
CENTER FOR AUTO SAFETY

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202-328-7700  www.autosafety.org

June 18, 2013

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

Dear Administrator Strickland:

Chrysler's "White Paper on NHTSA's [Jeep Rear Impact Fire] Request" is replete with errors and misleading statements, a desperate attempt to avoid a recall that could prevent more children from burning to death in child restraints in the back seats of Jeeps hit from behind. Below is a point by point rebuttal of the misleading Chrysler White Paper.

The Jeeps Are Not Safe: The Jeep Grand Cherokee is over 20 times more likely than its biggest competitor, the Ford Explorer, to be involved in a fatal rear impact fire crash where fire is the cause of death. This is shown by Chrysler's own submission to NHTSA in April 2011. (See Attachment A.) Chrysler says one impact fire death per Million Years of Vehicle Operation is safe. With five million Jeeps sold, that's five fire deaths per year, fifty fire deaths every ten years, or sixty deaths over the 12 year average vehicle useful life. The actual Jeep death rate is far higher than Chrysler claims, as their analysis omits known rear impact fire deaths such as 4-year old Cassidy Jarmon of Texas. The average safety recall has no deaths, let alone five per year.

Vehicles are recalled all the time that meet Federal Motor Vehicle Safety Standards. The classic example is the 1971-76 Ford Pinto which met the applicable Safety Standard for Fuel System Integrity at the time that it was made but did not meet the new standard for 1977 models. Safety defects must be remedied by a recall even where the vehicle meets a safety standard.

The Crashes are Survivable: Chrysler claims the 37 fatal fire crashes with 51 deaths cited by NHTSA were not survivable. Nothing could be further from the truth. NHTSA itself relied on public records to identify the deaths as fire deaths - not trauma deaths. In other words, the occupants survived the trauma of the crash only to die by fire. Many of the crashes involved a vehicle with a low front end hitting the back and going under the Jeep's higher rear bumper to impact the vulnerable fuel tank.

Jose Sierra was burned to death when his 2375# 1986 Toyota MR2 slid under the bumper of a 4090# 1997 Grand Cherokee. Sierra was caught in the burning fuel from the Jeep and died in the hospital from burns the next day. Cassidy Jarmon was in her child seat in a 1993 Grand Cherokee when it was struck from behind by a low profile 2001 Chevrolet Lumina. As seen from the photos below, neither vehicle had significant structural damage, proving that they were not high energy crashes as claimed by Chrysler.



Even the large truck crash cited by Chrysler was survivable. How else does one explain that Jenelle Embrey's 66-year old father was able to break a window in the Jeep and pull one youth out but before he could go around the car pull the other occupants out.

The Center for Auto Safety did a 40-mph crash test of a Ford Taurus into the back of 1996 Jeep Grand Cherokee and ruptured the fuel tank. This crash is done at a speed 10-mph less than the new 50-mph Safety Standard which has 35% more energy than the Center's 40-mph standard. A 70-mph rear impact between two similar weight vehicles has the same crash severity (i.e., change in velocity) as the government's 5-star 35-mph frontal barrier crash test program.

Jeeps Have Higher Rear Impact Crash Fire Rates Where Fire Causes the Death: Chrysler misleads the public showing a table with both trauma and fire deaths in a rear impact based on an analysis of NHTSA's FARS. The issue is whether someone dies from fire in a rear impact, not whether there is a trauma death in a rear impact where there is a fire in some other part of the vehicle.

The Center for Auto Safety had a search made of the worst 31 vehicles where some or all of the vehicles were made in 1993 or later based on Chrysler's misleading table. Some of the vehicles which Chrysler said had a higher death rate than the Jeeps did not have a single rear impact fire crash, let alone a fire crash where fire was the most harmful event (MHE). For example, Attachment B is a complete FARS search of the 2001-05 Kia Rio's that show no fire crashes whatsoever. Ten other vehicles have no rear impact fire crash with fire as the most harmful even. Twenty-four of the 31 vehicles have two or fewer rear impact fire crashes with fire-MHE compared to 6 for the Liberty and 15 for the Grand Cherokee. (See Attachment C.)

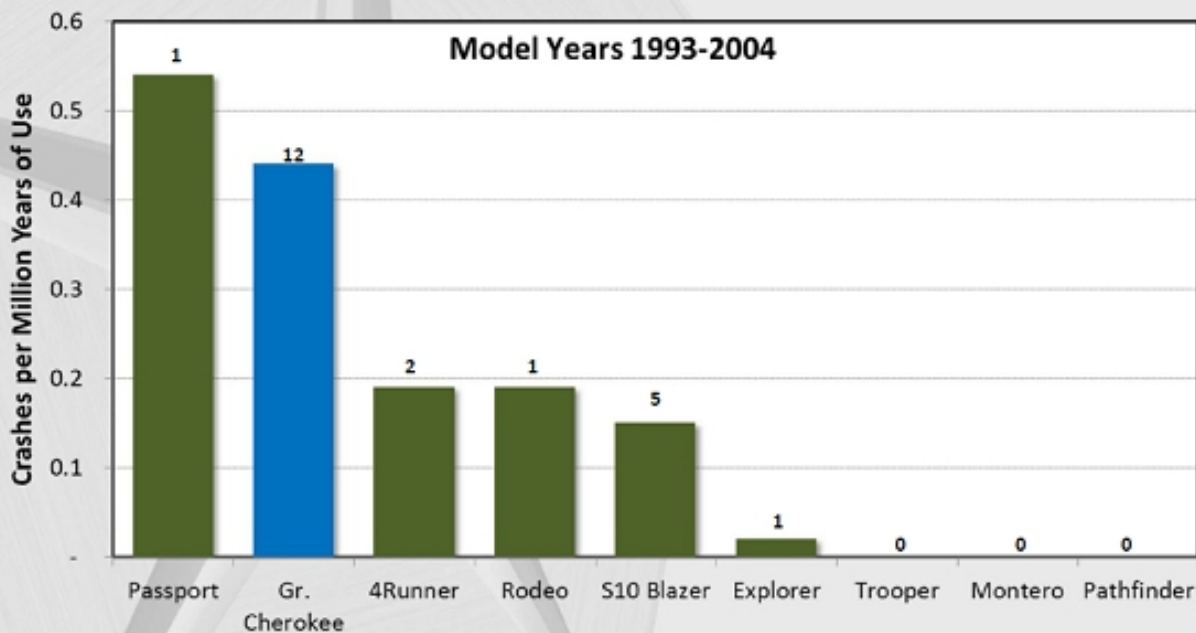
Instead of supporting Chrysler's position, an analysis of rear impact crash fires where fire is the most harmful event shows that the Grand Cherokee and Liberty are much poorer performers than other vehicles on the road. Only the 1994-2004 Ford Mustang has a comparable Fire-MHE fire rate. However, just because there is another company with a bad performer does not mean the first bad performer is not subject to a recall. As former NHTSA Associate Administrator for Enforcement Lynn Bradford said: "We are just like a traffic cop, we pull over one offender at a time."

Sincerely,

Clarence Ditlow
Executive Director

Initial FARS Assessment – Rear Impacts with Fire

Assessment of rear impacts with fatalities and fire = MHE



The 1993-2004 Jeep Grand Cherokee vehicles have rates of fatal rear impacts, where fire was the most harmful event, that are comparable to peer SUVs

FARS data from 1992-2009. Registration data from RL Polk. Rates are not staggered. Includes crashes to the rear of the SUV where either initial or principal impact was coded as 5, 6 or 7, with a fatality in the SUV, and with Most Harmful Event coded as fire. Explorer includes Mountaineer and Navajo. Montero includes Montero Sport. S10 Blazer includes T10 Blazer, Trailblazer, Jimmy, Envoy and Bravada.



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TOTAL	0

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- [Vehicle Model](#) ('033')
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No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

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No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

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No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

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State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year: 2003
- [Fire Occurrence](#): (1)
- [Impact Point-Initial](#): (5, 6, 7)
- [Impact Point-Principal](#): (5, 6, 7)
- [Vehicle Make](#): (63)
- [Vehicle Model](#): ('033')
- [Vehicle Model Year](#): (2001, 2002, 2003, 2004, 2005)

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State	Total
TOTAL	0

No Records Found Matching Specified Criteria

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No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2005
- [Fire Occurrence](#) (1)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
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State	Total
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No Records Found Matching Specified Criteria

Search Criteria:

Year 2006

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Report:

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State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

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- [Impact Point-Initial](#) (5, 6, 7)
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- [Vehicle Model](#) ('033')
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Report:

STATE: All YEAR: 2008 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2008
- [Fire Occurrence](#) (1)
- [Impact Point-Initial](#) (5, 6, 7)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
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State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2008
- [Fire Occurrence](#) (1)
- [Impact Point-Principal](#) (5, 6, 7)
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State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

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- [Impact Point-Initial](#) (5, 6, 7)
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- [Vehicle Model](#) ('033')
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STATE: All YEAR: 2009 COUNT: Number of Crashes

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State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2009
- [Fire Occurrence](#) (1)
- [Impact Point-Principal](#) (5, 6, 7)
- [Vehicle Make](#) (63)
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Report:

STATE: All YEAR: 2010 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2010
- [Areas Of Impact-Initial](#) (5, 6, 7)
- [Fire Occurrence](#) (1)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) (32)
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STATE: All YEAR: 2010 COUNT: Number of Crashes

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No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2010
- [Areas Of Impact-Most Damaged](#) (5, 6, 7)
- [Fire Occurrence](#) (1)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) (32)

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Report:

STATE: All YEAR: 2011 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2011
- [Areas Of Impact-Initial](#) (5, 6, 7)
- [Fire Occurrence](#) (1)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) (32)
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2011 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2011
- [Areas Of Impact-Most Damaged](#) (5, 6, 7)
- [Fire Occurrence](#) (1)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) (32)
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2001 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2001
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2002 COUNT: Number of Crashes
OUTPUT OPTIONS: [MAP IT](#) [EXPORT \(TXT\)](#) [EXPORT \(XLS\)](#) [CHART](#)

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2002
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2003 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2003
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2004 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2004
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2005 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2005
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2006 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2006
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2007 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2007
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2008 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2008
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2009 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2009
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) ('033')
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2010 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2010
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) (32)
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2011 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2011
- [Areas Of Impact-Initial](#) (5, 6, 7)
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) (32)
- [Vehicle Model Year](#) (2001, 2002, 2003, 2004, 2005)

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Report:

STATE: All YEAR: 2011 COUNT: Number of Crashes

OUTPUT OPTIONS: MAP IT EXPORT (TXT) EXPORT (XLS) CHART

No Records Found Matching Specified Criteria

State	Total
TOTAL	0

No Records Found Matching Specified Criteria

Search Criteria:

- Year 2011
- [Areas Of Impact-Most Damaged](#) (5, 6, 7)
- [Most Harmful Event](#) (2)
- [Vehicle Make](#) (63)
- [Vehicle Model](#) (32)
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Attachment C – CAS Analysis of Rear Impact Fire Crashes in FARS, 1992-2011

