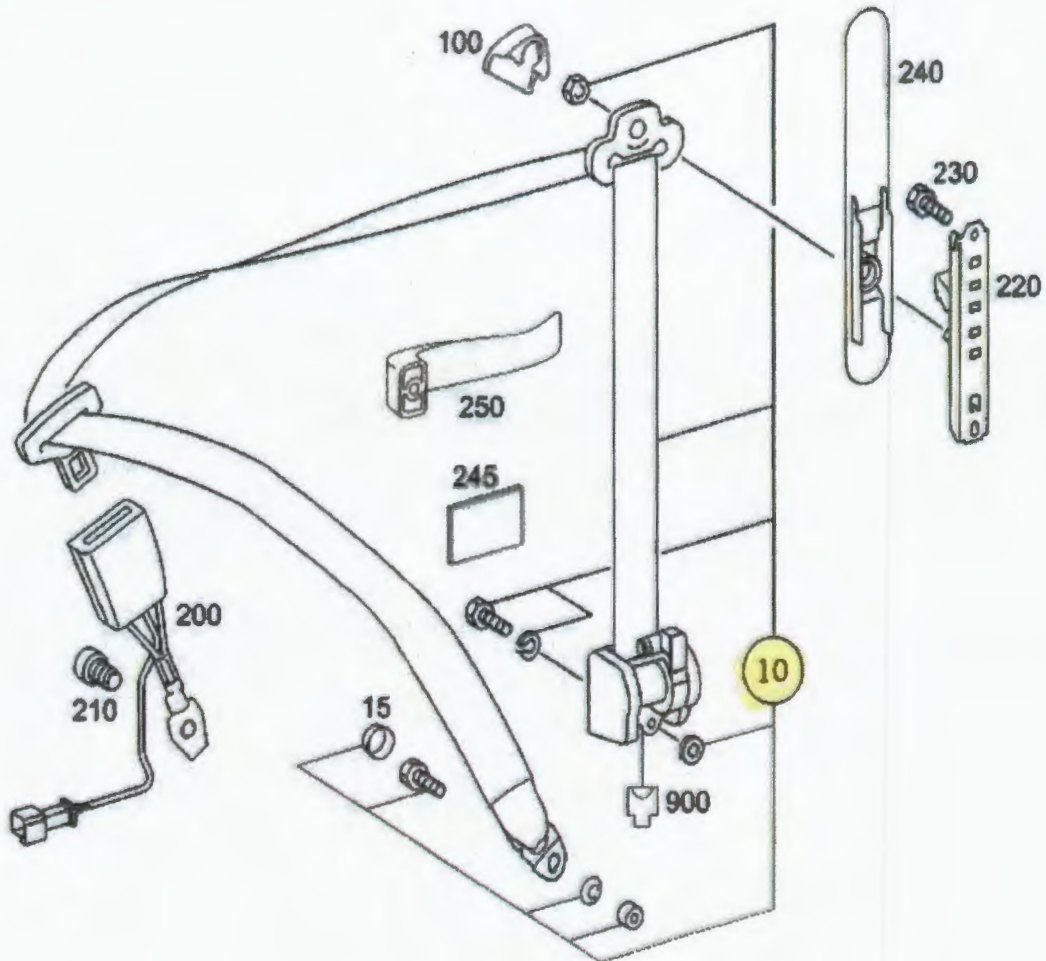
<b>Mode</b>	MD mode	<b>Mod. des. overview</b>	G-CLASS STATION WAGON LONG
<b>FIN/MD</b>	WDC 4832371X222939	<b>Catalog</b>	62U -As of ident. no. 144228
<b>VIN</b>	WDCYC3HF2EX222939	<b>Major assembly:</b>	
<b>Sales designation</b>	G 550 4X42850	<b>Major assembly MD</b>	
<b>Assortment class</b>	Cross-country vehicle	<b>Group</b>	82 - ELECTRICAL SYSTEM
<b>Market</b>	North America	<b>Subgroup</b>	175 - FRONT LIGHTING

Item no.	Part number	Designation/description	Quantity	Version
15	A 463 820 07 59	<b>LAMP UNIT</b> FRONT LEFT AND RIGHT	002	L
15	A 463 820 07 59	<b>LAMP UNIT</b> FRONT LEFT AND RIGHT	002	
250	A 463 826 00 41	[083] From Chassis: X 166925 From Date: 31/05/2008 <b>SIDE REFLECTOR</b> (SIDE MARKER LAMP), AMBER Code: ZU7/ZU8	002	
250	A 463 826 01 41	[088] To Chassis: X 228541 To Date: 03/07/2014 <b>SIDE REFLECTOR</b> (SIDE-MARKER LAMP), RED Code: ZU7/ZU8 — [088] To Chassis: X 228541 To Date: 03/07/2014	002	

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

- Picture -

<b>Mode</b>	MD mode	<b>Mod. des. overview</b>	G-CLASS STATION WAGON LONG
<b>FIN/MD</b>	WDC 4632371X222939	<b>Catalog</b>	62U -As of ident. no. 144228
<b>VIN</b>	WDCYC3HF2EX222939	<b>Major assembly:</b>	
<b>Sales designation</b>	G 550 4X42850	<b>Major assembly MD</b>	
<b>Assortment class</b>	Cross-country vehicle	<b>Group</b>	91 - DRIVER'S SEAT
<b>Market</b>	North America	<b>Subgroup</b>	225 - FRONT SEAT SAFETY BELT
<b>Picture number</b>	B91225000076.180708		



**- Parts list -**

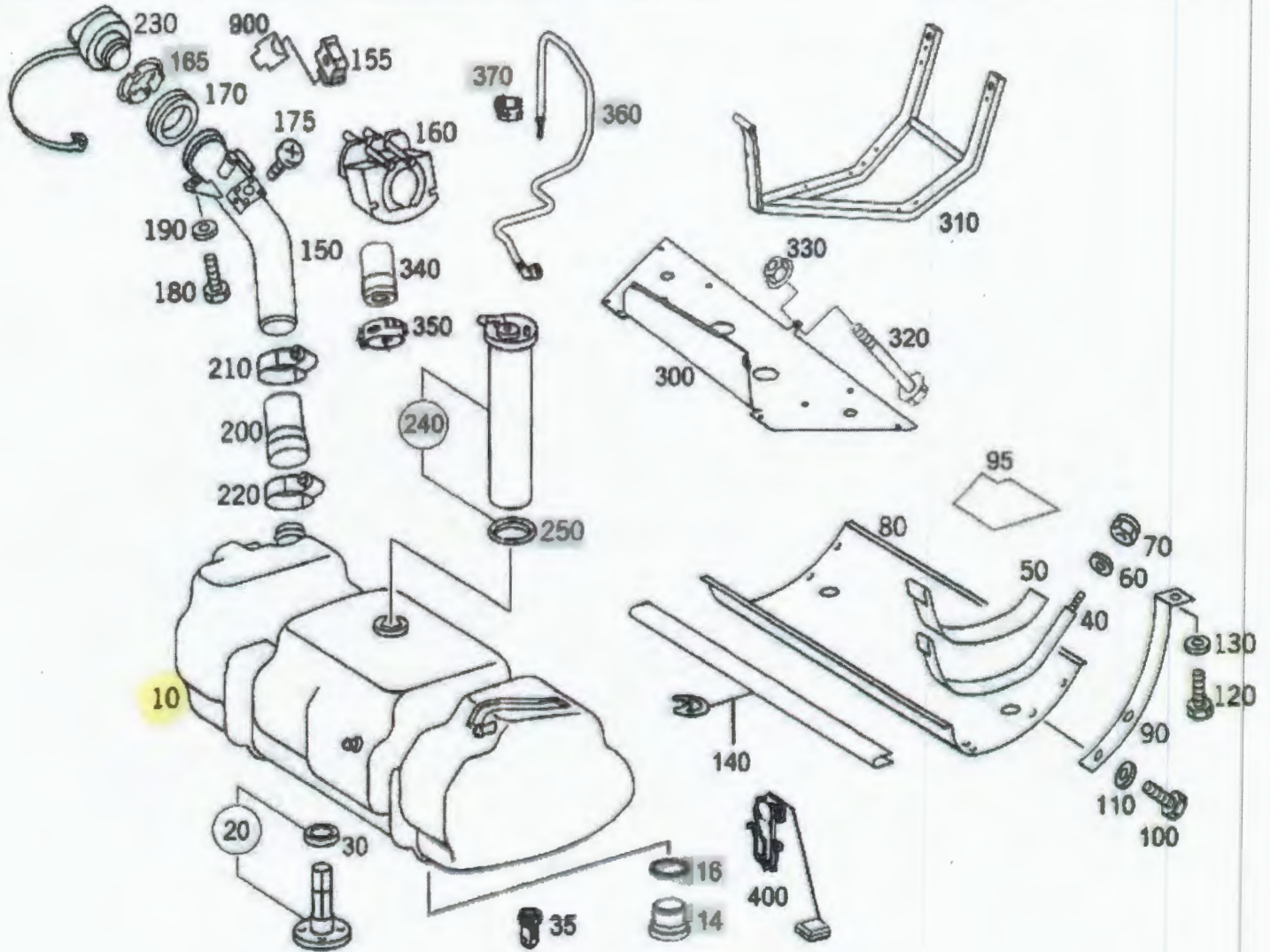
<b>Mode</b>	MD mode	<b>Mod. des. overview</b>	G-CLASS STATION WAGON LONG
<b>FIN/MD</b>	WDC 4632371X222939	<b>Catalog</b>	62U -As of ident. no. 144228
<b>VIN</b>	WDCYC3HF2EX222939	<b>Major assembly:</b>	
<b>Sales designation</b>	G 550 4X42850	<b>Major assembly MD</b>	
<b>Assortment class</b>	Cross-country vehicle	<b>Group</b>	91 - DRIVER'S SEAT
<b>Market</b>	North America	<b>Subgroup</b>	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: SD0 — [071, 933] Color footnote	001	L
10	A 463 860 20 00 9A86	SEAT BELT RIGHT SEAT Code: SD0 — [071, 934] Color footnote	001	L

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


- Picture -

<b>Mode</b>	MD mode	<b>Mod. des. overview</b>	G-CLASS STATION WAGON LONG
<b>FIN/MD</b>	WDC 4832371X222939	<b>Catalog</b>	62U -As of ident. no. 144226
<b>VIN</b>	WDCYC3HF2EX222939	<b>Major assembly:</b>	
<b>Sales designation</b>	G 550 4X42850	<b>Major assembly MD</b>	
<b>Assortment class</b>	Cross-country vehicle	<b>Group</b>	47 - FUEL SYSTEM
<b>Market</b>	North America	<b>Subgroup</b>	015 - FUEL TANK WITH ATTACHMENT PARTS
<b>Picture number</b>	B47015000229.150304		



- Parts list -

<b>Mode</b>	MD mode	<b>Mod. des. overview</b>	G-CLASS STATION WAGON LONG
<b>FIN/MD</b>	WDC 4632371X222838	<b>Catalog</b>	62U -As of ident. no. 144228
<b>VIN</b>	WDCYC3HF2EX222839	<b>Major assembly:</b>	
<b>Sales designation</b>	G 550 4X42850	<b>Major assembly MD</b>	
<b>Assortment class</b>	Cross-country vehicle	<b>Group</b>	47 - FUEL SYSTEM
<b>Market</b>	North America	<b>Subgroup</b>	015 - FUEL TANK WITH ATTACHMENT PARTS

Item no.	Part number	Designation/description	Quantity	Version
10	A 463 470 43 01	<b>FUEL TANK</b> 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