



November 27, 2023

VIA EMAIL

Ms. Alicia Fenrick
Associate General Counsel
Cruise LLC
333 Brannan Street
San Francisco, CA 94170

NEF-101tph
PE23-018

Subject: Information Request ID PE23018-02

Dear Ms. Fenrick:

As you are aware, the Office of Defects Investigation (ODI) has opened Preliminary Evaluation (PE23-018) to investigate allegations that Automated Driving System (ADS) equipped vehicles operated by Cruise LLC (Cruise) may not be exercising appropriate caution around pedestrians in the roadway. This vehicle behavior could increase the risk of a collision with a pedestrian, which in turn may result in injury or death. To assist us at this stage of the investigation, ODI is requesting additional information concerning ADS behavior and performance near pedestrians.

This Office has received three (3) relevant reports from Cruise, submitted in compliance with Standing General Order 2021-01 (SGO), and one (1) Vehicle Owner Questionnaire of Cruise ADS equipped vehicles not exercising appropriate caution around pedestrians in the roadway. ODI has also learned of multiple other same or similar incidents involving Cruise ADS equipped vehicles. ODI learned of these other incidents through a variety of sources, including discussions with local authorities and media reports.

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

1. **Subject system**: the suite of software, hardware, data, and any other related systems on or off the vehicle that contributes to the operation of the Automated Driving System (ADS) of the subject vehicles.
2. **Subject vehicles**: all vehicles equipped with an ADS that are or have been operated by Cruise in the United States, including, but not limited to, the District of Columbia, and current U.S. territories and possessions.
3. **Alleged defect**: Subject vehicles with ADS engaged not exercising appropriate caution around pedestrians in the roadway.

4. **Pedestrian conflict avoidance incident:** An incident where a subject vehicle may exhibit the alleged defect when operating with the ADS engaged by encroaching on pedestrians in or entering the roadway in a manner that results in a conflict.
 - **Collision response incident:** An incident during which a subject vehicle when operating with the ADS engaged, where prior to, during, and following a collision, the subject system does not continuously detect and correctly classify a road user or object and does not appropriately respond to a conflict, including a collision, during fallback and maneuvers meant to minimize risk.
5. **Conflict**¹: Any scenario where the trajectory of one or more conflict partners led to 1) contact between conflict partners or a roadway departure; or 2) a situation where evasive maneuvers were taken or appeared necessary to one or more conflict partners to avoid a hazardous proximity or contact between conflict partners; or 3) a hazardous proximity or near miss occurred or was perceived to have occurred by any conflict partner.
6. **Conflict Partner:** Any road user or object involved in a conflict.
7. **Vulnerable road user:** Any person who is not an occupant of a motor vehicle with more than three wheels, including, but is not limited to, pedestrians, persons traveling in wheelchairs, bicyclists, motorcyclists, and riders or occupants of other transport vehicles that are not motor vehicles, such as scooters or skateboards.
 - **ADS operator:** any individual who, either remotely or while occupying a subject vehicle, performs or is intended to perform supervision of the subject system.
8. **Cruise:** Cruise LLC, all of its past and present officers and employees, whether assigned to its principal offices or to any of its field or other locations, including all of its 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 Cruise (including all business units and persons previously referred to), who are or were involved as of January 1, 2013, with any of the following related to the alleged defect in the subject vehicles:
 1. Design, engineering, analysis, modification or production (e.g., quality control);
 2. Testing, assessment or evaluation;
 3. 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, lawsuits or arbitrations; or
 4. Communication to, from or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the authority to obtain information from dealers.

¹ Adapted from ISO/TR 21974-1 and SAE J3206. *Objects* should be construed broadly to include any object or animal that could reasonably contribute to property damage or injury of a road user if struck at normal travel speeds.

9. **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 Cruise, 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 Cruise or not. If a document is not in the English language, provide both the original document and an English translation of the document.
10. **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 C.F.R. § 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 Cruise has previously provided a document to ODI, Cruise 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. All documents shall be produced electronically, in a common format (*e.g.*, Word, PDF, Microsoft Access) or other electronic formats commonly used by Cruise and discernable to NHTSA. Hard copy documents shall be imaged in PDF format and shall be provided as multi-page PDFs with document level optical character recognition (OCR). Electronically Stored Information (ESI) shall be produced in native format (*e.g.*, Microsoft Excel) or converted to multi-page PDFs and produced along with document level OCR/extracted text.

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

1. For each subject vehicle operated with the ADS engaged on public roadways in the United States to date by Cruise, state the following:
 - a. Vehicle identification number (17-character VIN);
 - b. Model;
 - c. The name used by Cruise to identify the subject vehicle;
 - d. ADS version installed as original equipment on the subject vehicle;
 - e. Date of initial operation on public roadways (MM/DD/YYYY);
 - f. The State(s) and jurisdiction(s) in the United States where the vehicle and system have been operated (postal abbreviation);
 - g. If permanently out of service, the date of final operation on public roadways (MM/DD/YYYY);
 - h. Number of miles driven on public roadways with the ADS engaged from June 1, 2021, through October 31, 2023, by month, year, and jurisdiction:
 - i) in total;
 - ii) with onboard human supervision;
 - iii) without onboard human supervision;
 - i. Number of events that relate to, or may relate to, a pedestrian conflict avoidance incident from June 1, 2021, through October 31, 2023, by month, year, and jurisdiction:
 - i) in total;
 - ii) with onboard human supervision;
 - iii) without onboard human supervision;
 - j. Number of events that relate to, or may relate to, a collision response incident from June 1, 2021, through October 31, 2023, by month, year, and jurisdiction:
 - i) in total;
 - ii) with onboard human supervision; and
 - iii) without onboard human supervision.
2. State the number of each of the following, received by Cruise, or of which Cruise is otherwise aware, which relate to, or may relate to, the alleged defect in the subject vehicles or to a pedestrian conflict avoidance incident or collision response incident:

- a. Consumer complaints², including those from fleet operators;
- b. Reports involving a crash, injury or fatality;
- c. Property damage claims; and
- d. Third-party arbitration proceedings, both pending and closed, where Cruise is or was a party to the arbitration; and
- e. Lawsuits, both pending and closed, in which Cruise is or was a defendant or codefendant.

For subparts “a” through “e,” state the total number of each item (e.g., consumer complaints, lawsuits, 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 in which a crash occurred are to be counted as a crash report, a field report and a consumer complaint).

In addition, for items “d” and “e,” 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. For each pedestrian conflict avoidance incident and each collision response incident of which Cruise is aware that relates to, or may relate to the alleged defect and for each item (complaint, report, claim, etc.) within the scope of your response to Request No. 2 (collectively, “incidents”), state the following information:
 - a. Cruise’s file number or other identifier used;
 - b. The associated identification number(s) for any Vehicle Owner Questionnaires (VOQs) or report(s) submitted in response to Standing General Order 2021-01;
 - c. If applicable, the category of the item, as identified in Request No. 2;
 - d. Vehicle identification number (17-character VIN);
 - e. The name used by Cruise to identify the subject vehicle;
 - f. Vehicle’s ADS version at the time of the incident;
 - g. Incident date (MM/DD/YYYY) and local time;
 - h. Report or complaint date (MM/DD/YYYY)
 - i. Incident location (GPS coordinates);
 - j. Whether the subject vehicle was operating with or without onboard human supervision;
 - k. Whether a potential or actual collision was detected by the subject vehicle;
 - l. Whether a crash is alleged;
 - m. Whether a collision or crash was verified;
 - n. Number of alleged injuries, if any;
 - o. Number of alleged fatalities, if any;
 - p. Number of conflict partners by type (e.g., car, adult pedestrian, scooter, etc.);
 - q. Number of conflict partners by type that were detected and classified accurately for the full duration of the conflict;

² The definition of consumer complaints includes communications made by any person. See [https://www.ecfr.gov/current/title-49/part-579#p-579.4\(c\)\(Consumer%20complaint\)](https://www.ecfr.gov/current/title-49/part-579#p-579.4(c)(Consumer%20complaint))

- r. The reason(s) that any conflict partner(s) was/were not detected and/or classified accurately for the full duration of the conflict;
- s. The minimum distance between the subject vehicle and the closest pedestrian as well as any closer conflict partner;
- t. The speed of the subject vehicle at the time of closest approach;
- u. The movement of the subject vehicle at the time of closest approach to a pedestrian (e.g. proceeding straight, right turn, U-turn, etc.);
- v. Whether the closest pedestrian to the subject vehicle was within a marked or unmarked crosswalk at the time of closest approach;
- w. Whether the subject vehicle passed in front of the closest pedestrian
- x. Whether the subject vehicle pass behind the closest pedestrian; and
- y. Whether the subject vehicle passed between a group of pedestrians.

Describe in detail the search methods and search criteria used by Cruise to identify the items in response to Request No. 3. Also, produce copies of all documents related to an incident identified in response to Request No. 3 and describe the method Cruise used for organizing the documents.

4. Separately, for each incident within the scope of your response to Request No. 3 that involved a crash (whether detected by the ADS or not) or ADS detection of a collision, or in which the ADS attempted to achieve a minimum risk condition, state the following information:
 - a. Cruise's file number or other identifier used;
 - b. Actions and observations by remote assistance;
 - c. How the collision was detected including involvement of specific sensors, subsystems, and remote assistance;
 - d. Whether the subject vehicle failed to continuously track and correctly classify any crash partner(s) at any time following the crash;
 - e. Whether the subject vehicle initiated fallback to a minimal risk condition;
 - f. The type of each maneuver/response initiated by the ADS during fallback to a minimal risk condition (e.g. pullover, in-lane stop, emergency stop, etc.);
 - g. Whether an ADS disengagement occurred; and
 - h. Whether the ADS resumed driving following disengagement or a minimum risk condition and the manner of reengagement/resumption.
5. For each incident within the scope of your response to Request No. 3 that involved a crash, provide a summary description of the incident and identify causal and contributing factors, material underlying facts, as well as Cruise's assessment of the incident with a summary of the significant underlying facts and evidence.
6. For each incident within the scope of your response to Request No. 3 that has occurred since January 1, 2023, and for all incidents within the scope of your response to Request No. 4, provide a composite rendering of the full duration of the conflict showing video of each conflict partner and their ADS classification(s) alongside synchronized renderings of the ADS status, ADS planned paths, the velocity and predicted trajectories of conflict

partners, and the velocity, acceleration, and steering of the subject vehicles. Additionally provide all related videos for the complete duration of any remote assistance.

7. For each incident within the scope of your response to Request No. 4, provide a detailed timeline of events for the duration of the conflict, with time references for each entry, including but not be limited to:
 - a. The classification and any subsequent changes to the classification of each conflict partner;
 - b. The initiation of any turn, lane change, or lane merge by the subject vehicle and the completion of any such maneuver;
 - c. Any malfunction or degradation of the subject system;
 - d. Any visual or audible signal indicating a failure of the subject system provided to any onboard or remote ADS operator, including a description of each signal and how it was provided or displayed;
 - e. Any application of the service brakes on the subject vehicle by the subject system, or by any onboard or remote ADS operator;
 - f. Any vehicle control commands or inputs by any onboard or remote ADS operator;
 - g. Any detection of a collision (even if it was later verified that a collision did not occur);
 - h. Any physical contact made between the subject vehicle and any conflict partner;
 - i. Any activation of hazard lights;
 - j. Any initiation of fallback to a minimum risk condition;
 - k. Any initiation of communications between the subject vehicle, any onboard personnel, any passengers, any remote ADS operator, and/or local law enforcement; and
 - l. Any disengagement of the ADS.

8. 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 that have been conducted, are being conducted, are planned, or are being planned by, or for, Cruise. 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. Cruise’s file number(s) or other identifier(s) used for any item(s) within the scope of your response to Request No. 3 related to this action;
 - e. Summary of the subject and objective of the action;
 - f. Engineering group(s)/supplier(s) responsible for designing and for conducting the action; and
 - g. A description and threshold values of all measures, metrics and criteria used to assess the safety, reliability, and prediction performance of the subject vehicles and subject systems, individually and in aggregate, operating with and without onboard human supervision; and
 - h. A 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.

9. Describe all modifications or changes made or planned by, or on behalf of, Cruise in the design of the subject system from the initial date of operation on public roads that relate to, or may relate to, the alleged defect. 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 one or more vehicles in operation;
 - b. A detailed description of the modification or change;
 - c. The reason(s) for the modification or change;
 - d. The version of the subject system prior to modification;
 - e. The version of the modified subject system;
 - f. Whether the original unmodified subject system version was withdrawn from operation and, if so, when; and
 - g. Whether the modified version can be interchanged with earlier versions.

Also, provide the above information for any modification or change that Cruise is aware of which may be incorporated into vehicles in operation within the next 180 days.

10. Describe and produce each document related to the subject system theory of operation, requirements, and design, verification, validation, and risk assessment/management for hazards and design considerations that relates to, or may relate to, the alleged defect including:³
 - a. Maintaining predictable vehicle motion control;
 - b. Maintaining a safety envelope and other safety metrics for each type of road user;
 - c. Detecting imminent conflicts and collisions involving nearby road users;
 - d. Detecting imminent conflicts and collisions involving Cruise vehicles and other road users or objects;
 - e. Right-of-way determination and assertion when pedestrians are entering or present in the roadway;
 - f. Capability to identify and predict behavior of specific types of vulnerable road users, including children, pedestrians in atypical poses (e.g., a pedestrian who has fallen) and atypical clothing;
 - g. Capability to identify and predict behavior of objects close to a subject vehicle that are not within the field of view of one or more vehicle sensors;
 - h. Contextual awareness and response to imminent conflicts between other nearby road users;
 - i. ADS responses to imminent collisions based on conflict partner type;
 - j. ADS responses to collision detection based on conflict partner type, especially vulnerable road users;
 - k. Minimum risk maneuvers and conditions associated with specific crash partner types;

³ See discussion of the topics listed in AVSC00006202103 *AVSC Best Practice for Metrics and Methods for Assessing Safety Performance of Automated Driving Systems (ADS)* and AVSC00009202208 *AVSC Best Practice for Interactions Between ADS-DVs and Vulnerable Road Users (VRUs)*.

- l. Capability of the ADS to associate a detected collision with specific crash partner(s);
 - m. Capability of remote assistance to associate a detected collision with specific crash partner(s);
 - n. Metrics previously used or currently in use by Cruise to assess ADS behavioral competency near vulnerable road users and how they are used to assess readiness for operating without an in-vehicle fallback driver; and
 - o. Human factors and sensor field of view considerations for remote assistance evaluation and response to collisions.
11. Furnish Cruise's assessment of the behavioral competencies throughout the crash described in SGO Report 30412-6395 and explain any changes Cruise has made to the ADS to alter performance in the same or similar scenario. Specifically explain:
- p. Whether, given the imminent conflict in the adjacent lane, the Cruise AV maintained a safety envelope and other safety metrics meeting Cruise's design specifications including but not limited to the velocity, acceleration and trajectory.
 - q. Whether the Cruise AV failed to continuously track and correctly classify the pedestrian at any time before, during, or after the crash.
 - r. Why the Cruise AV continued forward motion after initially coming to a stop with the pedestrian beneath the vehicle, and whether subsequent configurations or versions of the ADS alter performance for this specific scenario or similar scenarios involving a vulnerable road user trapped beneath the vehicle.
 - s. Whether the documents provided in response to Request No. 10 pertaining to requirements and design specifications for the ADS previously included (before the crash) and whether they were subsequently revised to include elements pertaining to post-crash behaviors with vulnerable road users.
 - t. Whether the documents provided in response to Request No. 10 pertaining to verification and validation of the ADS previously included (before the crash) and whether they were subsequently revised to include scenarios involving the Cruise AV responding to a vulnerable road user beneath the vehicle.
 - u. Whether the Cruise AV's performance in this crash scenario was as expected and whether it maintained the desired safety envelope and other safety metrics as specified in the ADS requirements and design documentation.
 - v. Any limitations on potential steering avoidance opportunities. Explain whether the ADS can choose to cross into the delineated bike lane during a crash-imminent scenario.
12. Furnish Cruise's assessment of the alleged defects in the subject vehicles, including:
- a. The causal or contributory factor(s);
 - b. How the subject system driving policies and performance exhibit due care/caution near pedestrians;
 - c. The risk to pedestrian safety that it poses; and
 - d. What warnings or indications, if any, Cruise ADS operators would have that the alleged defects were occurring.

Legal Authority for This Request

This letter is being sent to Cruise 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. It constitutes a new request for information.

Civil Penalties

Cruise's failure to respond promptly and fully to this letter could subject Cruise 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, 49 U.S.C. § 30165(a)(3), provides for civil penalties of up to \$26,315 per violation per day, with a maximum of \$131,564,183 for a related series of daily violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. *See* 49 C.F.R. § 578.6(a)(3). This includes failing to respond completely, accurately, or in a timely manner to ODI information requests.

If Cruise 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, Cruise does not submit one or more requested documents or items of information in response to this information request, Cruise 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

If Cruise's response contains any information that you claim is confidential business information, Cruise must request two secure electronic file transfer links from Thomas Haugh at thomas.haugh@dot.gov. One secure electronic file transfer link is for your request for confidential treatment and will be directed to NHTSA's Office of the Chief Counsel. Please see the enclosure for additional instructions on submitting a request for confidential treatment that is compliant with 49 C.F.R. Part 512 (specifically, a request for confidential treatment must include the four required parts that are discussed in the enclosure). The second secure electronic file transfer link is for your non-confidential response to this letter. Do not submit any confidential business information along with your non-confidential submission. Please refer to PE23-018 in Cruise's response to this letter and in a request for confidential treatment that Cruise may submit.

Due Date

Cruise's response to this letter must be submitted to this office by **JANUARY 8, 2024**. If Cruise finds that it is unable to provide all of the information requested within the time allotted, Cruise must request an extension from me at (202) 366-4925 or (202) 836-3605 no later than five business days before the response due date. If Cruise 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 Cruise then has available, even if an extension has been granted.

If you have any technical questions concerning this matter, please call Thomas Haugh of my staff at (202) 366-2252.

Sincerely,

Sharon L Yukevich

Sharon Yukevich, Chief
Vehicle Defects Division A
Office of Defects Investigation

cc: eric.danko@getcruise.com

The subject reports referenced in the introduction of this letter may be viewed at NHTSA.gov under ODI identification number 11550811 and NHTSA.gov/SGOCrashReporting using the following report identification numbers: 30412-6395, 30412-6175, 30412-5831.

Enclosure, Information for Requests for Confidential Treatment.

ENCLOSURE – INFORMATION FOR REQUESTS FOR CONFIDENTIAL TREATMENT

If you believe that your response contains any material that you claim is confidential business information, submit these materials to NHTSA’s Office of the Chief Counsel in accordance with 49 C.F.R. Part 512. **All requests for confidential treatment must be submitted directly to the Office of the Chief Counsel. Upon request, ODI will provide you with a secure file transfer link for your submission to the Office of the Chief Counsel.**

Requests for confidential treatment are governed by Part 512. A current version of this regulation is available on the internet at <http://www.ecfr.gov> by selecting Title 49 “Transportation,” selecting “Parts 500 – 599” and then selecting Part 512 “Confidential Business Information.”

How to request confidential treatment:

NHTSA is currently treating electronic submission as an acceptable method for submitting confidential business information to the agency under Part 512. If you claim that any of the information or documents provided in your response constitutes confidential business information within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, you must request a secure file transfer link from the ODI contact listed in your Information Request. ODI will copy a representative from the Office of the Chief Counsel on the secure file transfer link for your request for confidential treatment. You must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with Part 512, to the Office of the Chief Counsel. Do not send a hardcopy of a request for confidential treatment to NHTSA’s headquarters.

Your request must include a request letter that contains supporting information, pursuant to Part 512.8. Your request must also include a certificate, pursuant to Part 512.4(b) and Part 512, Appendix A.

You are required to submit one unredacted “confidential version” of the information for which you are seeking confidential treatment. Pursuant to Part 512.6, the words “ENTIRE PAGE CONFIDENTIAL BUSINESS INFORMATION” or “CONFIDENTIAL BUSINESS INFORMATION CONTAINED WITHIN BRACKETS” (as applicable) must appear at the top of each page containing information claimed to be confidential. In the latter situation, where not all information on the page is claimed to be confidential, identify each item of information for which confidentiality is requested within brackets: “[].”

You are also required to submit one redacted “public version” of the information for which you are seeking confidential treatment. Pursuant to Part 512.5(a)(2), the redacted “public version” should include redactions of any information for which you are seeking confidential treatment (i.e., the only information that should be unredacted is information for which you are **not** seeking confidential treatment).

For questions about a request for confidential treatment, please contact Dan Rabinovitz in the Office of the Chief Counsel at Daniel.Rabinovitz@dot.gov or (202)366-8534.