



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

1200 New Jersey Avenue SE.
Washington, DC 20590

JUN 30 2014

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Reginald Modlin, Director
Regulatory Affairs
Chrysler Group LLC
800 Chrysler Drive, CIMS 482-00-91
Auburn Hills, MI 48326-2757

NVS-212mjl
PE14-017

Dear Mr. Modlin:

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) has opened a Preliminary Evaluation (PE14017) to investigate allegations of inadvertent movement of the ignition switch from the "on" or "run" position to the "off" or "accessory" position in model year (MY) 2006-2007 Jeep Commander and MY 2005-2006 Jeep Grand Cherokee vehicles. This letter requests certain information from Chrysler.

This office has identified at least 32 complaints (Vehicle Owner's Questionnaire) reports on MY 2006-2007 Jeep Commander and MY 2005-2006 Jeep Grand Cherokee vehicles, which allege that while driving, the driver's knee/leg can contact the ignition key fob/chain and cause the ignition switch to turn to the "off" or "accessory" position. When this occurs, the engine shuts off and various electrical and mechanical systems are affected. With respect to potential safety consequences, this investigation focuses on how the alleged problem can affect the functionality of the air bag system. An electronic image of each VOQ report has been e-mailed to your office. A list of the reference number of each report is shown at the end of this letter.

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject vehicles:** All model year 2006 and 2007 Jeep Commander vehicles and model year 2005 and 2006 Jeep Grand Cherokee vehicles manufactured for sale or lease in the United States, including but limited to, the District of Columbia, and current U.S. territories and possessions. In addition to these vehicles, the subject vehicles also include all other model year Commander and Grand Cherokee vehicles equipped with an ignition switch design and/or ignition switch location that is identical to the above-mentioned vehicles.

- **Subject components:** The ignition switch assembly, the detent control device(s) that retains the ignition key in an intended key position (e.g., run, accessory, or off position), and the OEM ignition key and/or key fob/remote control device.
- **Chrysler:** Chrysler Group LLC and/or DaimlerChrysler, all of their past and present officers and employees, whether assigned to their principal offices or any of their field or other locations, including all of their divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee of a consultant) by or under the control of Chrysler (including all business units and persons previously referred to), who are or, in or after 2000, were involved in any way with any of the following related to the alleged defect in the subject vehicles:
 - a. Design, engineering, analysis, modification or production (e.g., quality control);
 - b. Testing, assessment or evaluation;
 - c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits; or
 - d. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers.
- **Alleged defect:** Any of the following conditions or occurrences:
 1. Allegations of engine stalling due to inadvertent movement or rotation of the ignition switch from the “on” or “run” position to “off” or “accessory” position either with or without occupant interaction with the ignition switch and/or key fob/chain.
 2. Allegations of non-deployment of the frontal air bags that involve any of the following crash allegations:
 - a) Inadvertent movement of the ignition switch to the “off” or “accessory” position;
 - b) Stalling;
 - c) Off road crashes;
 - d) Multiple impact crash events;
 - e) Fatality in the subject vehicle; and
 - f) Injury in the subject vehicle (note: injury is defined as any injury that required hospitalization and/or ambulance transport to a medical facility).
- **Document:** “Document(s)” is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard

copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints, drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Chrysler, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document, which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document, shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by Chrysler or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required. Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. Insofar as Chrysler has previously provided a document to ODI, Chrysler may produce it again or identify the document, the document submission to ODI in which it was included and the precise location in that submission where the document is located. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts). When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response. After Chrysler's response to each request, identify the source of the information and indicate the last date the information was gathered.

1. State, by model and model year, the number of the subject vehicles that Chrysler has manufactured for sale or lease in the United States. Separately, for each subject vehicle manufactured to date by Chrysler, state the following:
 - a. Vehicle identification number (VIN);
 - b. Make;
 - c. Model;
 - d. Model Year;
 - e. Date of manufacture;
 - f. Date warranty coverage commenced; and
 - g. The State in the United States where the vehicle was originally sold or leased (or delivered for sale or lease).

Provide the table in Microsoft Access 2010, or a compatible format, entitled "PRODUCTION DATA."

2. Separately, by model, state the number of each of the following, received by Chrysler, or of which Chrysler is otherwise aware, which relate to, or may relate to, the alleged defect related to inadvertent change in ignition switch position (i.e., item number 1 in the alleged defect definition) in the subject vehicles:
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality;
 - d. Property damage claims;
 - e. Third-party arbitration proceedings where Chrysler is or was a party to the arbitration; and
 - f. Lawsuits, both pending and closed, in which Chrysler is or was a defendant or codefendant.

For subparts "a" through "f," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Chrysler's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "e" and "f," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

3. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 2, state the following information:
 - a. Chrysler's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
 - d. Vehicle's VIN;
 - e. Vehicle's make, model and model year;
 - f. Vehicle's mileage at time of incident;
 - g. Incident date;
 - h. Report or claim date;
 - i. Whether a crash is alleged;
 - j. Whether property damage is alleged;
 - k. Number of alleged injuries, if any;
 - l. Number of alleged fatalities, if any; and
 - m. Summary of Chrysler's findings concerning the alleged ignition key movement/rotation.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER TWO DATA."

4. Produce copies of all documents related to each item within the scope of Request No. 2. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Chrysler used for organizing the documents.
5. Separately, by model, state the number of each of the following, received by Chrysler, or of which Chrysler is otherwise aware, which relate to, or may relate to, the alleged defect related to air bag non-deployment (i.e., item number 2 in the alleged defect definition) in the subject vehicles:
 - a. Consumer complaints, including those from fleet operators;
 - b. Field reports, including dealer field reports;
 - c. Reports involving a crash, injury, or fatality;
 - d. Property damage claims;
 - e. Third-party arbitration proceedings where Chrysler is or was a party to the arbitration; and
 - f. Lawsuits, both pending and closed, in which Chrysler is or was a defendant or codefendant.

For subparts "a" through "f," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple incidents involving the same vehicle are to be counted separately. Multiple reports of the same incident are also to be counted separately (i.e., a consumer complaint and a field report involving the same incident in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Chrysler's assessment of the problem, with a summary of the significant underlying facts and evidence. For items "e" and "f," identify the

parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

6. Separately, for each item (complaint, report, claim, notice, or matter) within the scope of your response to Request No. 5, state the following information:
 - a. Chrysler's file number or other identifier used;
 - b. The category of the item, as identified in Request No. 5 (i.e., consumer complaint, field report, etc.);
 - c. Vehicle owner or fleet name (and fleet contact person), address, and telephone number;
 - d. Vehicle's VIN;
 - e. Vehicle's make, model and model year;
 - f. Vehicle's mileage at time of incident;
 - g. Incident date;
 - h. Report or claim date;
 - i. Whether property damage is alleged;
 - j. Number of alleged injuries, if any;
 - k. Number of alleged fatalities, if any;
 - l. Category of type of crash/injury listed in the alleged defect definition (select from categories "a" through "f"); and
 - m. Summary of Chrysler's findings concerning the alleged air bag non-deployment.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "REQUEST NUMBER FIVE DATA."

7. Produce copies of all documents related to each item within the scope of Request No. 5. Organize the documents separately by category (i.e., consumer complaints, field reports, etc.) and describe the method Chrysler used for organizing the documents.
8. State, by model and model year, a total count for all of the following categories of claims, collectively, that have been paid by Chrysler to date that relate to, or may relate to, the alleged defect 1 in the subject vehicles: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; and warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign.

Separately, for each such claim, state the following information:

- a. Chrysler's claim number;
- b. Vehicle owner or fleet name (and fleet contact person) and telephone number;
- c. Vehicle's VIN;
- d. Vehicle's make, model and model year;
- e. Repair date;
- f. Vehicle mileage at time of repair;
- g. Repairing dealer's or facility's name, telephone number, city and state or ZIP code;
- h. Labor operation number;
- i. Problem code;
- j. Replacement part number(s) and description(s);

- k. Concern stated by customer; and
- l. Comment, if any, by dealer/technician relating to claim and/or repair.

Provide this information in Microsoft Access 2010, or a compatible format, entitled "WARRANTY DATA."

9. Describe in detail the search criteria used by Chrysler to identify the claims identified in response to Request No. 8, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide lists of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles. State, by model and model year, the terms of the new vehicle warranty coverage offered by Chrysler on the subject vehicles (i.e., the number of months and mileage for which coverage is provided and the vehicle systems that are covered). Describe any extended warranty coverage option(s) that Chrysler offered for the subject vehicles and state by option, model and model year, the number of vehicles that are covered under each such extended warranty.
10. Produce copies of all service, warranty, and other documents that relate to, or may relate to, the alleged defect in the subject vehicles that Chrysler has issued to any dealers, regional or zone offices, field offices, fleet purchasers, or other entities. This includes, but is not limited to, bulletins, advisories, informational documents, training documents, or other documents or communications, with the exception of standard shop manuals. Also include the latest draft copy of any communication that Chrysler is planning to issue within the next 120 days.
11. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions") that relate to, or may relate to, the alleged defect in the subject vehicles that have been conducted, are being conducted, are planned, or are being planned by, or for, Chrysler. This includes, but is not limited to, any and all actions by the subject component manufacturer relating to the alleged defect. For each such action, provide the following information:
 - a. Action title or identifier;
 - b. The actual or planned start date;
 - c. The actual or expected end date;
 - d. Brief summary of the subject and objective of the action;
 - e. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - f. A brief summary of the findings and/or conclusions resulting from the action.

For each action identified, provide copies of all documents related to the action, regardless of whether the documents are in interim, draft, or final form. Organize the documents chronologically by action. If an action is not complete, provide a detailed schedule for the work to be done, tentative findings and/or conclusions, and provide an update within 10 days of completion of the action.

12. Describe in detail all modifications or changes made by or on behalf of Chrysler (e.g., by a supplier) in the design, material composition, manufacture, quality control, supply, or

installation of the subject components in, or for use on, the subject vehicles from the start of production to the end of production of the subject vehicles, which relate to, or may relate to, the alleged defect in the subject vehicles. For each such modification or change, provide the following information:

- a. The date, or approximate date, on which the modification or change was incorporated into vehicle production;
- b. A detailed description of the modification or change;
- c. The reason(s) for the modification or change;
- d. The part number(s) (engineering and service) of the original component;
- e. The part number(s) (engineering and service) of the modified component;
- f. Whether the original unmodified component was withdrawn from production and/or sale, and if so, when;
- g. When the modified component was made available as a service component; and
- h. Whether the modified component can be interchanged with earlier production components.

Also, provide the above information for any modification or change that Chrysler is aware of which may be incorporated into vehicle production within the next 120 days.

13. Separately for each model and model year of the subject vehicles, state the manufacturer and part number of the ignition switch and any other device that provides a detent force intended to keep the ignition key in an intended position (run, accessory, off).
14. For each unique design version and/or part number of the ignition switches in the subject vehicles:
 - a. Provide photographs, diagrams, engineering drawings, and turning torque performance requirements for the subject components and all sub-components it consists of, including photographs, diagrams, and engineering drawings for each unique design version of OEM ignition key and/or key fob/remote control device intended to be used in the subject switch; and
 - b. Discuss and describe any and all factors that may affect the likelihood that the alleged defect condition 1 will occur, such as key chain type or weight, non-OEM ignition key design, the specific vehicle dynamic/crash conditions that are of most concern, and any driver/occupant actions/practices that may be a factor.
15. For each unique design and location of the ignition switches in the subject vehicles, provide photographs, diagrams, and engineering drawings that depict the design and location of the ignition switches within the vehicles. Also, discuss and describe the designs and locations of the ignition switches in the subject vehicles and other Chrysler model vehicles (model years 2005-2007). Provide documents related to any and all assessments, analyses, tests, studies, surveys, and/or simulations that compared the ignition switch designs and locations in the subject and other Chrysler or competitor vehicles.
16. Discuss and explain in precise detail how the alleged defect condition involving the subject ignition switch moving from the on or run position to the accessory or off or an interim position results in, or may result in, the disablement of one or both frontal air bags, or can

otherwise affect in any way other components or functionality of a passive safety system intended for occupant protection during a vehicle crash. Discuss and explain how the air bag control module or Occupant Restraint Controller (ORC) is affected by the alleged defect condition 1, and how and why the ORC determines or otherwise causes the disablement of the air bags or other active components when the alleged defect condition occurs. State whether or not Chrysler intended for the air bags in the subject vehicles to deploy in a crash when the ignition switch is in the accessory or off or an interim position, and describe any additional conditions or factors that may affect whether or not the ORC disables the air bags when the ignition switch is in the accessory or run position (e.g., time elapsed since key-on, or time elapsed since key-off). State whether or not the ORC has any built-in, or onboard energy storage capability intended to provide power for the case where the normal power supply is interrupted, either through the ignition switch/intended power supply or via a crash related consequence (such as mechanical damage to the electrical harnessing, etc.), and if so, discuss the backup system and its capabilities and limitations.

17. State, by model and model year, all part numbers of the subject components that have been installed on the subject vehicles as assembled by Chrysler, and the service part numbers of the subject components Chrysler designates for installation on the subject vehicles. State, by sales month, sales year and part number, the total number of subject components sold as service parts by Chrysler. Identify any kits that Chrysler has released or developed for use in service repairs to the subject components or assembly.

For each subject component part number, provide the supplier's name, address, and point of contact used by Chrysler (name, title and telephone number). Also, identify by model and model year, any other vehicles of which Chrysler is aware that contain the identical component, whether installed in production or in service, and state the applicable dates of production or service usage.

18. Produce two exemplar samples of each design version of the subject components originally installed in, or supplied for use on, the subject vehicles and those supplied to Chrysler dealers as replacement components for the subject vehicles.
19. Furnish Chrysler's assessment of the alleged defect in the subject vehicles, separately by vehicle model, including:
 - a. The causal or contributory factor(s);
 - b. The failure mechanism(s);
 - c. The failure mode(s);
 - d. The risk to motor vehicle safety that it poses;
 - e. What warnings, if any, the operator and the other persons both inside and outside the vehicle would have that the alleged defect was occurring or subject component was malfunctioning; and
 - f. The VOQ reports referenced in this inquiry.

Legal Authority for This Request

This letter is being sent to Chrysler pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information.

Civil Penalties

Chrysler's failure to respond promptly and fully to this letter could subject Chrysler to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) The Vehicle Safety Act, as amended, 49 U.S.C. § 30165(a)(3), provides for civil penalties of up to \$7,000 per violation per day, with a maximum of \$35,000,000 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond completely, accurately, and in a timely manner to ODI information requests. The maximum civil penalty of \$7,000 per violation per day is established by 49 CFR 578.6(a)(3). The maximum civil penalty of \$35,000,000 for a related series of daily violations of 49 U.S.C. § 30166 is authorized by 49 U.S.C. § 30165(a)(3) as amended by § 31203(a)(1)(B) of the Moving Ahead for Progress in the 21st Century Act, Public Law 112-141.

If Chrysler cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Chrysler does not submit one or more requested documents or items of information in response to this information request, Chrysler must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

Confidential Business Information

All business confidential information must be submitted directly to the Office of Chief Counsel as described in the following paragraph and should not be sent to this office. In addition, do not submit any business confidential information in the body of the letter submitted to this office. Please refer to PE14-017 in Chrysler's response to this letter and in any confidentiality request submitted to the Office of Chief Counsel.

If Chrysler claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Chrysler must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, as amended, to the Office of Chief Counsel (NCC-111), National Highway Traffic Safety Administration, Room W41-227, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Chrysler is required to **submit two copies of the documents containing allegedly confidential information (except only one copy of blueprints) and one copy of the documents from which information claimed to be**

confidential has been deleted. Please remember that the phrase “ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION” or “CONTAINS CONFIDENTIAL BUSINESS INFORMATION” (as appropriate) must appear at the top of each page containing information claimed to be confidential, and the information must be clearly identified in accordance with 49 CFR 512.6. If you submit a request for confidentiality for all or part of your response to this IR, that is in an electronic format (e.g., CD-ROM), your request and associated submission must conform to the new requirements in NHTSA's Confidential Business Information Rule regarding submissions in electronic formats. *See* 49 CFR 512.6(c) (as amended by 72 Fed. Reg. 59434 (October 19, 2007)).

If you have any questions regarding submission of a request for confidential treatment, contact Otto Matheke, Senior Attorney, Office of Chief Counsel at otto.matheke@dot.gov or (202) 366-5253.

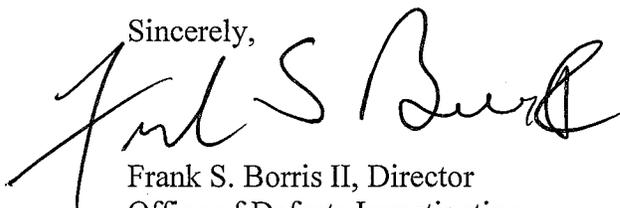
Due Date

Chrysler's response to requests 10 through 17 of this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office by July 14, 2014. The remainder of the response must be submitted by July 30, 2014. Chrysler's response must include all non-confidential attachments and a redacted version of all documents that contain confidential information. If Chrysler finds that it is unable to provide all of the information requested within the time allotted, Chrysler must request an extension from Scott Yon at (202) 366-0139 no later than five business days before the response due date. If Chrysler is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Chrysler then has available, even if an extension has been granted.

Please send email notification to Michael Lee at michael.lee@dot.gov and to ODI_IRresponse@dot.gov when Chrysler sends its response to this office and indicate whether there is confidential information as part of Chrysler's response.

If you have any technical questions concerning this matter, please call Michael Lee of my staff at (202) 366-5236.

Sincerely,



Frank S. Borris II, Director
Office of Defects Investigation
Enforcement

VOQ reference numbers:

10392364, 10358324, 10328609, 10231011, 10227253, 10222283, 10221500, 10199986,
10199552, 10194092, 10193106, 10192237, 10189530, 10186545, 10183305, 10178559,
10166746, 10162933, 10158165, 10156396, 10155291, 10153018, 10146213, 10145501,
10130780, 10128093, 10126986, 10116788, 10112589, 10106060, 10103300, 10101116.