

EXECUTIVE SECRETARIAT
RECEIVED-NHTSA

Thomas McCarthy
Head, Vehicle Safety Compliance and Product
Analysis

EXECUTIVE SECRETARIAT
RECEIVED-NHTSA
2019 SEP 24 P 2:44

September 20, 2019

Mr. James C. Owens, Deputy Administrator
National Highway Traffic Safety Administration
1200 New Jersey Ave. SE
Washington, DC 20590

Re: Recall 19V-624 (2019 MY Chrysler Pacifica Limited Vehicle Placard Noncompliance per Federal Motor Vehicle Safety Standard ("FMVSS") 110) Petition for Determination of Inconsequential Noncompliance

Dear Mr. Owens:

FCA US LLC (f/k/a Chrysler Group LLC) ("FCA US") is a Delaware limited liability company with its principal place of business at 1000 Chrysler Drive, Auburn Hills, MI 48326.

Pursuant to 49 CFR Part 556, FCA US is petitioning for an exemption from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act because the noncompliance described below is inconsequential to motor vehicle safety.

This petition relates to FCA US' safety noncompliance vehicle recall V92 (NHTSA recall 19V-624) which involves vehicle placard incorrect seating capacity and calculated combined occupant and cargo weight values that do not meet the requirements of S4.3 of FMVSS 110. The Noncompliance Information Report was submitted to the National Highway Traffic Safety Administration ("NHTSA") after FCA US determined that approximately 350 Chrysler Pacifica Limited vehicles built between October 4, 2018 and July 3, 2019, may have a vehicle placard label with incorrect seating capacity and combined occupant and cargo weight values. Three copies of the 49 CFR Part 573 Defect Information Report for V92 (NHTSA recall 19V-624) filing are attached as Enclosure A.

Description of the Noncompliance

FCA US has determined that some 2019 MY Chrysler Pacifica Limited vehicles built with a specific sunroof package have a vehicle placard label with incorrect seating capacity and calculated combined occupant and cargo weight values, resulting in a 49 CFR 571.110 (FMVSS 110) noncompliance.

FMVSS 110, S4.3, requires a permanently affixed vehicle placard to display "(a) vehicle capacity weight expressed as 'the combined weight of occupants and cargo should never exceed XXX kilograms or XXX pounds; and (b) designated seated capacity (expressed in terms of total number of occupants and number of occupants for each front and rear seat location).'" The vehicle placard indicates the total designated seating capacity as seven occupants rather than eight occupants, the rear designated seating capacity as five occupants rather than six occupants, and shows a combined occupant and cargo weight of 1,150 lbs. rather than 1,240 lbs.

ES19-003437

Justification for Petition for a Determination of Inconsequentiality

For the reasons discussed below, FCA US believes that this technical noncompliance is inconsequential to motor vehicle safety:

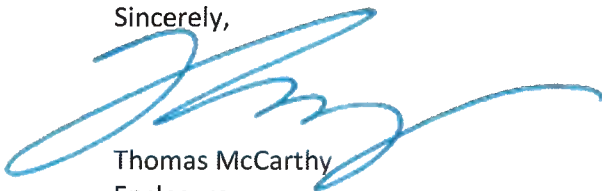
- While the number of occupants and calculated weight are incorrect on the vehicle placard label, the calculated weight for seven occupants (1,150 lbs.) is below the calculated weight for eight occupants (1,240 lbs.), and therefore, there is no risk of vehicle overloading.
- All information required for maintaining and/or replacing the front and rear tires is correct on the vehicle placard of the affected vehicles. In fact, the recommended cold tire inflation pressures for both the seven occupant and the eight occupant vehicles are the same. Therefore, there is no risk of under-inflation.
- All other applicable requirements of FMVSS No. 110 have been met.
- The vehicle certification label is correct. Vehicles with seven occupants and eight occupants share the same Gross Vehicle Weight Rating (6055 lbs.), and front and rear Gross Axle Weight Rating (2950 lbs. and 3200 lbs., respectively).
- The number of seats and the number of safety belts installed in the vehicle will clearly indicate to a vehicle owner the actual seating capacity, the rear seating of the affected vehicles contains six seat belt assemblies, and provides adequate space for six people to occupy the rear seats. Further, the vehicle in fact does accommodate six occupants, not five as labeled.
- FCA US is not aware of any crashes, injuries, or customer complaints associated with this condition.
- The NHTSA has previously granted inconsequential treatment for FMVSS 110 noncompliance for incorrect vehicle placard seated capacity values. Examples of the Agency granting a similar inconsequentiality petition for vehicle placard incorrect seated capacity are:
 - General Motors, LLC, NHTSA-2013-0006 N2, November 21, 2014
 - BMW of North America, LLC, a Subsidiary of BMW AG, NHTSA-2012-0075 N2, July 22, 2013
 - Ford Motor Company, NHTSA-2008-0183 N2, December 31, 2009

It is FCA US' belief that the information described above satisfies the intent of 49 CFR Part 556 and operators can safely utilize their vehicles for the intended purposes. FCA US believes that, pursuant to 49 CFR Part 556, 49 USC §30118(d) and §30120(h), the FMVSS 110 S4.3, this vehicle placard label seating capacity and calculated combined occupant and cargo weight noncompliance is inconsequential to motor vehicle safety and FCA US should be exempted from the notification and remedy requirements of 49 USC Chapter 301, "Motor Vehicle Safety" for the reasons supporting exemption cited above.

Vehicle placard values in unsold vehicles will be updated to reflect the correct seating capacity and combined weight values prior to first retail sale.

In consideration of the foregoing demonstration that subject noncompliant condition is inconsequential as it relates to motor vehicle safety, FCA US petitions to be exempt from the notification and remedy provisions of the Motor Vehicle Safety Act as provided in 49 CFR Part 556.

Sincerely,



Thomas McCarthy
Enclosure

CC: Mr. Joshua Neff
Chief, Recall Management Division



Chrysler (FCA US LLC)

Vehicle Report

NHTSA ID: 19V624 Transaction ID: 19-00273-23240-10 (Original Report)
Required fields indicated with *
Manufacturer: Chrysler (FCA US LLC)

 800 Chrysler Drive
 Auburn Hills MI 48326-2757

[FCA VSO/NHTSA FCA VSO/NHTSA](#)
 2485762579,

 This is a Noncompliance Report. Filing a petition pursuant to [49 CFR 556](#)

Vehicle Information

Chrysler Pacifica 2019

* **Model Yr. Start:** 2019 * **Model Yr. End:** 2019
 * **Make:** Chrysler
 * **Model:** Pacifica

Type:
Body Style: VAN
Powertrain:

Descriptive Information:

Some 2019 MY Chrysler Pacifica Limited vehicles with a specific sunroof package may have a tire placard label that erroneously states the seating capacity as seven occupants rather than eight occupants, and show a combined occupant and cargo weight of 1,150 lbs. rather than 1,240 lbs. The suspect period began on October 4, 2018, when the tire placard label with incorrect seating capacity and calculated combined occupant and cargo weight was introduced into vehicle production, to July 3, 2019, when the tire placard label was corrected. Vehicle production records were used to identify the suspect period. Similar vehicles not included in the recall were not the Limited trim level with the specific sunroof package or were built before or after the suspect period.

Production Dates
 Begin: 10/04/2018
 End: 07/03/2019

VIN Range(s): Begin: End:

Number potentially involved: 350

Estimated percentage of involved with defect: 100%

Defect / Noncompliance Description

For this Defect/Noncompliance:

*** Describe the defect or noncompliance:**

FMVSS 571.110 (S4.3) - Placard, requires that "each vehicle shall show...(a) vehicle capacity weight expressed as "the combined weight of occupants and cargo should never exceed XXX kilograms or XXX pounds; and (b) designated seated capacity (expressed in terms of total number of occupants and number of occupants for each front and rear seat location)." The tire placard label indicates seven total passengers with 1,150 lbs. combined weight instead of the correct eight total passengers with 1,240 lbs. combined weight for the suspect vehicles.

If a noncompliance, provide the applicable FMVSS:

110 - Tire selection and rims

If applicable, provide any further FMVSS affected:**Describe the cause:****This Recall affects all vehicles.**

If applicable, identify the manufacturer of the defective or noncompliant component. If the manufacturer of the component is unknown, provide the information for the company that supplied the subject component.

Component manufacturer

Company Information

Company Name:**Country:****Address 1:****Address 2:****City:****State:****Zip/Postal Code:**

Company Contact Information

First Name:**Last Name:****Position:****Email:****Phone:****Chronology of Defect / Noncompliance Determination****Provide the chronology of events leading up to the defect decision or test data for the noncompliance decision.:**

- On July 3, 2019, the FCA US Vehicle Safety and Regulatory Compliance ("VSRCL") organization received notification from the vehicle assembly plant indicating that the tire placard on certain 2019 MY Chrysler Pacifica Limited vehicles may incorrectly state the seating capacity and combined weight. • During

July, 2019, the FCA US VSRRC organization confirmed the correct seating capacity, and calculated combined weight rating, and confirmed the tire placard seating capacity and calculated combined weight is an FMVSS 110 (Tire Selection and Rims) compliance requirement. • On August 22, 2019, FCA US determined, through the Vehicle Regulations Committee, to conduct a voluntary safety recall of the affected vehicles.

Identify the Remedy

Describe the defect/noncompliance remedy program, including the manufacturer's plan for reimbursement.

FCA US will conduct a Voluntary Safety Recall on all affected vehicles. FCA US intends to timely petition the NHTSA, pursuant to 49 CFR Part 556, for exemption from the notification and remedy requirements due to the inconsequentiality of the defect or noncompliance as it relates to motor vehicle safety. FCA US will only replace the tire placard on unsold vehicles prior to sale/delivery, unless FCA US' petition pursuant to 49 CFR Part 556 is denied. FCA US has a longstanding policy and practice of reimbursing owners who have incurred the cost of repairing a problem that subsequently becomes the subject of a field action. To ensure consistency, FCA US, as part of the owner letter, will request that customers send the original receipt and/or other adequate proof of payment to the company for confirmation of the expense.

Describe what distinguishes the remedy component from the recalled component.

Part Name: Tire Placard Label Part Description: Info Cert Vehicle & Tire Blank Part Number: 05270246AB Part Comment: Incorrect seating capacity and calculated combined occupant and cargo weight information printed on label.

Identify and describe how and when the recall condition was corrected in production.

Identify the Recall Schedule

Describe the recall schedule for notifications:

**08/27/2019: FCA US plans to submit a petition for inconsequentiality on or before September 21, 2019. FCA US will notify dealers regarding unsold vehicles on or about October 16, 2019.

Manufacturer's identification code for this recall (if applicable):

V92

Planned Dealer Notification Begin Date:

10/16/2019

Planned Dealer Notification End Date:

10/16/2019

Planned Owner Notification Begin Date:

Planned Owner Notification End Date:

Please be reminded that owner notification letters must be mailed no more than 60 days from submission of this report.

Manufacturer Comments to NHTSA Staff

Document Upload

There are 2 documents associated with this report.

1200 New Jersey Avenue, SE, West Building Washington DC 20590 USA 1.888.327.4236 TTY 1.800.424.9153
This application works best in IE9 and above and recent versions of Firefox, Chrome and Safari

Part 573 Safety Recall Report

19V-624

Manufacturer Name : Chrysler (FCA US LLC)

Submission Date : AUG 27, 2019

NHTSA Recall No. : 19V-624

Manufacturer Recall No. : V92



Manufacturer Information :

Manufacturer Name : Chrysler (FCA US LLC)

Address : 800 Chrysler Drive
CIMS 482-00-91 Auburn Hills MI
48326-2757

Company phone : 1-800-853-1403

Population :

Number of potentially involved : 350

Estimated percentage with defect : 100 %

Vehicle Information :

Vehicle 1 : 2019-2019 Chrysler Pacifica

Vehicle Type :

Body Style : VAN

Power Train : NR

Descriptive Information : Some 2019 MY Chrysler Pacifica Limited vehicles with a specific sunroof package may have a tire placard label that erroneously states the seating capacity as seven occupants rather than eight occupants, and show a combined occupant and cargo weight of 1,150 lbs. rather than 1,240 lbs.

The suspect period began on October 4, 2018, when the tire placard label with incorrect seating capacity and calculated combined occupant and cargo weight was introduced into vehicle production, to July 3, 2019, when the tire placard label was corrected. Vehicle production records were used to identify the suspect period.

Similar vehicles not included in the recall were not the Limited trim level with the specific sunroof package or were built before or after the suspect period.

Production Dates : OCT 04, 2018 - JUL 03, 2019

VIN Range 1 : Begin :

NR

End : NR

☐ Not sequential

Description of Noncompliance :

Description of the Noncompliance : FMVSS 571.110 (S4.3) - Placard, requires that "each vehicle shall show...(a) vehicle capacity weight expressed as "the combined weight of occupants and cargo should never exceed XXX kilograms or XXX pounds; and (b) designated seated capacity (expressed in terms of total number of occupants and number of occupants for each front and rear seat location)." The tire placard label indicates seven total passengers with 1,150 lbs. combined weight instead of the correct eight total passengers with 1,240 lbs. combined weight for the suspect vehicles.

FMVSS 1 : 110 - Tire selection and rims

FMVSS 2 : NR

Description of the Safety Risk : While the number of passengers and calculated weight are incorrect on the label, it is understated from the actual vehicle certification. FCA US LLC ("FCA US") believes that the noncompliance with FMVSS 110, in this instance, is inconsequential as it relates to motor vehicle safety, and intends to petition the NHTSA, pursuant to 49 CFR Part 556, for exemption from the notification and remedy requirements.

Description of the Cause : NR

Identification of Any Warning that can Occur : NR

Supplier Identification :

Component Manufacturer

Name : NR

Address : NR

NR

Country : NR

Chronology :

- On July 3, 2019, the FCA US Vehicle Safety and Regulatory Compliance ("VSRC") organization received notification from the vehicle assembly plant indicating that the tire placard on certain 2019 MY Chrysler Pacifica Limited vehicles may incorrectly state the seating capacity and combined weight.
- During July, 2019, the FCA US VSRC organization confirmed the correct seating capacity, and calculated combined weight rating, and confirmed the tire placard seating capacity and calculated combined weight is an FMVSS 110 (Tire Selection and Rims) compliance requirement.
- On August 22, 2019, FCA US determined, through the Vehicle Regulations Committee, to conduct a voluntary

safety recall of the affected vehicles.

Description of Remedy :

Description of Remedy Program : FCA US will conduct a Voluntary Safety Recall on all affected vehicles. FCA US intends to timely petition the NHTSA, pursuant to 49 CFR Part 556, for exemption from the notification and remedy requirements due to the inconsequentiality of the defect or noncompliance as it relates to motor vehicle safety. FCA US will only replace the tire placard on unsold vehicles prior to sale/delivery, unless FCA US' petition pursuant to 49 CFR Part 556 is denied.

FCA US has a longstanding policy and practice of reimbursing owners who have incurred the cost of repairing a problem that subsequently becomes the subject of a field action. To ensure consistency, FCA US, as part of the owner letter, will request that customers send the original receipt and/or other adequate proof of payment to the company for confirmation of the expense.

How Remedy Component Differs from Recalled Component : Part Name: Tire Placard Label

Part Description: Info Cert Vehicle & Tire Blank

Part Number: 05270246AB

Part Comment: Incorrect seating capacity and calculated combined occupant and cargo weight information printed on label.

Identify How/When Recall Condition was Corrected in Production : NR

Recall Schedule :

Description of Recall Schedule : **08/27/2019: FCA US plans to submit a petition for inconsequentiality on or before September 21, 2019. FCA US will notify dealers regarding unsold vehicles on or about October 16, 2019.

Planned Dealer Notification Date : OCT 16, 2019 - OCT 16, 2019

Planned Owner Notification Date : NR - NR

* NR - Not Reported