

# CENTER FOR AUTO SAFETY

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August 21, 2014

The Honorable David J. Friedman  
Acting Administrator  
National Highway Traffic Safety Administration (NHTSA)  
1200 New Jersey Avenue SE, West Building  
Washington, D.C. 20590

## **PETITION FOR DEFECT INVESTIGATION**

Dear Administrator Friedman:

The Center for Auto Safety (CAS) hereby petitions the National Highway Traffic Safety Administration (NHTSA) to initiate a safety defect investigation into failures associated with the Totally Integrated Power Module (TIPM) installed in Chrysler SUV's, trucks, and vans beginning in the 2007 model year. Affected vehicle models include the Chrysler Grand Voyager, Chrysler Town & Country, Dodge Durango, Dodge Journey, Dodge Grand Caravan, Dodge Ram Cargo Van, Dodge Nitro, Dodge Ram 1500, Dodge Ram 2500, Dodge Ram 3500, Dodge Ram 4400/5500, Jeep Grand Cherokee, Jeep Liberty, and Jeep Wrangler.

Chrysler TIPM failures result in a variety of safety-related issues in multiple vehicle components, many of which have the potential for destructive results. The TIPM consists of a computer, electric relays, and fuses, and is responsible for distributing power throughout the entire vehicle. Not only do Chrysler's faulty TIPMs result in vehicle stalling, they have also been implicated in airbag non-deployment, random horn, headlight, taillight, door lock, instrument panel and windshield wiper activity, power windows going up and down on their own, failure of fuel pump shutoff resulting in unintended acceleration, and fires. CAS has received at least 70 complaints related to the Chrysler TIPM<sup>1</sup>, and there have been hundreds if not thousands of TIPM-related complaints filed with NHTSA. Complaints on Chrysler TIPMs are also flooding into other vehicle complaint websites. CarComplaints.com notes that TIPM complaints on 2011 Jeep Grand Cherokees are the number one most frequent complaint on their website, with 2011 Dodge Durango TIPM complaints coming in a close second.

Chrysler owners seeking relief of these conditions are currently being forced to pay for TIPM replacement, and wait weeks or months for the part to become available, due to incredible demand. In the interim, these owners remain at the mercy of a defect which many have likened to the vehicle being possessed and uncontrollable. A look at consumer complaints filed with CAS suggests a better name for the TIPM - Totally Inept Power Module:

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<sup>1</sup> [Attachment A](#) is a list of all TIPM-related complaints received by the Center for Auto Safety. Individual complaints may be retrieved by clicking the "View" link in each summary.

"The TIPM appears to be failing, the jeep has a mind of its own, wipers, washers and horn come on whenever they want, whether the key is in or not..power windows work when they want, dash lights go crazy when its having one of its seizures...dealer says they can change the TIPM for \$1000 but it may not solve the issue and their diagnostic did not reveal any issues with the TIPM." [REDACTED], 2008 Jeep Wrangler

"Horn blares, wipers start running while off, won't shift out of 1st gear, A/C blower stops working, engine cooling fan stops running, brake, reverse, and park lights flickering, locks lock and unlock on own fob won't work on them, power steering goes out, gauges go nuts, ruined my battery the last time it happened, happens regularly about every 2 to 3 weeks have found it is faulty TIPM that is always on backorder or has been since 10/2012 when I first had the problem occur" [REDACTED], 2008 Dodge Grand Caravan

"This is my second episode with my Nitro. When I was leaving work and getting ready to put my key in to unlock my door, the horn starting blowing, wipers, front and back, came on including the water spraying out, doors locking and unlocking, gate open and closing, lights going on and off. I then opened the door and started the engine and it continued to do the same thing. When I turned it off it was still doing the same. It was doing this for about 15-20 mins. until I had someone take off the battery cable. I had to get a tow truck, rent a car for 2 days. The shop put my truck on the computer and tested everything. From the computer it was all fine. They put a new battery in and made a new key phoebe. Everything has been fine until not even 2 wks later. I was at a red light with a car in front of me and the horn went off and wipers came on for about 2mins. now I have to take it back. The first time this happened I was driving at 55 mph was almost in a accident and had to pull off the road." [REDACTED], 2008 Dodge Nitro

"Radio system & lights, gauge lights, and turn signals cut off while in the middle of driving. AC/HEAT would not work. Vehicle had a hard time turning over to start. We were told it was because our battery was low. we replaced battery and all systems still periodically fail. Vehicle still fails to start sometimes." [REDACTED], 2010 Dodge Journey

Additionally, a survey of complaints related to Chrysler TIPMs suggest that a stall/no-start condition is most reported outcome of TIPM failure, leaving drivers without power in traffic and stranded for unknown periods of time before the vehicle regains the capacity to be started. Even in the absence of bizarre behavior attributed to faulty TIPMs in these vehicles, the presence of stalling should itself be sufficient to support a recall. Over 300 safety recalls for stalling have occurred under the Safety Act.<sup>2</sup>

In the 1970's, NHTSA litigated a series of defect cases in the federal courts that established loss of vehicle power on the road as a safety defect. In U.S. v. General Motors Corp., 413 F.Supp. 933 (D.D.C. 1976), Judge June Green ruled:

Even if this "defect" were not per se related to "motor vehicle safety", the uncontested facts of this case establish that fuel inlet plug failure results in several obvious and undeniable safety hazards. First, once the plug fails, the car "will stop running". The driver must then either

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<sup>2</sup> [Attachment B](#) is a compendium of 329 safety recalls from 1966 through 2013 for safety defects ranging from ignition switches to ignition modules to fuel pumps and other components that cause vehicle stalling. Excluded from this list are recalls due to catastrophic engine failure.

abandon his vehicle in the midst of oncoming traffic or, if he can, pull over to the side of the road. Both situations are dangerous.

In U.S. v. Ford Motor Co., 453 F. Supp. 1240 (D.D.C 1978), Judge John L. Smith, Jr. reached a similar conclusion in finding vehicles stopping on the road due to windshield wiper failure was a safety defect.

At least two prior safety recalls have dealt with safety defects in the subject Chrysler TIPMs. In July of 2007, Chrysler filed a Part 573 for recall 07V-291, which addressed stalling problems in 2007 Jeep Wrangler and Dodge Nitro vehicles. In that recall, the TIPM was programmed with software that allowed engines to stall due to a TIPM reset timing error. In July of 2013, Chrysler filed a Part 573 for recall 13V-282, which sought to address airbag non-deployment in a number of Chrysler vehicles including the 2012 Jeep Liberty. TIPM reprogramming was required in a portion of the affected vehicle population.

Unfortunately, neither of these recalls was sufficient to address the TIPM problem throughout Chrysler's fleet, instead focusing on a highly limited set of vehicles and circumstances. The actual TIPM problem is far broader, as evidenced by the [recent filing of a class action lawsuit](#) in US District Court, Velasco et al vs. Chrysler LLC, incorporated herein by reference, covering fifteen different Chrysler models over a number of model years. Given the number and range of complaints related to Chrysler TIPMs, it is time for NHTSA to formally investigate TIPM failures across the board in 2007 and later models.

Sincerely,

A handwritten signature in black ink, appearing to read 'm/b' followed by a stylized flourish.

Michael Brooks  
Staff Attorney