

6609 Mt. Holly Drive
San Jose, California 95120
October 2, 1979

Ms. Joan Claybrook, Director
National Highway Traffic Safety Administration
Washington, D.C. 20590

Dear Ms. Claybrook,

Under the provisions of the National Traffic and Motor Vehicle Safety Act, I would like to petition to have an investigation conducted into the safety and stability of the soft top Jeep (CJ5) manufactured by American Motors for the purpose for which they are widely advertised in the media, mainly off road use.

On November 5, 1978 my son David Allen Barrows, age 15, was killed in a jeep while the owner of the jeep was climbing a hill in Patterson, California in an area off road widely used by four wheel vehicle owners. (See attached newspaper articles) The vehicle hit a rut and rolled over several times killing my son and seriously injuring the driver and his young son. A short time later, a colleague of mine lost his 16 year old nephew in very similar accident and on Sunday, September 23rd of this year, another 15 year old was killed in almost the identical circumstances (See attached newspaper article)

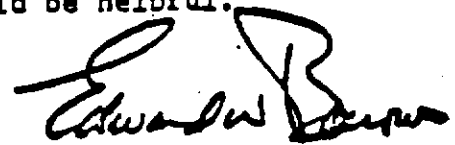
It is my opinion that this vehicle with its high center of gravity and short and narrow wheelbase is totally unsafe on or off the road. I further believe that the presence of a totally inadequate roll bar gives the driver and passengers a false sense of security. It is particularly galling to me to see how widely this vehicle is advertised bouncing up and down rough off highway terrain when it is apparent that the slightest rut or bump is apparently enough to tip it over with disastrous results.

I understand that there has been some kind of a study conducted on the roll bar on this vehicle after many complaints by citizens and inquiries by attorneys and that the design and location were found seriously lacking. It is my opinion that my son was killed by the roll bar striking his head. He was strapped in and I believe he died because of the instability of the vehicle and its overall design.

Since there have been three young men killed in this immediate area in less than eleven months that I am aware of, I am sure that if the statistics were gathered over the last several years on the deaths and injuries this vehicle has caused, they would be appalling. The military version of the vehicle has a widespread reputation of having caused thousands of deaths and injuries since it was first used by the military in World War II.

I would appreciate hearing from you as to whether or not any action will result from this request, and if not, what else I and other concerned citizens must do to get some action on this request. I have been in contact with an aide to Mr. Ralph Nader and I understand they have received numerous complaints about this vehicle and they have begun to gather information. Their office recommended that I contact you hoping that your agency will follow up. I would be glad to supply pictures and witness accounts of my son's accident if this information would be helpful.

Hoping to hear from you,


Edward W. Barrows

Son of school principal

Youth dies in hill mishap

A memorial service will be held this evening for David Barrows, 15, son of the principal of Pioneer High School in San Jose, who was killed over the weekend on a vehicular hill-climbing course near Patterson.

Young Barrows was dead on arrival Sunday morning at Del Puerto Hospital in the Stanislaus County community.

California Highway Patrol Officer George Austin said the teen-ager was a passenger in the Jeep driven by Terry Boyer, 28, of San Jose. Boyer received moderate injuries, as did his son, Cheyenne, 8, when the vehicle slipped into a rut in the slope known as Suicide Hill.

turned sideways and rolled over. Cheyenne was ejected, but the other two occupants were strapped in and rode the Jeep to the bottom of the hill, Austin said.

The officer said Boyer was climbing Suicide Hill to aid someone in a disabled Jeep.

The accident was the third fatality in two years in a rough terrain area 50 miles west of Modesto which is owned by Stanislaus County and used for hill-climbing by four-wheel-drive vehicles. Austin said Suicide Hill is the most treacherous of several hills in the area.

Barrows' father, Edward V. Barrows, has been principal of Pioneer High for the past three

years. Prior to that he was principal of San Jose High. The teen-ager was a student at Leland High School. He lived at the family home in San Jose. Besides his mother and father, Barrows has survived by a sister, Terri Cavrikas, and two brothers, Michael and Steven Barrows, all of San Jose, and his grandparents, Mr. and Mrs. L. Gordon Avery of Portland, and Mildred E. Barrows of Sunnyvale and Lawrence T. Barrows of Oregon.

Tonight's service will be at 7:30 o'clock in the Episcopal Church in Almaden, 6581 Almaden Ave. Lima Family-Erickson is in charge of arrangements.

Principal's son dies in vehicle mishap

PATTERSON — The teen-aged son of the principal of Pioneer High School in San Jose was killed when a hill-climbing Jeep rolled down Suicide Hill.

David Barrows, 15, was dead on arrival Sunday morning at Del Puerto Hospital here.

CHP Officer George Austin said the teen-ager was a passenger in the Jeep driven by Terry Boyer, 28, of San Jose. Boyer received moderate injuries, as did his son, Cheyenne, 8, when the Jeep slipped into a rut in the hill, turned sideways and rolled over. Cheyenne was ejected, but the other two occupants were strapped in and rode the Jeep to the bottom of the hill, Austin said.

The officer said Boyer was climbing Suicide Hill to aid someone in a disabled Jeep.

The accident was the third fatality in two years in a rough terrain area 50 miles west of Modesto which is owned by Stanislaus County and used for hill-climbing by four-wheel-drive vehicles. Austin said Suicide Hill is the most treacherous of several hills in the area.

Boyer and his son received "moderate" injuries, the CHP said. The hospital said the two were in "stable condition" and

probably would be going home "in a day or so." But a nursing official refused to reveal the nature of their injuries.

Barrows' father, Edward V. Barrows, has been principal of Pioneer High for the past three years. Prior to that he was principal of San Jose High. The teen-ager was a student at Leland High School. He lived with his family at 6609 Mount Holly D

about the ...

Death Notices

BARROWS, David A. — Emerged into this world, California, November 6, 1978. David A. Barrows, son of Mr. and Mrs. Edward V. Barrows of San Jose. Dear brother of Terry Barrows of San Jose, Michael Barrows of San Jose, Steven Barrows of San Jose. Grandson of Mr. and Mrs. L. Gordon Avery of Portland and Mildred E. Barrows of Sunnyvale and Mr. Lawrence T. Barrows of Oregon. A native of San Jose, California. Age 15 years.

Friends are invited to attend memorial services Tuesday, November 7, 1978 at 7:30 PM at the Episcopal Church, 6581 Almaden Ave., in Almaden. Donations to the church in memory of David will be appreciated. Burial will be private.

S.J. boy killed when Jeep rolls

A 15-year-old San Jose boy was killed, but his two companions escaped serious injuries when a Jeep driven by the youth rolled several times as it descended a hill near the Guadalupe Reservoir in San Jose's Almaden Valley.

Killed in the Sunday afternoon accident was Gilbert Robert Felix, son of Robert and Rita Felix of San Jose, said a spokesman for the Santa Clara County Coroner's office.

Felix died of multiple injuries, the coroner's spokesman said.

California Highway Patrolman Richard Grogan said Felix was driving his father's Jeep at the base of Mount Umunhum and was descending a hill on a narrow trail when one of the vehicle's front wheels apparently caught in a rut.

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San Jose Mercury - News
Monday September 24, 1979

Jeep Corporation

14250 Plymouth Road
Detroit, Michigan 48232

December 7, 1979

Mr. Lynn L. Bradford, Acting Director
Office of Defects Investigation
Enforcement
National Highway Traffic Safety Administration
U. S. Department of Transportation
400 Seventh Street, S. W.
Washington, D. C. 20590

bcc: G. E. Brown
D. E. Dawkins
K. I. Gluckman
R. C. Lunn
D. C. Mallett
F. A. Stewart
M. W. Stucky
K. P. Tighe
NHTSA Chron
w/copy of inquiry
letter

Reference: NEF-13wh: PO-002

Dear Mr. Bradford:

This responds to your October 29, 1979 request for information regarding the alleged susceptibility of Jeep CJ multipurpose passenger vehicles to lateral rollover and provides related stability information known to Jeep Corporation at the time of this inquiry.

Your inquiry references Sections 108 and 112 of the National Traffic and Motor Vehicle Safety Act (the Act). The petition for a defect investigation in this matter is predicated on vehicle use in an off-highway application. In light of the stated purpose of the Act, "to reduce traffic accidents and deaths and injuries to persons resulting from traffic accidents," we question the NHTSA's authority under the Act relating to this type of vehicle application. Nevertheless, we are providing information on 1974 through 1979 model year Jeep CJ vehicles.

Each of your items is stated verbatim prior to our response. Our responses to items two, three, five, and six of your inquiry contain information that is confidential and is entitled to confidential treatment under the applicable statutory provisions including exemption 4 to the Freedom of Information Act, 5 U.S.C. Section 552(b)(4). The release of this information to the public would cause substantial harm to the competitive position of Jeep Corporation and we therefore request such confidential treatment of our responses for those above items.

1. Furnish the number and copies of all reports, studies, surveys, tests, or investigations from all sources, either received by or authorized by American Motors (AMC)/Jeep pertaining to the stability (or lack of stability) of the Jeep multipurpose (CJ-type) vehicle. The sources are to include but not be limited to AMC/Jeep personnel, suppliers, dealers, or field service reports.
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Jeep Corporation has not received and has not requested any such investigative activity; Jeep Corporation does not believe that there is any need to initiate such activity.

2. Furnish the number and a brief description of all accidents and subrogation claims which were allegedly caused by or attributed to the instability of the CJ-type vehicle.

and

3. Identify all lawsuits, both pending and closed, by title, location, and docket number in which AMC/Jeep is or was a defendant against allegations pertaining to alleged instability of the CJ-type vehicle. Describe the basis for each lawsuit and the outcome of litigation to date.

Jeep Corporation is unaware of any accidents or subrogation claims which were allegedly caused by or attributed to the instability of the CJ-type vehicle except for a few which involve a lawsuit. Those lawsuits not previously reported to the NHTSA, both pending and closed, are listed in Attachment I by case title, location, and docket number, along with the basis for each lawsuit and the outcome to date.

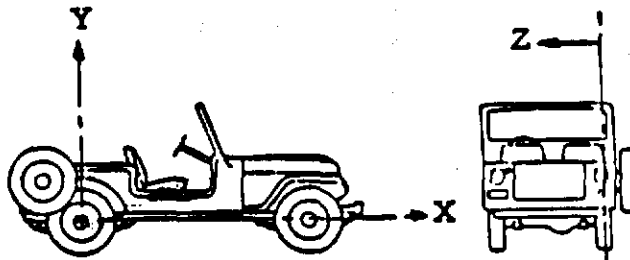
It is common in product liability lawsuits for plaintiffs' attorneys to allege numerous alternative and often conflicting theories of liability, some of which may later be abandoned. Any attempt to draw conclusions about Jeep CJ vehicles from the lawsuits listed in answer to item seven must be made with due consideration for this fact of legal life.

4. Identify and describe all conditions of vehicle use, other than competitive events or commercial use, in which the CJ-type vehicle's warranty would be considered by AMC/Jeep to be void.

The Jeep Corporation warranty policies and exclusions for the 1974 through 1979 model year vehicles are provided in the enclosures.

5. Identify by dimensional diagram the location of the center of gravity on a 1977 CJ-5 and CJ-7 base model vehicle without occupants. Describe the variability of the center of gravity for the 1977 model vehicles compared to other model year vehicles.

Through empirical methods, Jeep Corporation has determined the centers of gravity for a base 1978 Jeep CJ-5 and CJ-7. They are depicted below. Further empirical studies of Jeep CJ vehicles indicate that the center of gravity locations are essentially the same for 1974-79 vehicles.



Center of Gravity Location (inches)

	<u>X-Distance</u>	<u>Y-Distance</u>	<u>Z-Distance</u>
Jeep CJ-5	43	10	25
Jeep CJ-7	53	10	25

6. Identify the location of the front and rear roll centers of the 1977 CJ-5 and CJ-7 base model vehicles without occupants. Describe any variability between the roll centers on the 1977 CJ-type vehicles and other model year vehicles.

The front and rear roll centers for both the 1977 Jeep CJ-5 and CJ-7 vehicles are approximately as follows:

Front: 14 inches above ground
 Rear: 14 inches above ground

The expected variability from these or other model years is minimal.

7. Provide AMC's analysis of the petitioner's allegations and accident, and provide the results and findings of the inquiry.

Jeep Corporation has obtained and evaluated a copy of the California Highway Patrol (CHP) police report dated November 6, 1978 (Attachment II) on this matter. It is apparent from this report that the driver attempted to negotiate rough terrain called "Suicide Hill" with a grade of over 60%. About 3/4 of the way up the face of the hill, his vehicle lost traction, may have hit a rut and turned sideways. Once it was sideways on this very steep hill, it overturned. The CHP investigating officer, as noted in his report, determined the cause of the accident to be improper driving, an extremely steep grade and a driver unfamiliar with the terrain.

The petitioner states that several other accidents have occurred on "Suicide Hill". He does not even claim that these accidents involved Jeep CJ's. This information can only serve to demonstrate that it is the area that is ~~dangerous~~. Its very name suggests such danger. Indeed, most vehicles which are turned sideways on a 60% grade are very likely to roll over. This is not due to any defect in these vehicles but is attributable solely to the laws of nature.

The CHP report indicated that the subject vehicle is a 1975 CJ-5. From an examination of the photographs accompanying that report, it appears the subject vehicle was equipped with non-OEM type equipment. Specifically, the tires appear to be 11-15 LT with an outside diameter of 30.6 inches. The largest tires Jeep Corporation released for that model year were H78-15 with an outside diameter of 28.87 inches. Additional non-OEM equipment on the accident vehicle included a heavy-duty-type rear bumper hitch and rear tire and can carrier. These modifications would doubtless affect the vehicle's performance under the conditions to which it was subjected.

Notwithstanding these facts, the petitioner claims that the accident was caused by the design of the Jeep CJ-5, which he claims is unsafe. In his October 8, 1979 letter to the NHTSA, he provides no support for this allegation other than a reference to an accident his son was involved in and a newspaper account of an incident of unknown circumstances which may not even involve a Jeep Corporation product. (Although the newspaper article refers to a "Jeep", we have noted previous instances wherein the media have misused our trademark "Jeep" to describe all 4-wheel-drive vehicles.) The petitioner also makes reference to the World War II military vehicles from which the CJ-type vehicles were derived. His claim that these vehicles have a poor safety reputation is incorrect; he is apparently confusing these vehicles with some of the post-war military vehicles. There have been some allegations that these post-war vehicles are unsafe but these vehicles were not designed by Jeep Corporation or any of its predecessor companies and are, in fact, fundamentally different from CJ-type vehicles in both design and construction.

8. Provide AMC's analysis of the stability of the CJ-type multipurpose vehicle under both on and off highway conditions.

Our CJ-type vehicles are designed to meet the needs of off-highway operation in that they are 4-wheel-drive vehicles with approach angle greater than 28 degrees, breakover angle greater than 14 degrees, departure angle greater than 20 degrees, and running clearance greater than eight inches. The type of terrain these vehicles must be capable of operating on far exceeds the capability of passenger cars. Our field experience confirms that these vehicles are safe when driven properly.

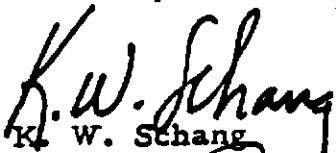
December 7, 1979

Summary and Conclusion

Jeep Corporation recommends that the petition for the defect investigation be denied by the NHTSA. There is nothing in the petitioner's letter to support his claim that there is a defect in the vehicle. Petitioner offers only his opinion, unsupported by any specialized knowledge or credentials in the field of auto safety, that certain aspects of the vehicle design cause it to be unsafe. There is no information in his letter which would support his position. The police report clearly states that the accident on "Suicide Hill" was caused by the error of an unskilled driver who was not familiar with the terrain.

The Jeep CJ-type vehicles have special design characteristics which enable drivers to traverse terrain not accessible by other types of vehicles. Our field experience confirms that when driven properly these vehicles provide safe transportation both off and on the road.

Sincerely,



K. W. Schang
Director -
Vehicle Safety Programs

KWS/ag
Attachments

A. CASE TITLE: James Broderick v. Jeep Corporation and American Motors Corporation et al.

LOCATION: Circuit Court, 17th Judicial District, Broward County, Florida.

DOCKET NO.: 77-3108.

BASIS OF LAWSUIT: Among the allegations the plaintiff alleges instability of the vehicle.

OUTCOME OF LITIGATION: Pending.

B. CASE TITLE: Ronald J. Bogdanski, et al v. American Motors Corporation.

LOCATION: State of Michigan, Wayne County Circuit Court.

DOCKET NO.: Case No. 79-920345 NI.

BASIS OF LAWSUIT: Among the allegations the plaintiff alleges instability of the vehicle.

OUTCOME OF LITIGATION: Pending.

C. CASE TITLE: Robert G. Ross v. Jeep Corporation, American Motors Corporation.

LOCATION: Washoe County, Nevada Second Judicial District Court.

DOCKET NO.: 79-1829, Dept. #4

BASIS OF LAWSUIT: Among the allegations the plaintiff alleges instability of the vehicle.

OUTCOME OF LITIGATION: Open.

D. CASE TITLE: Reeves v. American Motors Corporation et al.

LOCATION: State of Louisiana, Parish of Caldwell, Thirty-seventh District Court.

D.

Continued

DOCKET NO.: 12,111

BASIS OF LAWSUIT: Among the allegations the plaintiff alleges instability of the vehicle.

OUTCOME OF LITIGATION: In discovery.

E.

CASE TITLE: Kenneth Daniel Haynes, Jr. and Alma Jane Haynes, v. American Motors Corporation and Jeep Corporation.

LOCATION: U.S. District Court for the Western District of Arkansas, Fayetteville Division.

DOCKET NO.: 79-5045

BASIS OF LAWSUIT: Among the allegations the plaintiff alleges instability of the vehicle.

OUTCOME OF LITIGATION: Open.

F.

CASE TITLE: Theresa Sobiech, et al v. Jeep Corporation.

LOCATION: U.S.D.C., New York

DOCKET NO.: 77/1178

BASIS OF LAWSUIT: Among the allegations, the plaintiff alleges instability of the vehicle.

OUTCOME OF LITIGATION: Jury found no cause for action.

REPORT MADE ON (STAN. CO. ROUGH TERRAIN AREA) NO. 11578 TIME (LOCAL) 1125 DATE 9465 OFFICER I.D. 3649

AT INTERSECTION WITH N. DEL PERUO CANYON ROAD

DRIVER: TERRY LEE BOYER
 LICENSE NO: RO847370 CAL STATE: CAL BIRTH: 8-2-49 SEX: M
 VEHICLE NO: 75 MAKE/MODEL: JEEP M.S. LICENSE NO: 634 NNQ CALIF STATE: CALIF
 DIRECTION OF TRAVEL: N ROADWAY (STREET OR HIGHWAY): ROUGH TERRAIN
 SPEED LIMIT: NH DISPOSITION OF VEHICLE: LEFT AT SCENE

OWNER'S NAME: [Blank] ADDRESS: [Blank] CITY: [Blank] STATE: [Blank] PHONE: [Blank]

VEHICLE DAMAGE: [Blank] LOCATION: [Blank] VIOLATION CHARGED: [Blank]

DRIVER'S LICENSE NUMBER: [Blank] STATE: [Blank] BIRTHDATE: [Blank] SEX: [Blank] RACE: [Blank] CITY: [Blank] STATE: [Blank] PHONE: [Blank]

VEHICLE NO.: [Blank] MAKE/MODEL: [Blank] LICENSE NO.: [Blank] STATE: [Blank] OWNER'S NAME: [Blank] SAME AS DRIVER: [Blank]

DESCRIPTION OF DAMAGE: [Blank]

OWNER'S NAME: [Blank] ADDRESS: [Blank] CITY: [Blank] STATE: [Blank] PHONE: [Blank]

DISTANCE ONLY	AGE	SEX	CAUSE OF INJURY				INJURED PARTS (check user)					IN VEHICLE NUMBER	
			FATAL INJURY	SEVERE BRUISE OR DISTORTED MEMBER	STRICTLY SURFACE INJURIES	COMPLAINT OF PAIN	DRIVE	HEAD	NECK	ARM	LEG		
	8	M	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7

NAME: CHRYLLE EDYER PHONE: 578-9756
 ADDRESS: 453 RODEO PL. SAN JOSE, CALIF TAKEN TO (INJURED ONLY): DEL PERUO HOSP?

NAME: DAVID BARROWS PHONE: 268-6259
 ADDRESS: 6609 MT. HALLY DR. SAN JOSE, CAL TAKEN TO (INJURED ONLY): DEL PERUO HOSP?

NAME: BOB FISTERER PHONE: 447-4413
 ADDRESS: 1898 LOMITAS AVE, LINDSAY, CALIF TAKEN TO (INJURED ONLY): [Blank]

MISCELLANEOUS

STAT. DIST. ROAD

PHOTO 66

D.A. [Blank] [Blank] [Blank]

P.D. [Blank] [Blank] 11-8

VEHICLE TYPE: 01 ROAD TYPE: [Blank]

A CONVENTIONAL, ONE WAY
 B CONVENTIONAL, TWO WAY
 C EXPANDED
 D FULLWAY

10-1-1978

COLLISION OCCURRED ON
STAN. Co. ROUGH TERRAIN AREA

NO. DAY YR. 11 5 78 **TIME (1200)** 1125 **REG. NUMBER** 9465 **OFFICER I.D.** 3649

AT INTERSECTION WITH **N. DEL. PIERTO CANYON RD** YES NO YES NO

NAME (FIRST, MIDDLE, LAST) **STREET ADDRESS**

DRIVER'S LICENSE NUMBER **STATE** **EX. DATE** **VA.** **SEX** **RACE** **CITY** **STATE** **PHONE**

VEHICLE YR. **MAKE/MODEL** **LICENSE NO.** **STATE** **OWNER'S NAME** SAME AS DRIVER

DIRECTION OF TRAVEL **OR ADDRESS (STREET OR HIGHWAY)** **OWNER'S ADDRESS** SAME AS DRIVER

SPEED LIMIT **DISPOSITION OF VEHICLE** BY DRIVER ON ORDER OF **VEHICLE DAMAGE** **LOCATION** **VIOLATION CHARGED**

NONE MOD. MAJOR TOTAL

NAME (FIRST, MIDDLE, LAST) **STREET ADDRESS**

DRIVER'S LICENSE NUMBER **STATE** **EX. DATE** **VA.** **SEX** **RACE** **CITY** **STATE** **PHONE**

VEHICLE YR. **MAKE/MODEL** **LICENSE NO.** **STATE** **OWNER'S NAME** SAME AS DRIVER

DIRECTION OF TRAVEL **OR ADDRESS (STREET OR HIGHWAY)** **OWNER'S ADDRESS** SAME AS DRIVER

SPEED LIMIT **DISPOSITION OF VEHICLE** BY DRIVER ON ORDER OF **VEHICLE DAMAGE** **LOCATION** **VIOLATION CHARGED**

NONE MOD. MAJOR TOTAL

DESCRIPTION OF DAMAGE

OWNER'S NAME **ADDRESS** **NOTIFIED** YES NO

WITNESS ONLY	AGE	SEX	EXTENT OF INJURY			COMPLAINT OF PAIN	INJURED WAS (CHECK ONE)					IN VEHICLE NUMBER	
			FATAL INJURY	SEVERE WOUNDS DISTRICT'S MEMBER	STOLEN VEHICLE INJURED		DRIVER	PASS.	PEO.	BIKE-ELITE	OTHER		
<input checked="" type="checkbox"/>	23	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NAME: TIM CAURIKAS 226-3193													
ADDRESS: 478 RODGO PL. SAN JOSE, CALIF TAKEN TO (INJURED ONLY)													
<input checked="" type="checkbox"/>	32	M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NAME: RON RAGO 445-7713													
ADDRESS: 4701 BEL ROMA RD. LIVERMORE, CALIF TAKEN TO (INJURED ONLY)													
<input type="checkbox"/>	29	M	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
NAME: DR#1 DEL PIERTO HOSP.													
ADDRESS:													

SKETCH

MISCELLANEOUS

VEHICLE TYPE

ROAD TYPE

A CONVENTIONAL, ONE WAY E OTHER (SAMPLE NARRATIVE)

B CONVENTIONAL, TWO WAY

C EXPANDED

D FREEWAY

EXCIS - REC'D CALL APPROX 11:55 HRS. ARRIVED AT SCENE APPROX 12:19 HRS.
 THE DEL PUERTO CANYON ROUGH TERRAIN AREA IS AN OFF-ROAD
 VEHICLE AREA (PART OF STANISLAUS CO. PARK SYSTEM). THE AREA
 OF COLLISION WAS A STEEP GRADE (APPROX 60%+). THE SURFACE
 WAS DIET WITH SEVERAL RUTS. THE WEATHER WAS CLEAR, WITH BRIGHT
 SUNLIGHT.

VEH#1 - WAS LOCATED APPROX 1 MILE NORTH OF DEL PUERTO CANYON
 ROAD (APPROX 1/2 MILE NORTH OF MAIN ENTRANCE TO ROUGH TERRAIN
 AREA). VEH#1 WAS FACING N/B. VEH#1 HAD MINOR ROLL-OVER
 DAMAGE. VEH#1 HAD NO APPARENT VEH DEFECTS. NO OTHER PROPERTY
 DAMAGED.

PHYSICAL EVIDENCE - THERE WERE SURF & GROUND MARKS IN SURFACE
 OF HILL FOR APPROX 250' LEADING TO VEH#1. THERE WAS MISC.
 VEH TRAILS.

PRIMARY COLLISION FACTOR		RIGHT OF WAY CONTROL				TYPE OF VEHICLE				MOVEMENT PRECEDING COLLISION			
<input type="checkbox"/> A VE SECTION VIOLATION!		<input type="checkbox"/> A CONTROLS FUNCTIONING				<input type="checkbox"/> PASSENGER CAR (INCLUDES STATION WAGON)				<input type="checkbox"/> A STOPPED			
<input checked="" type="checkbox"/> B OTHER IMPROPER DRIVING*		<input type="checkbox"/> B CONTROLS NOT FUNCTIONING				<input type="checkbox"/> B PASSENGER CAR WITH TRAILER				<input type="checkbox"/> B PROCEEDING STRAIGHT			
<input type="checkbox"/> C OTHER THAN DRIVER*		<input type="checkbox"/> C CONTROLS OBTAINED				<input type="checkbox"/> C MOTORCYCLE/SCOOTER				<input type="checkbox"/> C RAN OFF ROAD			
<input type="checkbox"/> D UNKNOWN*		<input checked="" type="checkbox"/> D NO CONTROLS PRESENT				<input type="checkbox"/> D PICKUP OR PANEL TRUCK				<input type="checkbox"/> D MAKING RIGHT TURN			
WEATHER		TYPE OF COLLISION				<input type="checkbox"/> E PICKUP OR PANEL TRUCK				<input type="checkbox"/> E MAKING LEFT TURN			
<input checked="" type="checkbox"/> A CLEAR		<input type="checkbox"/> A REAR END				<input type="checkbox"/> F TRUCK OR TRUCK TRACTOR				<input type="checkbox"/> F MAKING U TURN			
<input type="checkbox"/> B CLOUDY		<input type="checkbox"/> B SIDESWIPES				<input type="checkbox"/> G TRUCK OR TRUCK TRACTOR WITH TRAILER (S)				<input type="checkbox"/> G BACKING			
<input type="checkbox"/> C FOG		<input type="checkbox"/> C REAR END				<input type="checkbox"/> H SCHOOL BUS				<input type="checkbox"/> H STOPPING - STOPPING			
<input type="checkbox"/> D DRIZZLE		<input type="checkbox"/> D REAR END				<input type="checkbox"/> I OTHER BUS				<input type="checkbox"/> I CHANGING LANES			
<input type="checkbox"/> E WIND		<input type="checkbox"/> E REAR END				<input type="checkbox"/> J EMERGENCY VEHICLE				<input type="checkbox"/> J PARKING MANEUVER			
<input type="checkbox"/> F OTHER*		<input checked="" type="checkbox"/> F REAR ENDED				<input type="checkbox"/> K HIGHWAY / CONSTRUCTION COMPANY				<input type="checkbox"/> K ENTERING TRAFFIC FROM SHOULDER, MEDIAN, PARKING STRIP OR PRIVATE DRIVE			
LIGHTING		<input type="checkbox"/> G AUTO/PEDESTRIAN				<input type="checkbox"/> L TRUCKS				<input type="checkbox"/> M OTHER UNSAFE TURNING			
<input checked="" type="checkbox"/> A DAYLIGHT		<input type="checkbox"/> H OTHER*				<input type="checkbox"/> M OTHER*				<input type="checkbox"/> N CROSSING INTO OPPOSITE LANE			
<input type="checkbox"/> B DARK - DARK		MOTOR VEHICLE INVOLVED WITH				<input type="checkbox"/> N OTHER*				<input type="checkbox"/> O PARKED			
<input type="checkbox"/> C DARK - STREET LIGHTS		<input checked="" type="checkbox"/> A NON-COLLISION				<input type="checkbox"/> OTHER ASSOCIATED FACTOR (1 TO 100)				<input type="checkbox"/> P TRAVELING WRONG WAY			
<input type="checkbox"/> D DARK - NO STREET LIGHTS		<input type="checkbox"/> B PEDESTRIAN								<input checked="" type="checkbox"/> Q CLIMBING HILL			
<input type="checkbox"/> E DARK - STREET LIGHTS NOT FUNCTIONING*		<input type="checkbox"/> C OTHER MOTOR VEHICLE								<input type="checkbox"/> R SOBRIETY - DRUG - PHYSICAL (1 TO 100)			
ROADWAY SURFACE		<input type="checkbox"/> D MOTOR VEHICLE ON OTHER ROADWAY								<input checked="" type="checkbox"/> A HAS NOT BEEN DRIVEN			
<input checked="" type="checkbox"/> A POV		<input type="checkbox"/> E PARKED MOTOR VEHICLE								<input type="checkbox"/> B HAS - UNDER INFLUENCE			
<input type="checkbox"/> B POV		<input type="checkbox"/> F TRAIN								<input type="checkbox"/> C HAS - NOT UNDER INFLUENCE*			
<input type="checkbox"/> C IMPACT - HIT		<input type="checkbox"/> G CYCLE								<input type="checkbox"/> D HAS IMPROPER TURNING*			
<input type="checkbox"/> D SLIPPERY (MUD, OIL, ETC.)		<input type="checkbox"/> H AMBULI								<input type="checkbox"/> E UNDER DRUG INFLUENCE			
ROADWAY CONDITIONS (1 TO 100)		<input type="checkbox"/> I FIXED OBJECT!								<input type="checkbox"/> F STOOD PHYSICAL IMPAIRMENT*			
<input type="checkbox"/> A HOLES, DEEP RUTS*		<input type="checkbox"/> J OTHER OBJECT!								<input type="checkbox"/> G IMPAIRMENT NOT STOOD			
<input type="checkbox"/> B LOOSE MATERIAL ON ROADWAY*		<input type="checkbox"/> K OTHER!								<input type="checkbox"/> H NOT APPLICABLE			
<input type="checkbox"/> C OBSTRUCTION ON ROADWAY*		PEDESTRIAN'S ACTION											
<input type="checkbox"/> D CONSTRUCTION/REPAIR ZONE		<input checked="" type="checkbox"/> A NO PEDESTRIAN INVOLVED											
<input type="checkbox"/> E REDUCED ROADWAY WIDTH		<input type="checkbox"/> B CROSSING IN CROSSWALK AT INTERSECTION											
<input type="checkbox"/> F FLOODED*		<input type="checkbox"/> C CROSSING IN CROSSWALK - NOT AT INTERSECTION											
<input checked="" type="checkbox"/> G OFFSHOULDER ROAD		<input type="checkbox"/> D CROSSING NOT IN CROSSWALK											
<input checked="" type="checkbox"/> H NO UNUSUAL CONDITIONS		<input type="checkbox"/> E IN ROAD - INCLUDES SHOULDER											
		<input type="checkbox"/> F NOT IN ROAD											
		<input type="checkbox"/> G APPROACHING/LEAVING SCHOOL BUS											

REPORTED BY: D.T. Wallace I.D. NUMBER: 3649 INVESTIGATED BY: _____ REVIEWED BY: _____

NARRATIVE CONTINUATION TRAFFIC COLLISION REPORT (EMP 000 00 00000)
 SUPPLEMENTAL TRAFFIC COLLISION REPORT (EMP 000 00 00000)
 OTHER:

STRN. CO. ROUGH TERRAIN AREA
 DEL PUERTO CANYON

CITATION NUMBER
 DAY 903

CITY/COUNTY REPORTING DISTRICT

PASSENGERS ① CHEYENNE BOYER 8 YRS.
 453 RODEO PL, SAN JOSE, CALIF
 PH 578-9756

② DAVID BERGINS 17 YRS
 6609 MT. HOLLY DR, SAN JOSE, CALIF
 PH 268-6259

INJURIES - ① DAVID BERGINS REC'D MULTIPLE HEAD INJURIES & WAS
 PRONOUNCED D.O.A. AT DEL PUERTO HOSP BY DR. DAVID
 NEAS M.D. AT 1320 HRS.

② CHEYENNE BOYER REC'D ABRASIONS ON HEAD & POSSIBLE
 BROKEN LEG. HS⁺ TRANSPORTED TO DEL PUERTO HOSP FOR
 TREATMENT.

③ DR#1 REC'D CUTS & ABRASIONS & COMPLAINED OF LOWER BACK
 PAIN. DR#1 WAS TRANSPORTED TO DEL PUERTO HOSP FOR
 TREATMENT.

STATEMENTS - DR#1 - WE WERE GOING UP THE HILL TO HELP OUR⁺ OUR
 FRIENDS WHOSE P/U HAD BECOME DISABLED. WE WERE GOING
 UP SUICIDE HILL (ABOUT 3/4 WAY UP) WHEN SOMETHING HAPPENED.
 I DON'T REALLY KNOW WHAT WE GOT A LITTLE SIDEWAYS & THE
 JEEP TURNED OVER. THAT'S ABOUT ALL I KNOW.
 WIT#1 (PESTERER & RIGO) WE WERE BELOW THE JEEP AT
 THE BOTTOM OF THE HILL. THE JEEP WAS GOING UP THE HILL
 IT WAS APPROX 3/4 THE WAY UP WHEN IT STARTED BOUNKING &
 HIT A BUMP OR SOMETHING & THE FRONT CAME AROUND TO THE
 RIGHT. THE JEEP TIPPED OVER & STARTED ROLLING DOWN THE
 HILL. IT ROLLED OVER SEVERAL TIMES THE YOUNG BOY WAS
 THROWN OUT AS THE JEEP ROLLED. THE DRIVER & OTHER PASSENGER
 WERE STILL IN JEEP. THE YOUNG MAN IN RIGHT SIDE HAD SEVERAL
 HEAD INJURIES. WE ALL E.M.T.'S WITH LIVERMORE FIRE DEPT
 & WE DID WHAT WE COULD TO ASSIST THE INJURED. WE GOT THE
 MOST SERIOUSLY INJURED WITH THE HEAD INJURIES OFF THE HILL
 AS SOON AS WE COULD.

PREPARED BY	I.D. NUMBER	PREPARED	REVIEWED	APPROVED BY	I.D. NUMBER	APPROVED
		DR. DAY TO				DR. DAY
D. Wallace	3649	11/6/78				

NARRATIVE CONTINUATION TRAFFIC COLLISION REPORT (EXP 100 00 100-01)
 SUPPLEMENTAL TRAFFIC COLLISION REPORT (EXP 100 00 100-01)
 OTHER:

LOCATION: STAN. CO. ROUGH TERRAIN AREA
 DEL PUERTO CANYON

STATION NUMBER: 903
 REPORTING DISTRICT:

WIT#2 - (CAULKAS) - I WAS BELOW THE HILL ONE OF OUR FRIENDS HAD TROUBLE WITH HIS PICK UP & WE WERE GOING UP TO ASSIST HIM. TERRY, HIS SON (CHEYENNE) & DAVID BARNOWS (MY BROTHER-IN-LAW) WERE GOING UP IN TERRY'S JEEP. TERRY DIDNT GO AROUND TO THE RIGHT BUT UP THE FACE OF THE HILL. THE JEEP WAS ABOUT 3/4 THE WAY UP WHEN IT STARTED BOUNCING & GOT TURNED SIDEWAYS. THE JEEP OVER TURNED & ROLLED ALL THE WAY DOWN THE HILL. DAVID & TERRY REMAINED IN THE JEEP DAVID HIT HIS HEAD SEVERAL TIMES & WAS HURT BADLY.

OPINIONS & CONCLUSIONS - VEH#1 WAS N/B IN ROUGH TERRAIN AREA (DEL PUERTO CANYON) GOING UP SUICIDE HILL. THE FACE OF SUICIDE HILL HAS A 60% PLUS GRADE. VEH#1 GOT APPROX 3/4 THE WAY UP THE FACE OF HILL WHEN IT LOST TRACTION & MAY HAVE HIT A ROOT CAUSING VEH#1 TO GET TURNED SIDEWAYS & OVER-TURN. VEH#1 ROLLED OVER BACKWARDS 5 TO 7 TIMES COMING TO REST AT BOTTOM OF HILL ON IT'S WHEELS. DR#1 & PASSENGER (BARNOWS) WERE STILL IN VEH WHEN IT CAME TO REST. PASSENGER (CHEYENNE BAYER) WAS THROWN OUT OF VEH. THERE WERE TWO E.M.T.'S FROM LINCOLN FIRE DEPT AT SCENE & ASSISTED INJURED. BARNOWS THE MOST SERIOUSLY INJURED WAS MOVED TO PARK ENTRANCE TO MEET AMBUULANCE. DR#1 & SON WERE MOVED FROM HILL & TREATED PRIOR TO CHP ARRIVAL. THEY WERE RECOVERED FROM HILL BY PARK RANGER VEH TO MEET AMBUULANCE AT PARK ENTRANCE. DR#1 HAD CUTS & LACERATIONS & CONTINUED OF BACK PAIN. CHEYENNE BAYER HAD LACERATIONS & POSSIBLY BROKEN LEG. BARNOWS HAD FATAL HEAD INJURIES & WAS TRANSPORTED D.O.A. AT DEL PUERTO HOSP BY DR. DAVID NESS AT 1320HRS.

P.O.T. - WAS LOCATED APPROX 1 MILE NORTH OF DEL PUERTO CANYON RD (APPROX 3/4 WAY UP SUICIDE HILL). VEH#1 ROLLED APPROX 200-250 FEET - EXTREMELY STEEP GRADE. DRIVER UNFAMILIAR WITH HILL & TERRAIN (DRIVER OWNED VEH APPROX 3 MYS).

RECOMMENDATIONS - NONE

PREPARED BY	I.D. NUMBER	PREPARED	REVIEWED	APPROVED BY	I.D. NUMBER	APPROVED
		NO. DATE YR.				NO. DATE YR.
D. Waldner	3649	11/6/78		ER... TU	6224	11/6/78

ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE)



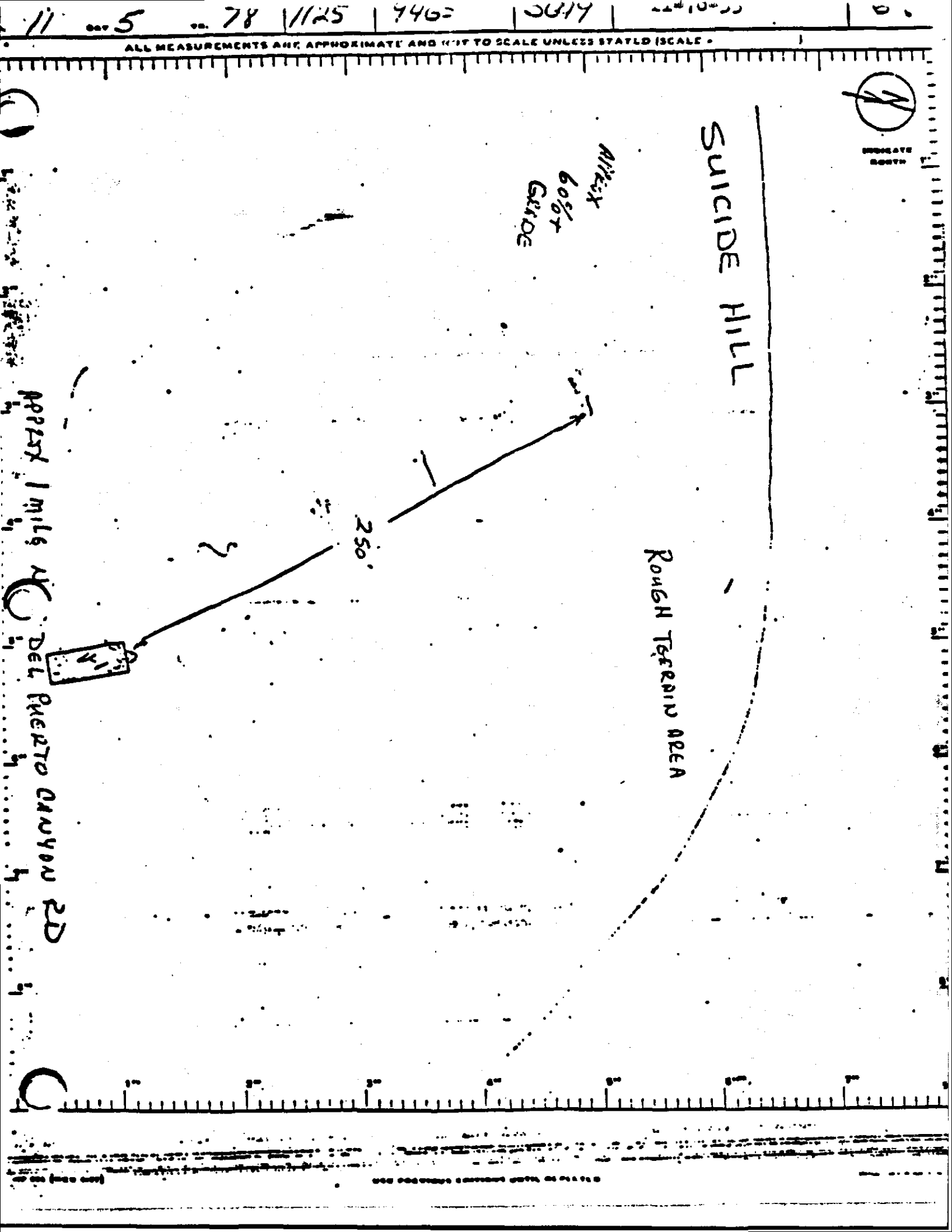
SUICIDE HILL

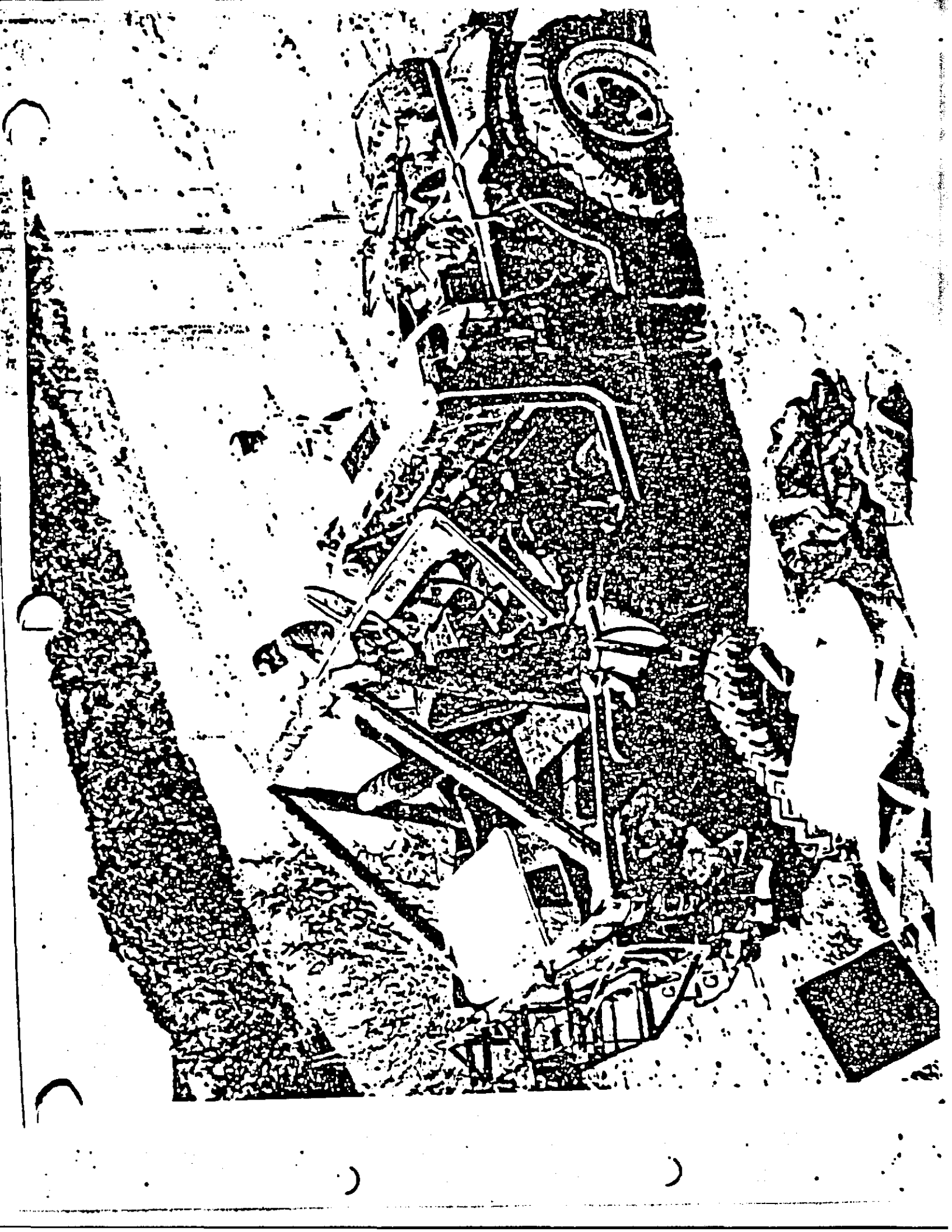
ALPINE
60%
GRADE

ROUGH TERRAIN AREA

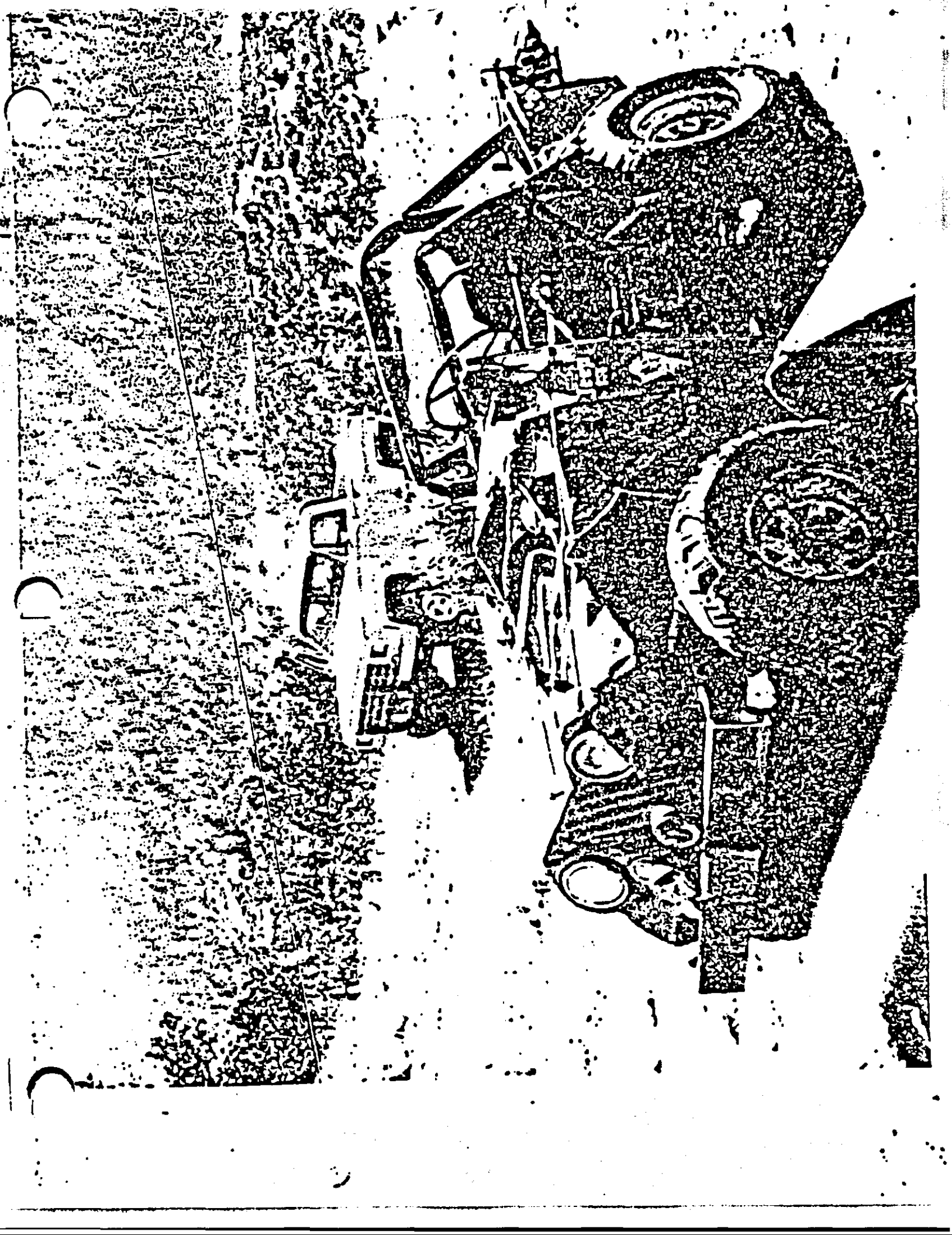
250'

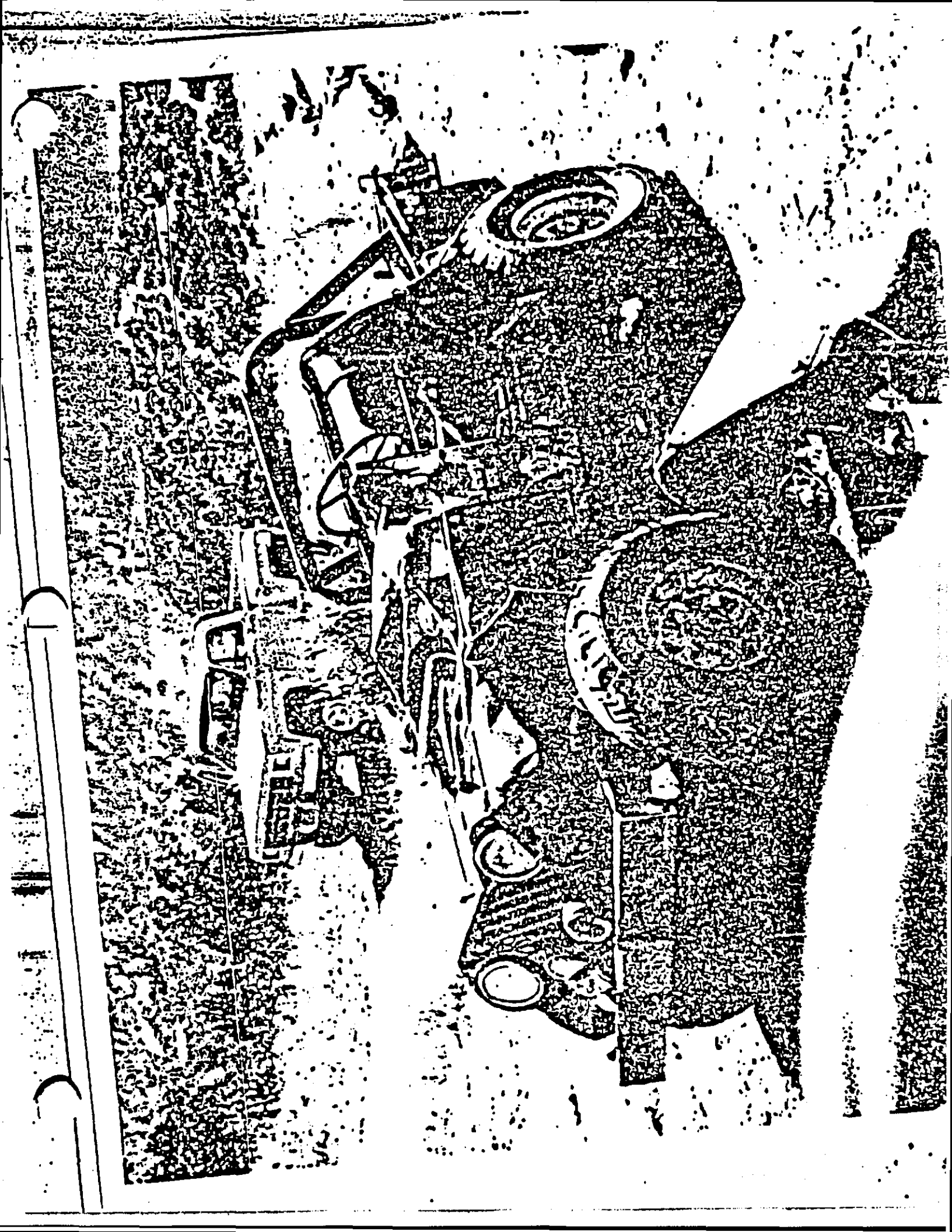
APPROX 1 mile NW
DEL PUERTO CANYON RD

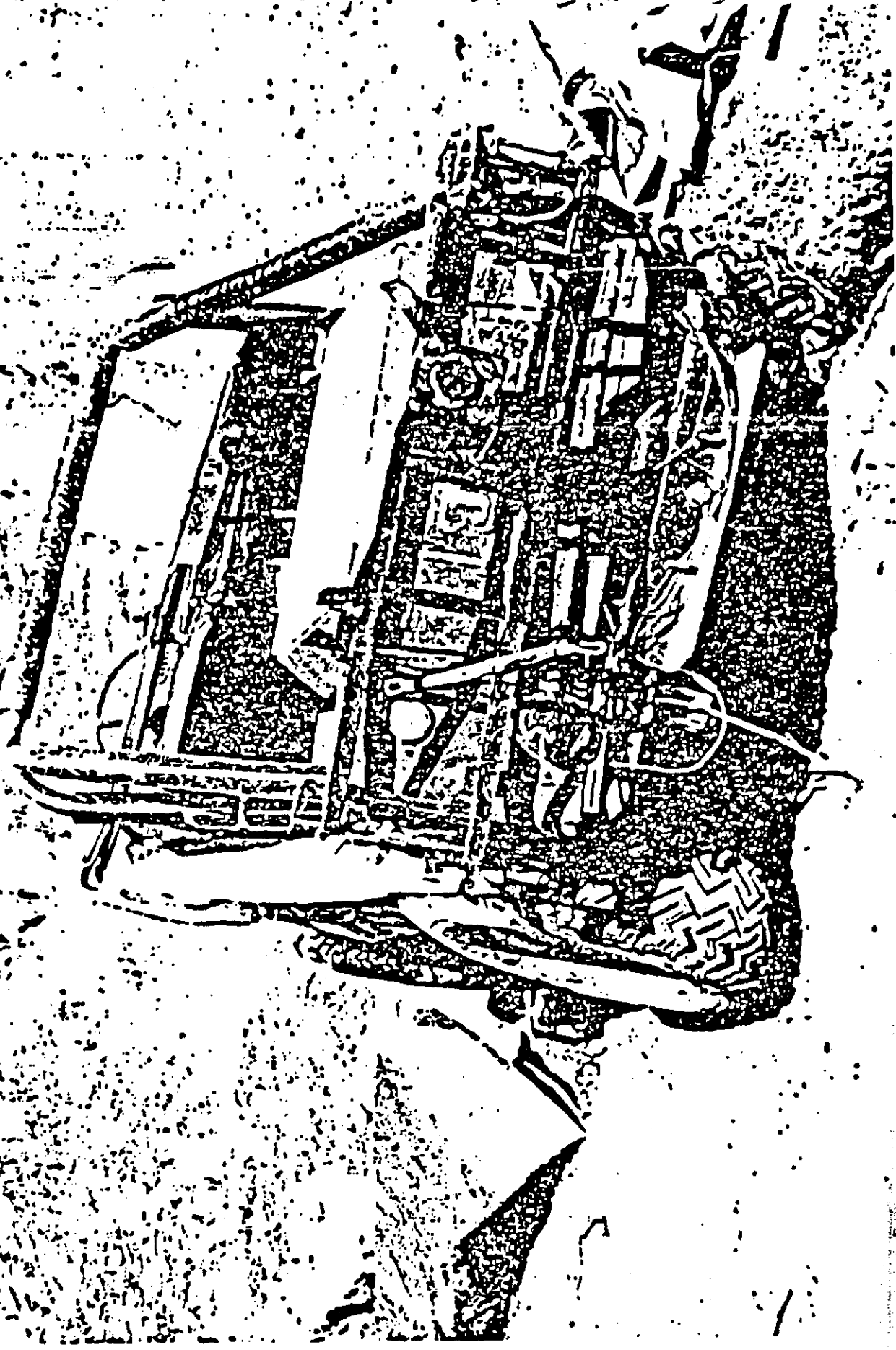


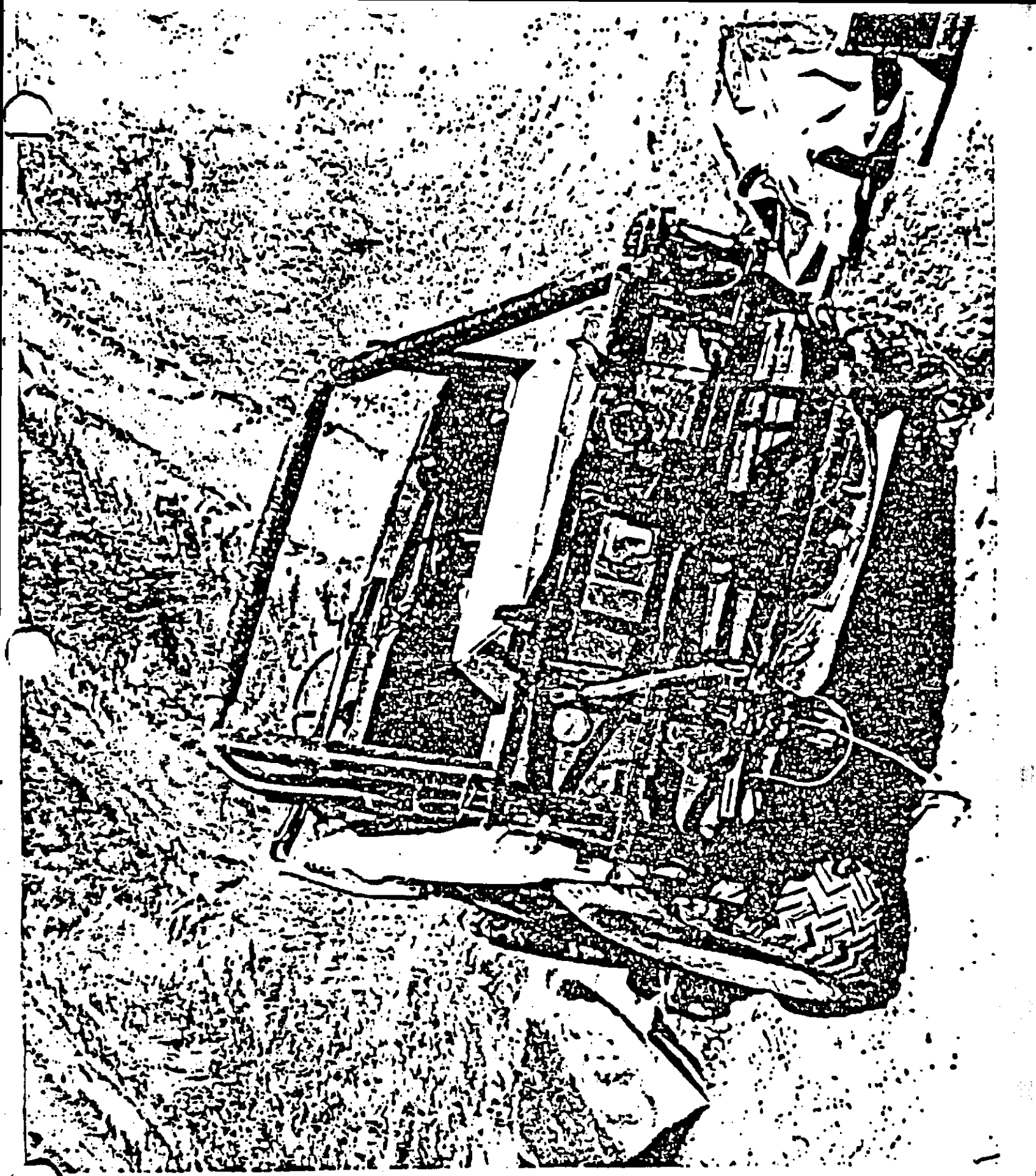
























DEPARTMENT OF TRANSPORTATION
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
WASHINGTON, D.C. 20590

JUN 23 1980

IN REPLY REFER TO:

Mr. George E. Brown
Executive Director
Vehicle Emissions & Safety
American Motors Corporation
14250 Plymouth Road
Detroit, Michigan 48232

Dear Mr. Brown:

This is in response to Mr. K. W. Schang's letter of December 7, 1979, requesting confidential treatment for certain information submitted by Jeep Corporation on Jeep CJ vehicles. The National Highway Traffic Safety Administration (NHTSA) will treat as confidential item 6 of your response.

NHTSA believes that American Motors Corporation has not provided adequate justification for a claim of confidentiality regarding items 2, 3, and 5, and Attachment I of your response. NHTSA will permit American Motors to submit, by February 13, 1980, further explanation of why these materials are entitled to confidential treatment.

Sincerely,

Frank Berndt
Frank Berndt
Chief Counsel

Jeep Corporation

14250 Plymouth Road
Detroit, Michigan 48232

February 11, 1980

Mr. Frank Berndt, Chief Counsel
National Highway Traffic Safety
Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Reference: NEF-13wh: PO-002

Dear Mr. Berndt:

This responds to your January 23, 1980 letter regarding Jeep Corporation's confidential treatment of certain information pertaining to the Jeep CJ multipurpose passenger vehicle.

On December 7, 1979 Jeep Corporation responded to the referenced NHTSA inquiry and requested confidential treatment of our responses to items two, three, five, and six under the applicable statutory provisions including exemption 4 of the Freedom of Information Act, 5 U.S.C. 552(b)(4).

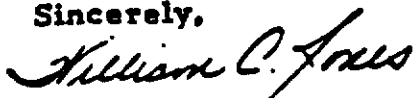
In your January 23 letter you approved confidential treatment of our response to item six and requested additional information to support such treatment of our responses to items two, three, and five, and Attachment I.

The information contained in our responses to items two, three, and Attachment I requires confidential treatment as disclosure of this information would infringe upon Jeep Corporation's attorney-client privilege pertaining to litigation.

The information contained in our response to item five is similar in nature to the design-related information provided in our response to item six of which you approved confidential treatment. The release of this information to the public would cause substantial competitive harm to Jeep Corporation.

Jeep Corporation believes this information adequately justifies your confidential treatment of our responses to the above items.

Sincerely,



William C. Jones

Director -

Vehicle Safety Programs

WCJ/ag

bcc: D. E. Arnold
G. E. Brown
D. E. Dawkins
K. I. Gluckman
R. C. Lunn
D. C. Mallett
F. A. Stewart
M. W. Stucky
K. P. Tighe
NHTSA Chron
w/copy of inquiry
letter