

PUBLIC NOTICE  
Docket No. 26-CA-PA-02

The Department of Health, State of Hawaii, is notifying all interested persons of a proposed settlement for claims to be brought against Mercedes-Benz USA and Mercedes-Benz Group AG (Mercedes), by the Office of Consumer Protection, the Department of the Attorney General, and the Department of Health. The parties seek to resolve alleged claims that 913 Mercedes diesel vehicles, sold or leased in Hawaii between 2008 and 2016, were equipped with “defeat devices” intended to circumvent emission standards. Mercedes allegedly concealed software that optimized emission controls to meet legal limits under test conditions, but reduced those controls during normal operations, resulting in vehicles emitting excessive levels of nitrogen dioxide.

Under the proposed settlement, Mercedes would fund a program to retrofit affected vehicles with an approved modification, enabling the vehicles to operate within emission limits. In addition, each owner would receive a \$2,000 payment for installation of the approved modification, incentivizing participation in the program.

Interested persons may submit comments on this proposed judgment to the Department of Health. All comments must be in writing and must be postmarked or received by **March 30, 2026**, and may be:

- Emailed to [doh.cabpubliccomments@doh.hawaii.gov](mailto:doh.cabpubliccomments@doh.hawaii.gov); or
- Addressed to the Clean Air Branch at the Oahu address below.

The submittal shall include the Docket No. 26-CA-PA-02

The proposed judgment is available for public review on the Clean Air Branch, Department of Health’s website at: <https://health.hawaii.gov/cab/> or during the regular office hours, Monday through Friday, 7:45 a.m. to 4:15 p.m. at the following locations:

**Oahu:**

- Clean Air Branch, Department of Health  
2827 Waimano Home Road, #130, Pearl City, Hawaii 96782

**Hawaii:**

- Hawaii District Health Office, Department of Health  
1582 Kamehameha Avenue, Hilo, Hawaii 96720
- Sanitation Branch, Keakealani Building, Department of Health  
79-1020 Haukapila Street, Room 113, Kealahou, Hawaii 96750

**Maui:**

- Maui District Health Office, Department of Health  
54 High Street, Room 300, Wailuku, Maui 96793

**Kauai:**

- Kauai District Health Office, Department of Health  
3040 Umi Street, Lihue, Kauai 96766

For additional information, contact Mr. David Wong of the Clean Air Branch at 808-586-4200.

Kenneth S. Fink, MD, MGA, MPH  
Director of Health