

# NHTSA ccmMercury Routing Slip



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**Subject: PETITION FOR AN INVESTIGATION INTO THE PERFORMANCE/RELIABILITY OF THE FUEL TANK LEVEL SENSOR INSTALLED IN THE 2005 TRAILBLAZER AND HOLD HEARING ON WHETHER A MFR HAS REASONABLY MET ITS OBLIGATION TO NOTIFY AND/OR REMEDY A SAFETY DEFECT**

Ack Date:

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Added By: SHARRIS x62534

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Signature: SMITH

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Modified By: SANDRA.HARRIS

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**INFORMATION Redacted PURSUANT TO THE FREEDOM OF INFORMATION ACT (FOIA), 5 U.S.C. 552(B)(6)**

Assigned To	Task	Asgn Date	Deadline	Returned Date
NVS-200	REPLY	1/6/2010	3/4/2010	
NVS-010	INFORMATION	1/6/2010		1/6/2010

Mr. Billy Hayes  
1017 Donoho Drive  
Old Hickory, TN 37138



November 27, 2009

Mr. Randy Reid, Research Division  
Office of Defects Investigation Enforcement  
US Department of Transportation, NHTSA  
1200 New Jersey Avenue SE.  
Washington, DC 20077-9382

Dear Mr. Reid:

As you know the 2005 TrailBlazer has received a number of complaint not only are these complaints (concerns) part of your National Highway Transportation Safety Administration web site titled safercars.gov., these same concerns has been brought to the attention of General Motors Corporation. Therefore, this letter (petition) is request that the NHTSA open an investigation into the performance / reliability of the fuel tank level sensor installed in the 2005 Trailblazer and hold hearing on whether a manufacturer has reasonably met its obligation to notify and/or remedy a safety defect.

Based on the definition of a Safety Related Defect is defined as follows:

The United States Code for Motor Vehicle Safety (Title 49, Chapter 301) defines motor vehicle safety as "the performance of a motor vehicle or motor vehicle equipment in a way that protects the public against unreasonable risk of accidents occurring because of the design, construction, or performance of a motor vehicle, and against unreasonable risk of death or injury in an accident, and includes nonoperational safety of a motor vehicle." A defect includes "any defect in performance, construction, a component, or material of a motor vehicle or motor vehicle equipment." Generally, a safety defect is defined as a problem that exists in a motor vehicle or item of motor vehicle equipment that:

- poses a risk to motor vehicle safety, and
- may exist in a group of vehicles of the same design or manufacture, or items of equipment of the same type and manufacture.

Undoubtedly, for the above definition the fuel tank level sensor meet the requirements. This piece of equipment was part was designed to provide trustworthy / reliable information to the driver on the amount of fuel in the fuel tank. It was not designed to show a full tank of fuel, when there is half of a tank or a half tank of fuel when the tank is empty. Not only is this a defect, this fuel system integrity problem, thus making it a safety related issue. The safercars.gov website complaint database has hundreds of reports from consumers with TrailBlazers concerning the fuel tank level sensor. Why this a safety is related issue? Per the Motor Vehicle Safety Defects and Recall Booklet states "Problems with fuel system components, particularly in their susceptibility to crash damage, which result in leakage of fuel and may cause vehicle fires." Considering, the fuel tank sensor is sending the signal that the tank is full, the vehicle runs out of fuel and is rear ended by a commercial or passenger vehicle. What are the probabilities of the disabled vehicle catching on fire 1%; 10%; 50% or 90%? There will be a fire, because the fuel tank will contain fumes and a small amount of fuel. Additionally, the loss of power will result in the loss of vehicle control of the vehicle, thus causing or injury to people inside or outside the vehicle.

In my continuing research, I have discovered another website that focus on the problem with the Trailblazers. The website is "Center for Auto Safety - <http://www.autosafety.org/search/node/TrailBlazer>. Again the focus is on the fuel tank level sensor. Additionally, the NHTSA Office of Defects Investigation, are aware of the problem, NHYSA Item Numbers: 10026704; 10009382 and 10020233

Sincerely,

A handwritten signature in black ink that reads "Billy M. Hayes". The signature is written in a cursive, slightly slanted style.

Billy M. Hayes