

CENTER FOR AUTO SAFETY

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June 20, 2013

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

Dear Administrator Strickland:

We are pleased that Chrysler has finally acknowledged the need to recall 1993-1998 Jeep Grand Cherokees and 2002-2007 Jeep for serious defects in the fuel systems and that the agency is continuing its investigation of 1993-2001 Cherokees and 1999-2004 Grand Cherokees. We are disappointed that Chrysler's proposed trailer hitch remedy does not address the key problems that the agency found linked to 51 deaths in rear impact fire crashes in the Liberty's and Grand Cherokees. We are even more concerned that the trailer hitch may actually worsen the problem by becoming a spear to puncture the tank as happened in the death of 4-year old ██████ riding in a child seat in the back of a 1993 Jeep Grand Cherokee.



█████ Family 1993 Jeep Grand Cherokee with Trailer Hitch

A police investigation into the ██████ crash “concluded that the gas tank had been punctured by the Jeep’s trailer hitch.”¹ Chrysler confidentially settled litigation over the ██████ crash which focused on the trailer hitch rupturing the tank.

Even if the remedy is not worse than the defect, the addition of a trailer hitch would not remedy failure modes that have resulted in serious fuel leaks and fires in past crashes and which were demonstrated in three rear impact crash tests conducted by the Federal Highway Administration and

¹ http://www.nytimes.com/2011/06/19/automobiles/19FIRES.html?pagewanted=all&_r=0

the Center for Auto Safety.² This is particularly true if the impact is offset to the left side where the fuel filler is located. Before NHTSA accepts any recall action by Chrysler, it should insist on having Chrysler conduct rear crash tests using the present FMVSS 301 test procedure and passenger cars (such as the Ford Taurus we used as an bullet vehicle) at speeds in excess of 40 mph, and at various offsets and impact angles.

This was the procedure used to approve the recall remedy for the 1971-76 Ford Pinto - which had a similar fuel system defect- in a vehicle that unquestionably passed then-FMVSS 301 because it had no rear impact standard. Yet NHTSA required Ford to conduct crash tests using the new FMVSS 301 rear impact test procedures with NHTSA engineers present for testing. The first recall remedy proposed by Ford failed in that the tank shield came loose, the tank was deformed and the filler neck came out. NHTSA required Ford to develop a new and improved remedy which passed a second crash test with NHTSA engineers present. The improved remedy became the actual recall remedy. . It would be irresponsible of NHTSA not to require Chrysler to do an agency witnessed crash test of Chrysler's proposed remedy given its effectiveness is highly questionable.

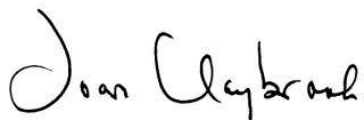
We have suggested that Chrysler install a metal shield on the gas tank, a stronger filler hose and a check valve in the tank to prevent gas from flowing out should there be a crash. However, the specific design and installation of these elements must be subjected to rear crash tests as outlined above to ensure that they result in a safe vehicle. Similar remedies were employed in the Pinto recall as a result of the NHTSA supervised crash testing of the Pinto.

We look forward to your immediate response indicating NHTSA will follow the precedent established in the Pinto recall, and require Chrysler to develop a recall remedy that prevents more consumers from being burned to death in survivable crashes as was [REDACTED]

Sincerely,



Clarence Ditlow
Executive Director
Center for Auto Safety



Joan Claybrook
President Emeritus, Public Citizen and
Former NHTSA Administrator

² The crash tests revealed three specific failure modes in the Grand Cherokee:

- a) The plastic tank itself is vulnerable to direct damage from a vehicle underriding the rear bumper in a rear impact.
- b) The fuel tanks of these vehicles hang several inches below the bottom of the rear bumpers and as a consequence can be directly damaged in a rear impact.
- c) The fuel filler hose can easily be sheared off the tank if the rear structure of the vehicle is crushed in a rear impact. The filler cap can also be dislodged if the sheet metal carrying the filler tube is distorted in a rear impact. The tank lacks an effective check valve to seal the tank if the filler hose separates from the tank or filler neck.

