

NVS-200

# CENTER FOR AUTO SAFETY

NOV 23 2011

1825 CONNECTICUT AVENUE NW #330 WASHINGTON DC 20009-5708 202.328.7700

EXECUTIVE SECRETARIAT

November 17, 2011

2011 NOV 22 P 4: 58

RECEIVED - NHTSA

Honorable David Strickland, Administrator  
National Highway Traffic Safety Administration  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

DP09-005

Re: PE10-031

Dear Administrator Strickland:

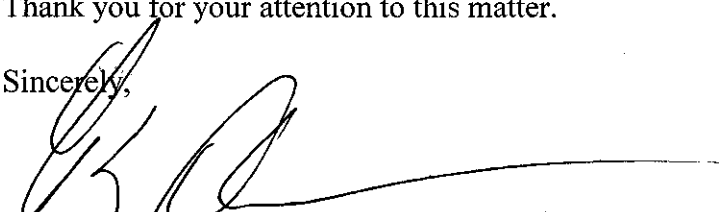
Yesterday, there was a rear impact fire crash of a 1997 Jeep Grand Cherokee on I4 in Orlando FL in which the occupants were severely burned. One died and the other may not survive. (See [www.myfoxorlando.com/dpp/news/seminole\\_news/111611-one-dead-in-crash-on-interstate-4-](http://www.myfoxorlando.com/dpp/news/seminole_news/111611-one-dead-in-crash-on-interstate-4-) & [www.clickorlando.com/news/I-4-lanes-reopen-after-4-car-fatal-crash/-/1637132/4770902/-/lynnm1z/-/index.html](http://www.clickorlando.com/news/I-4-lanes-reopen-after-4-car-fatal-crash/-/1637132/4770902/-/lynnm1z/-/index.html). CAS expects the death toll of 1993-2004 Jeep Grand Cherokees in fire crashes to climb significantly when NHTSA releases the 2010 FARS data. Based on Chrysler's earlier analysis of rear impact fatal fires in FARS, the 1993-2004 Jeep Grand Cherokee is 20 times more likely to be involved in a fatal rear impact fire crash than the comparable 1993-2004 Ford Explorer.

Enclosed please find a letter to Chrysler CEO Marchionne which we request be added to PE10-031 because it contains significant new analysis of the crash energy in FMVSS 301 and the crash tests done at Karco and FHWA in response to arguments raised by Chrysler recall manager David S. Dillon.

The Orlando crash emphasizes the need for a recall of the 1993-2004 Jeep Grand Cherokee before it claims more lives in fire crashes.

Thank you for your attention to this matter.

Sincerely,

  
Clarence M. Ditlow  
Executive Director

# CENTER FOR AUTO SAFETY

1825 CONNECTICUT AVENUE NW #330 WASHINGTON DC 20009-5708 202.328.7700

November 17, 2011

Sergio Marchionne, Chairman  
Chrysler Group LLC  
1000 Chrysler Drive  
Auburn Hills MI 48321-8004

Dear Chairman Marchionne:

On September 1, 2011, the Center for Auto Safety (CAS) asked you to recall all 1993-04 Jeep Grand Cherokees for fuel fed fires in rear impacts that have claimed far more lives than the infamous Ford Pinto. Just yesterday, November 16, the Jeep Grand Cherokee claimed yet another life and severely burned another person on I4 in Orlando FL. If Chrysler had recalled the 1993-04 Grand Cherokee as CAS requested or as Ralph Nader requested in January 2011, the Orlando Grand Cherokee occupants would not have been burned. The tragic question is how many more fatal fire crashes will it take before Chrysler recalls this Pinto for soccer moms. The known toll now stands at 185 fatal fire crashes with 270 deaths and numerous burn injuries. At the time of its recall, NHTSA reported only 28 deaths in fire crashes of Ford Pintos.

Chrysler's responded to CAS' request to recall the Grand Cherokee and save lives with a letter long on rhetoric and short on facts from Chrysler's recall manager. (See attachment A.) No where does Chrysler address the fact that NHTSA FARS data show the Grand Cherokee has a fatal rear impact fire death rate 20 times higher than the Ford Explorer. No where does Chrysler address the fact that crash tests done by FHWA and CAS show the Grand Cherokee suffered catastrophic fuel system failures at energy levels both significantly below and slightly above present FMVSS 301 levels. No where does Chrysler address the fact the 70 mph FHWA crash test on a Ford Explorer had an energy level nearly twice that of FMVSS 301 and suffered no breach of the fuel system. (See Table below.)

Test	Impactor	Impactor Weight	Impactor Speed	Crash Energy
old FMVSS 301	flat face barrier	4,000 pounds	30 mph	121,000 lb-ft
new FMVSS 301	contoured barrier	3,015 pounds	50 mph	253,000 lb-ft
FHWA Explorer	2003 Taurus sedan	3,110 pounds	68 mph	483,000 lb-ft
FHWA Grand Cher.	2000 Taurus SW	3,296 pounds	49.7 mph	274,000 lb-ft
First Karco test	1987 Taurus sedan	3,387 pounds	51.4 mph	301,000 lb-ft
Second Karco test	1988 Taurus sedan	3,364 pounds	40.7 mph	187,000 lb-ft

Chrysler's failure to respond to CAS' request to recall the Grand Cherokee and save lives is inexplicable other than as a defensive tactic in view of the cooperative relationship between Chrysler and CAS in the past. In 1992, CAS conducted an independent crash test of a 1993 Chrysler L/H sedan provided by Chrysler at a DOT approved test facility. (Attachment B.) If Chrysler accepted our crash test then, why not accept our crash tests now, all done at DOT approved facilities.

## MEMORANDUM OF UNDERSTANDING

To provide consumers with crashworthiness information, Chrysler Corporation (Chrysler) and the Center for Auto Safety (CAS) agree to the following terms and conditions in conducting a crash test of 1993 L/H model:

1. CAS has complete authority to and will select a test facility capable of conducting a 35 MPH frontal crash test according to the New Car Assessment Program (NCAP) test procedure.
2. CAS will have the test run strictly according to NCAP procedures as set forth in NHTSA's "Laboratory Indicant Test Procedure: New Car Assessment Program" (January 1, 1990). Any changes in NCAP test procedure since that date shall be incorporated into this test.
3. CAS alone will negotiate the contract for the testing to be done in strict accordance with NCAP procedures.
4. CAS will utilize a qualified contract test manager and such additional engineers as are necessary to ensure that the test is carried out according to the NCAP test procedures.
5. Chrysler will give CAS a list of 6 dealers per test site with 1993 L/H vehicles after CAS identifies the test site.
6. CAS will go to one of the dealers and select an L/H model to be tested without Chrysler's knowledge of which dealer and which model.
7. Upon arrival at the dealer, CAS will select the model and Chrysler will make all necessary arrangements for its transfer to CAS' custody.
8. Chrysler will provide documentation to CAS before the test is conducted showing vehicle selected was at dealer prior to CAS identifying test site.
9. CAS will transport the vehicle to the test facility where the test facility will take physical custody of the vehicle.
10. Chrysler will retain ownership of the vehicle selected but will surrender control of the vehicle to CAS; Chrysler will remove the vehicle from the test facility within 30 days after completion of the crash test.
11. Chrysler will be permitted to inspect the vehicle only to extent allowed under NCAP and will not modify the vehicle in any manner.
12. CAS will inspect the vehicle prior to testing to ensure that no modifications have been made to said vehicle and that it meets only dealer stock specifications.



**R S Miller Jr**  
Vice Chairman

February 27, 1991

Mr. Clarence M. Ditlow  
Executive Director  
Center for Auto Safety  
2001 'S' Street N.W.  
Suite 410  
Washington, D.C. 20009

Dear Mr. Ditlow:

Thank you for agreeing to address the Chrysler Board of Directors meeting at 9:30 a.m. on Thursday, March 7. The meeting will be in Chrysler's offices on the 54th Floor of the Pan Am Building in New York City.

While we have some flexibility as to timing, a good target would be 20 minutes of prepared remarks, and 10 minutes of spontaneous questions and answers.

Our objective is to expose our Board to articulate spokespersons on the various issues with which we must deal. In this way, the "other side" can be heard directly without "filtration" by our management. In that spirit, we hope you will be "clear and blunt," rather than "polite." It is, after all, a sincere and open invitation to press your policy views to the top decision-making forum of our Corporation. We may not listen, but you will be heard!

While the choice of agenda is yours, some specific issues you may wish to cover include:

- . Rear seat belts
- . Bumper standards
- . CAFE standards (consistent with safety?)
- . Side impact standards
- . Passive restraints
- . Specific recall campaigns
- . A-604 transmissions



**CHRYSLER**

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October 14, 2011

Clarence Ditlow  
Executive Director  
Center for Auto Safety  
1825 Connecticut Ave NW  
Suite 330  
Washington, D.C. 20009-5708

Dear Mr. Ditlow:

Your letter to Sergio Marchionne of September 1, 2011 has been referred to me for response. As you know, NHTSA opened PE10-031 to investigate whether the fuel system of 1993-2004 Model Year Jeep Grand Cherokee vehicles presents an unreasonable fire hazard in rear impact crashes. The contentions you made in your letter to Mr. Marchionne have also been part of various submissions the Center for Auto Safety has made to the PE10-031 docket and, as such, are being evaluated by NHTSA.

Chrysler Group LLC (Chrysler Group) has responded to NHTSA's information requests in connection with PE10-031. Chrysler Group's examination of the fuel system design history of 1993-2004 Model Year Jeep Grand Cherokee vehicles supports its belief that sound engineering judgment and due care were used in the design and development of the fuel systems of these vehicles. The vehicles were tested to ensure that they exceeded the applicable rear impact requirements of FMVSS 301.

The vehicles' fuel system performance has been closely monitored in the field over the past nineteen years with over 300 billion miles driven by these vehicles. Rear impacts resulting in fire are extremely rare. All of the Jeep Grand Cherokee rear impact collision fires that Chrysler Group has investigated over the past nineteen years involved high energy rear impact collisions with substantially higher energy levels than the applicable FMVSS 301 energy levels. None of these fires were attributable to a design or manufacturing defect in the fuel system.

Further, Chrysler Group has analyzed publicly available statistical data involving over 21,000 rear impacts in the subject vehicles and their peers. It is apparent from this data that there is no meaningful statistical difference of rear impact and/or rollover crash events resulting in fire between the 1993-2004 Jeep Grand Cherokee and its peer vehicles.

Based on Chrysler Group's analysis of the design and testing of the vehicles, its investigation of accidents in the field, and its analysis of statistical data, Chrysler Group