

CENTER FOR AUTO SAFETY

1825 CONNECTICUT AVENUE NW SUITE 330 WASHINGTON DC 20009-5708
202-328-7700  www.autosafety.org

July 2, 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

Dear Administrator Friedman:

Over a year has passed since Chrysler agreed to perform a limited recall (13V-252) of some Jeeps prone to being consumed by post-collision fires due to a defective fuel tank system. Model year 1993-1998 Jeep Grand Cherokee and 2002-2007 Liberty vehicles were recalled on June 18, 2013. To date, not a single Jeep has been remedied under this recall while at least 4 people have died and 2 more have been seriously burned in Jeep fire crashes. This toll does not include other Jeep fire crash victims in NHTSA's 2013 FARS database which has yet to be released.

As revealed in [NHTSA's Special Order to Chrysler](#) today, the first few repairs will not take place until August 1, 2014. Other consumers may have to wait for years for a replacement part. Based on NHTSA's calculations using Chrysler production data, the agency believes it will take 4.7 years for Chrysler to produce the repair part for the recalled Grand Cherokees, and 2.6 years for the Liberty.¹ Clearly the agency must exercise its authority under [49 CFR 573.14](#) to require an accelerated recall with additional suppliers and repairs opened to independent repair shops. The agency should not wait for Chrysler to respond to the Special Order while more consumers burn to deaths in Jeeps.

While Chrysler and NHTSA continue to wrangle over the details of the year-old recall, crashes, deaths and injuries continue to mount:

- On November 10, 2013, Skyler Anderson-Coughlin was killed in Longmeadow, MA, when his 1996 Jeep Grand Cherokee was struck from behind and erupted into flames.
- On December 12, 2013, Reed Whittaker burned in his Jeep Cherokee in Livermore, CA after being rear-ended by a Hummer. The fire quickly spread to the Hummer but the occupants of that vehicle had just enough time to escape their vehicle.
- On March 11, 2014, Joseph and Esther DiGiovanni died when their 2004 Jeep Liberty was struck from behind by a pickup truck in Maryland. The impact ruptured the Jeep's fuel tank, causing a fire and explosion that consumed the DiGiovanni vehicle.
- On April 5, 2014, Magdaleno and Raymundo Sanchez of were traveling in their 1994 Jeep Grand Cherokee in Los Angeles, CA, when it was struck from behind, resulting in severe burn injuries to both.

While CAS is pleased to see NHTSA [conducted some crash tests](#) of Chrysler's proposed remedy, those crash tests bear small resemblance to the more rigorous crash tests conducted for NHTSA when it

¹ NHTSA Special Order Directed to Chrysler Group LLC, July 2, 2014.

disapproved Ford's proposed remedy for the Pinto. The Pinto was subjected to the then new FMVSS 301 test procedure applicable to 1977 models but not to the recalled 1971-76 Pinto's. The tests released by NHTSA today are not comparable to the new FMVSS 301 which took effect in 2007 and requires a 50 mph 30% offset from a 3015 pound moving barrier with low front end. This test is far more severe than the ones NHTSA did with a Neon and Cadillac Deville for the Jeep Grand Cherokee and Liberty for fuel system integrity at 40 mph and 35 mph with crash energy levels of about 150,000 lb-ft versus 253,000 lb-ft for the new FMVSS 301. At best, the trailer hitch fix provides limited protection in low speed crashes while most Jeep victims have died in higher speed but survivable fire crashes.

Other Jeeps still under investigation in EA12-005 have yet to be included in the recall, despite experiencing the same failures as the recalled models. 1999-2004 Grand Cherokees and 1993-2001 Cherokees are not addressed under recall 13V-252; over a million owners of these unrecalled vehicles will be stuck without even an inadequate trailer hitch repair. NHTSA asked Chrysler to voluntarily recall the 1999-2004 Grand Cherokees but Chrysler refused. There is no evidence in the public record that NHTSA intends to pursue an expansion of the recall population to include these vehicles. In fact, other than the information released today, NHTSA's Special Order and EA12-005 Report on NHTSA-conducted crash tests of recalled models, nothing has been placed in the public investigatory file for the past year.

To date, there have been at least 370 fatal fire crashes of [1993-2004 Jeep Grand Cherokees](#), [1993-2001 Jeep Cherokees](#) and [2002-2007 Jeep Libertys](#) that have resulted in 503 deaths, at least 167 of which are deaths due to fire. To stem the tide of deaths by fires in Jeeps, Chrysler must recall all the above Jeeps with a remedy that will ensure these vehicles meet the new FMVSS 301 which took effect beginning with 2007 models.

Sincerely,



Clarence Ditlow
Executive Director