



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**

1200 New Jersey Avenue SE
Washington, DC 20590

May 4, 2023

Mr. Greg Gunther
Department Manager VCA
Mercedes-Benz USA, LLC
13470 International Parkway
Jacksonville, FL 32218

NEF-107ES
23V-309

Subject: High-Voltage Battery Software Error/FMVSS 305

Dear Mr. Gunther:

This letter serves to acknowledge Mercedes-Benz USA, LLC's notification to the National Highway Traffic Safety Administration (NHTSA) of a safety recall which will be conducted pursuant to Federal law for the product(s) listed below. Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

Makes/Models/Model Years:

MERCEDES-BENZ/AMG EQS53/2022
MERCEDES-BENZ/EQE 350/2023
MERCEDES-BENZ/EQS 450+/2022
MERCEDES-BENZ/EQS450/2022-2023
MERCEDES-BENZ/EQS580/2022-2023
MERCEDES-BENZ/S580E/2023

Mfr's Report Date: May 2, 2023

NHTSA Campaign Number: 23V-309

Components:

ELECTRICAL SYSTEM:PROPULSION SYSTEM:TRACTION BATTERY
THERMAL:MANAGEMENT:SOFTWARE

Potential Number of Units Affected: 3,823

Problem Description:

Mercedes-Benz USA, LLC (MBUSA) is recalling certain 2023 EQE 350, S580e, 2022-2023 EQS 450, EQS 580, 2022 AMG EQS 53, and EQS 450+ vehicles. The high-voltage battery monitoring system software may not alert the driver of a battery malfunction. As such, these vehicles fail to comply with the requirements of Federal Motor Vehicle Safety Standard number 305, "Electric-powered vehicles: Electrolyte Spillage and Electrical Shock Protection."

Consequence:

A high-voltage battery monitoring system that does not alert the driver of a battery malfunction may increase the risk of a crash, injury, or fire.

Remedy:

Dealers will update the battery management system software, free of charge. Owner notification letters are expected to be mailed June 27, 2023. Owners may contact MBUSA customer service at 1-800-367-6372.



Notes:

Owners may also contact the National Highway Traffic Safety Administration Vehicle Safety Hotline at 1-888-327-4236 (TTY 1-800-424-9153), or go to www.nhtsa.gov.

Please ensure the following requirements are met:

An identification and description of the risk to motor vehicle safety reasonably related to the defect or noncompliance (49 CFR 573.6 (c)(5)). All filings should state an increased risk of either a crash, injury or fire.

AMENDED 573 REQUIRED.

Please be reminded of the following requirements:

You are required to submit a draft owner notification letter to this office no less than five days prior to mailing it to the customers. Also, copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall, including a copy of the final owner notification letter and any subsequent owner follow-up notification letter(s), are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

Under 49 U.S.C. § 30112(a), it is illegal for anyone, including a manufacturer, distributor, dealer, or retailer to sell an item of equipment or vehicle that fails to comply with all applicable Federal motor vehicle safety standards.

As stated in 49 U.S.C. § 30118(f), submission of eight consecutive quarterly reports followed by three annual reports is required. As described in 573.7, submission of the first of eight consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on, or before, 30 days after the close of the calendar quarter. The first of three consecutive annual status reports will be due on, or before, 1 year after the eighth quarterly report was submitted.

Mercedes-Benz USA, LLC's contact for this recall will be Emily C. Smith who may be reached by email at emily.c.smith@dot.gov. We look forward to working with you.

Sincerely,



Alex Ansley
Chief, Recall Management Division
Office of Defects Investigation
Enforcement