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INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)**

Howell, Rosa (NHTSA)

From: Clarence Ditlow [cmdiii@autosafety.org]
Sent: Friday, October 29, 2010 5:21 PM
To: Hershman, Larry (NHTSA); Yon, Scott (NHTSA); Boyd, Richard (NHTSA)
Subject: FW: FARS
Attachments: MIF Jeep Fire NHTSA NCSS 10-29-10.pdf; CombinedPDF.pdf

Please place this letter & its attachment in docket of PE10-031.

From: Clarence Ditlow
Sent: Friday, October 29, 2010 5:14 PM
To: 'Marilena.Amoni@dot.gov'
Subject: FARS

Marilena

Attached is a letter from Michael Brooks that summarizes the problems with the Missing in FARS fire crashes as it affects the Jeep Grand Cherokee investigation. As it indicates, we have little confidence that we have found all the Missing in FARS Jeep Grand Cherokee fire crashes.

We could meet with you to discuss the issue next week.

Clarence

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October 29, 2010

Marilena Amoni
Associate Administrator
National Center for Statistics and Analysis
National Highway Traffic Safety Administration (NHTSA)
1200 New Jersey Ave. SE
West Building
Washington, DC 20590

Dear Ms. Amoni:

The Center for Auto Safety (CAS) has been tracking fatal fire crashes in model year 1993-2004 Jeep Grand Cherokees utilizing the Fatality Analysis Reporting System (FARS). In order to isolate cases where fire is present, we receive data dumps from NHTSA for crashes in FARS where fire occurs in the Jeep Grand Cherokee, and there is a death in any vehicle involved in the crash. The data dumps also specify whether any vehicle has Most Harmful Event (MHE) of fire/explosion. If a fuel fed fire occurs in the Jeep Grand Cherokee and burns someone to death like Jose Sierra in the striking vehicle (FARS Case 360720, Sept. 1, 1999), it doesn't matter which vehicle the burned-to-death occupant was in because the Jeep Grand Cherokee caused the fire death.

We have recently come across three separate FARS cases in which neither a fire occurrence nor MHE of fire/explosion was recorded in the FARS data. In all three cases, fire clearly occurred and was the cause of death for at least occupant in sources that is available to the FARS analysts and NHTSA – accident reports, autopsy reports, and Early Warning Reporting (EWR) information supplied to NHTSA by manufacturers.

The three crashes we have identified are listed below, with attached documentation supporting the presence of fire in the crash both as an occurrence as well as a Most Harmful Event.

Crash Date	Name of Fire Victim	FARS ID #	Year/Make/Model
12/17/2003	[REDACTED]	450884	2002 Jeep Grand Cherokee
02/12/2006	[REDACTED]	480273	1993 Jeep Grand Cherokee
07/10/2009	[REDACTED]	481432	2004 Jeep Grand Cherokee

If FARS is to form an accurate basis for NHTSA's rulemaking and vehicle safety decisions in the area of fires, crashes like these cannot be missed. A more troubling question is exactly how

many more crashes such as these are miscoded in FARS. It is only by happenstance that CAS with its limited resources found these three fatal Jeep Grand Cherokee fire crashes that NHTSA with its far greater resources miscoded. There are undoubtedly more such crashes that CAS did not have the extreme good fortune to find.

The failure to record just these three fatal fire crashes in FARS where fire clearly caused the death means NHTSA analysis in its ongoing investigation, PE10-031, will be fatally flawed. Two of the three fire deaths are rear impacts at clockpoint 6 and are not included in NHTSA's opening resume. The third fire death occurred in a rollover of a 2002 Jeep Grand Cherokee where the filler hose goes under the frame rail and is particularly vulnerable to being dislodged from the fuel tank or ruptured.

In view of the errors in FARS in recording crash fires which has also been documents by others and presented in meetings with NHTSA, a complete review of FARS policies and procedures for recording fire crashes is in order. The agency should begin by examining the files of every single 1993-04 Jeep Grand Cherokee crash in FARS to see how many other fire crashes have been missed.

Thank you for your time and attention to this matter. Please contact us should you have any questions.

Sincerely,



Michael Brooks
Staff Attorney

Attachments:

Hartsel Accident Photo
Hartsel Accident Report
Hartsel Autopsy Report
Hartsel FARS Case Data
Jarmon Accident Photo
Jarmon Accident Report
Jarmon Civil Complaint
Jarmon Autopsy Report
Jarmon FARS Case Data
Wood Accident Photo
Wood Accident Report
Wood EWR Data Summary
Wood FARS Case Data