



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**



CONTAINS CLAIMED CONFIDENTIAL BUSINESS INFORMATION

Chris Nalevanko
General Counsel, Vice President, Secretary
Zoox, Inc.
1149 Chess Dr
Foster City, CA 94404

AVEP
2025-0015

August 4, 2025

Dear Mr. Nalevanko:

This is in response to the June 5, 2025 request submitted by Zoox, Inc. (“Zoox”) to use the vehicles listed in Appendix A (the “Vehicles”) on public roads in a demonstration program under 49 U.S.C. § 30114(a). As explained below, NHTSA is granting your request subject to certain conditions.

A. Legal Authority

This exemption is issued under the authority conferred to NHTSA by 49 U.S.C. § 30114(a). Section 30114(a) permits the Secretary of Transportation to exempt a motor vehicle or item of motor vehicle equipment from Section 30112(a) for particular purposes, including demonstrations.¹ Section 30112(a), in turn, generally prohibits a person from manufacturing, selling, offering for sale, introducing or delivering into interstate commerce, or importing into the United States any motor vehicle or motor vehicle equipment unless it complies with all applicable safety standards and is so certified under Section 30115.

As NHTSA has previously noted, the express language of Section 30114(a) contains no restrictions on a vehicle’s or equipment’s country of origin.² As such, the Vehicles subject to Zoox’s request, which were manufactured in the United States, are eligible for exemption requests under Section 30114(a).

Due to the circumstances in which the language in Section 30114(a) originally arose, NHTSA has historically administered these exemptions for noncompliant vehicles made outside of the

¹ The Secretary has delegated this authority to NHTSA. 49 CFR 1.95(a).

² See, e.g., NHTSA, *Letter from Chief Counsel* (Apr. 24, 2025); *ADS-Equipped Vehicle Safety, Transparency, and Evaluation Program*, 90 Fed. Reg. 4130 (proposed Jan. 15, 2025) (to be codified at 49 CFR Parts 595 and 597).

United States.³ NHTSA is undertaking a rulemaking to develop permanent procedures for the administration of Section 30114(a) exemptions to vehicles built in the United States.⁴ In the meantime, NHTSA may act on exemption requests involving vehicles built in the United States through adjudication. Under its plain language, the authority in Section 30114(a) is self-executing and NHTSA regulations are not necessary for the agency to administer this authority.

Exercising NHTSA's statutory authority by adjudicating exemption requests for domestic vehicles promotes the public interest by enabling vehicles built in the United States to have equal opportunities for research and demonstration exemptions as imported vehicles. As NHTSA's Chief Counsel explained in an April 24, 2025 letter, Section 30114(a) exemptions facilitate innovative designs and have frequently been used to support the development and demonstration of advanced vehicle technologies, such as ADS-equipped vehicles.⁵ Research and demonstration exemptions under Section 30114(a) promote the rapid development of ADS technology and provide regulatory options for exploring the safety potential of vehicle automation within an established oversight framework.

Accordingly, Zoox's Vehicles are eligible to be considered for demonstration exemptions under Section 30114(a). As indicated below and in the accompanying material, NHTSA's careful review of this application is consistent with the approach that the Agency has taken previously with respect to imported vehicles requesting exemptions under Section 30114(a).

B. Zoox's Application

In this letter, the terms Automated Driving System ("ADS"), remote driving, remote assistance, fleet operations, system failure, and Minimal Risk Condition ("MRC") are used as defined in SAE International ("SAE") J3016, "Taxonomy and Definitions for Terms Related to On-Road Motor Vehicle Automated Driving Systems," April 2021.

According to your request, the demonstration will be conducted on roads within the operating areas and routes described in Appendix B to evaluate and learn from early rider experience and to demonstrate a ride-hail service with a purpose-built ADS-equipped vehicle. The Vehicles will

³ See 49 CFR Part 591; see also NHTSA, *Importation of Motor Vehicles and Equipment Subject to Federal Safety, Bumper, and Theft Prevention Standards*, 58 Fed. Reg. 12905, 12906 (Mar. 8, 1993) (explaining in the preamble the historical context surrounding the statutory language, which was introduced in 15 U.S.C. § 1397(j) and later moved to 49 U.S.C. § 30114(a) in a non-substantive recodification of the Safety Act); *ADS-Equipped Vehicle Safety, Transparency, and Evaluation Program*, 90 Fed. Reg. 4130 (proposed Jan. 15, 2025) (summarizing the relevant legislative history).

⁴ This rulemaking remains ongoing. See Office of Information and Regulatory Affairs, "Unified Agenda of Regulatory and Deregulatory Actions," RIN 2127-AM14: Expansion of Temporary Exemption Program to Domestic Manufacturers for Research, Demonstrations, and Other Purposes.

⁵ From 2016 through 2024, NHTSA exempted 347 imported ADS-equipped vehicles for operations in 295 projects across 31 States under Part 591.

be operated at a maximum speed not to exceed the applicable posted speed limit and will service members of the public. Pedestrians and other road users will be notified of the demonstration via general communication surrounding the demonstration, such as press releases, FAQs, and community outreach.

Further, as represented in your request, remote assistants (referred to as “TeleGuidance tacticians” by Zoox) will monitor the operation to ensure passenger and vehicle safety. The remote assistants, employed by Zoox, will be available to provide assistance during the operation of the Vehicles. [REDACTED]

[REDACTED] Additionally, audio communication with the remote supervision center is possible at any time.

C. NHTSA’s Decision

NHTSA has reviewed your application to use the Vehicles on public roads in the demonstration program described above and is granting your request subject to the following conditions:

1. This grant of permission applies only to the Vehicles identified in Appendix A in the demonstration program described herein. If you seek to operate any additional vehicles requiring exemptions on public roads for research or demonstration purposes, regardless of whether they are the same model as the one that is the subject of this letter, you must separately request and receive permission from NHTSA prior to such operation.
2. You shall not sell, or transfer possession of, or title to, any Vehicle, and shall not license it for use, or operate it on the public roads, except under such terms and conditions authorized by NHTSA. The Vehicles also may not be used to provide transportation services on public roads in exchange for revenue-generating fares (*e.g.*, fares that are retained by Zoox, fees that are collected through subscriptions for delivery of goods, or fees that are included in the price of delivered goods).
3. The Vehicles are only permitted to operate on the roads included in the operating routes and areas described in Appendix B. Operation on these roads is limited to the posted speed limits defined therein and reproduced below:
 - a. 40 mph or less in Foster City, CA,
 - b. 25 mph or less in San Francisco, CA, and

- c. 45 mph or less in Clark County, NV.
4. The Vehicles are not permitted to be operated at speeds above the posted speed limit on publicly accessible roads.
5. Remote assistance by a trained remote assistant employed by Zoox is permitted consistent with the operating conditions described in this letter and Zoox's application.
6. Remote driving is only permitted in limited circumstances for purposes of vehicle recovery, repositioning, or other short-duration field operations (referred to as "Rovebot operation" by Zoox). [REDACTED]
[REDACTED]
7. The Vehicles may only be operated when a trained remote assistant is on duty who, at all times, is attentive and prepared to initiate each Vehicle to stop, remain stopped, or pull over, should the need arise.
8. [REDACTED]
[REDACTED]
[REDACTED]
9. No more than fifty (50) of the Vehicles may be operated at any given time until the following conditions are met:
 - a. Zoox submits a report in accordance with Conditions 20 and 21 for one full month of operation of the Vehicles on public roads;
 - b. Zoox provides [REDACTED] metrics based on operation of the Vehicles on public roads during the month of August, consistent with previously submitted data; and
 - c. Zoox meets with NHTSA after submitting the required report and reasonably considers any feedback from NHTSA.
10. The Vehicles must be configured in such a way to allow movement, in either automated or manual mode, out of the path of vehicles, pedestrians, and obstacles. Fleet operations personnel must be available to be deployed to any Vehicle's location at all times during the operation of the Vehicles and must have a means to take control of the Vehicle as specified in Condition 6 to move it to a safe location.

11. The Vehicles must allow the ADS or remote assistant to activate a horn or other audible warning at all times. The horn or other audible warning must be capable of emitting continuous and uniform sound audible under normal conditions from a distance of not less than 200 feet while activated.
12. The Vehicles and their operation must comply with all Federal, State, and local laws and requirements at all times. This includes compliance with Standing General Order 2021-01, if applicable. Each Vehicle must be duly permitted, if applicable, and authorized to operate upon all roadways traversed by the routes in the manner and conditions described herein.
13. The Vehicles may not be operated in adverse weather and road conditions, which include heavy rain, snow, sleet, freezing rain, or hail; heavy fog, haze, or smoke; wind speeds greater than 25 mph (steady or repeated gusting); on paved roadways with very wet, flooded, or icy surface conditions; or on paved roadways that are obscured by large puddles, snow, sand, gravel, large quantities of leaves, or other debris.
14. The Vehicles may not be operated in any manner inconsistent with the description of the operation stated in your application or this letter or with any conditions specified in this permission letter unless you request and receive permission from NHTSA before operating under such changed conditions. For purposes of this permission, a change in operation should be broadly construed to include any alteration of the Vehicle operation, including the conditions under which the Vehicle operates, the Vehicle's capabilities, and route(s) described in this letter. Please allow at least forty-five (45) calendar days for NHTSA to respond to requests to change operating conditions.
15. The Vehicles must be equipped with the following:
 - a. Seat belts at each seating position.
 - b. Software version [REDACTED] or a subsequent software version that entails at least the same level of ADS functionality.
16. The Vehicles must display the following labels or messages formatted in a manner that can easily be read and must be located in a place that is readily visible:
 - a. A label or message, displayed on the interior and exterior of the Vehicle, warning prospective and actual occupants that the Vehicle is subject to an exemption from applicable Federal Motor Vehicle Safety Standards.

- b. A label or message, displayed on the interior of the Vehicle, warning occupants that the Vehicle is a demonstration vehicle and of the need to fasten their seat belts.

The Vehicles must not display any labels or messages that conflict with the labels or messages required in this letter. Any existing statements that the Vehicles comply with or conform to all applicable FMVSS must be obscured or removed.

- 17. Remote assistants and fleet operations personnel must be trained and regularly monitored. All remote assistants and fleet operations personnel shall receive specific training on passenger safety and emergency response scenarios. Personnel performance monitoring shall occur at least as frequently as described in your application.
- 18. You must notify NHTSA whenever any of the Vehicles is involved in any situation in which it posed a risk to the safety of any individual(s), whether such individual(s) were inside or outside of the Vehicle at the time of the event. These include, but are not limited to:
 - a. Crashes or contact events⁶;
 - b. Any situation that resulted in injury to vehicle occupants, pedestrians, bicyclists, or other road users;
 - c. Any situation resulting in a citation issued by an authority responsible for enforcing traffic safety laws where the Vehicle is operating;
 - d. Any instance in which a Vehicle needed to be recovered from a travel lane during roadway operations by personnel other than those already on board the Vehicle;
 - e. Any instance in which a Vehicle was stopped in a travel lane and could not proceed without outside assistance for longer than two (2) minutes; and
 - f. Unexpected lane departures.

You must provide notification of the incidents described in (a) or (b) above within one (1) business day of the event or receipt of notice of such event. For any other qualifying event, you must provide notification within five (5) business days of the event or receipt of notice of such event.

Notification must be sent to AVEPIncidents@dot.gov with a full description of the event. In addition, the following information must be provided as soon as practicable for all incidents:

⁶ These events include crashes as defined within Standing General Order (SGO) 2021-01 in addition to contact events with one or more road users or contact events with any object that is reasonably associated with risk of property damage, injury, or fatality. Contact events that are not reasonably associated with a risk of property damage or injury—such as normal entry and egress or intentional contact with a stationary vehicle—are not reportable under this condition.

- The ADS engagement status leading up to and including the event. This includes engaging the ADS and attempts to engage the ADS;
- A description of anticipated steps or mitigations to prevent or address similar future occurrences, if applicable;

The following information must also be provided as soon as practicable for incidents described in (a) and (b) above and must be made available upon request for all other incidents:

- Video captured by onboard or offboard cameras that, in a single or combination of camera views, show the entire event;
- A list of available video and annotated perception views captured by onboard sensors showing the entire event; and
- Any incident report(s) concerning the occurrence prepared by or for State or local law enforcement authorities, if and as such reports come into your possession.

Be advised that this reporting requirement is distinct from the reporting requirements of Standard General Order 2021-01 (SGO), as applicable, and must be submitted separately. You may submit an advance copy of an SGO report to satisfy the requirements of this condition ahead of submitting that SGO report in accordance with the reporting requirements of SGO, if desired.

19. You must notify NHTSA whenever an ADS-equipped vehicle owned or operated by you in a foreign country is involved in a crash or any other situation that resulted in injury to vehicle occupants, pedestrians, bicyclists, or other road users if the vehicle or its equipment is identical or substantially similar to a Vehicle listed in Table 1 or its equipment, including the ADS. For any such incident you must provide notification of the incident within seventy-two (72) hours of the event or receipt of notice of such event. All such notifications shall include a full description of the event.

Notification must be sent to AVEPIncidents@dot.gov. In addition, you must provide, as soon as practicable: (1) the ADS engagement status at the time of the crash and, if applicable, the elapsed time since the ADS was last engaged; (2) a description of any anticipated changes or mitigations to vehicles operating in the U.S. to prevent or address similar future occurrences, if applicable.

20. You must submit a monthly report to NHTSA on the 15th of each month detailing all events listed below which have occurred in the previous month of operation of the

Vehicles involving interaction with the public.⁷ The following events must be reported:

- a. Unplanned ADS disengagements⁸ and system failures;
- b. Any unplanned input⁹ from a person located inside or outside of the Vehicles that is given to facilitate trip continuation or if the ADS encounters a situation it cannot manage;
- c. Maneuvers to attempt minimal risk conditions (MRCs);
- d. Instances when the Vehicles lost connectivity with the fleet operations center for longer than 15 seconds; and
- e. Instances of longitudinal acceleration or deceleration exceeding 0.5 g or 95% of the maximum deceleration capability of either the ADS or the Vehicle as provided in your application, whichever is lesser.

For each event, the report must include:

- A description of the event(s), including what initiated the event, any involvement of remote assistance, network connection issues, or system failures, and how any pedestrians, vehicles, or other objects were involved, as applicable;
- The date and time that the event occurred (including both start and end time, if applicable);
- GPS location of the start of the event;
- Weather conditions during the event;
- Vehicle speed immediately prior to the event; and
- The ADS software version of the subject Vehicle.

The report must be emailed to SpecialExemptions@dot.gov and should have a subject line containing “Zoox,” “Monthly Report,” and date (month and year) of the reporting period.

21. You must submit a monthly report to NHTSA on the 15th of each month detailing, for each Vehicle listed in Table 1 (identified by VIN), the total vehicle miles traveled during the previous month. You may include this with the Monthly Report.
22. You must record and retain video showing any event listed in the monthly report described in Condition 20. Video must be retained for at least 4 months and must be provided to NHTSA upon request. When providing video to NHTSA, files or file

⁷ For purposes of this condition, “interaction with the public” includes operation on public roads, operation near members of the public, or the use of the vehicle to transport members of the public.

⁸ For purposes of this condition, an “unplanned ADS disengagement” includes but is not limited to instances when the ADS deactivates, for any reason, at times or locations not pre-planned prior to a given trip.

⁹ For purposes of this condition, an “unplanned input” includes but is not limited to instances when the remote assistant provides confirmation, assistance, or guidance, for any reason, at times or locations not pre-planned prior to a given trip.

names must indicate which video corresponds to which event listed in the monthly report. Recorded video must:

- a. Have a minimum vertical resolution of 480 pixels;
 - b. Have a minimum horizontal resolution of 640 pixels;
 - c. Have a minimum frame rate of 15 frames per second (FPS);
 - d. Capture forward and rear-facing views; and
 - e. Be stamped with the date and time of the recording.
23. You must provide a copy of all periodic safety-related reports submitted to State or local permitting authorities within five (5) business days of submitting the report to the State or local authority.
 24. You must disclose to all members of the public¹⁰ who will be on board during operation of the Vehicles that the Vehicles are operating under a demonstration program and subject to the relevant exemption. This disclosure must be made before these members of the public board the Vehicle.
 25. Consistent with Zoox's current terms of service and rider support materials, the Vehicles are not permitted to operate with passengers who are under the age of 8 years old. The Vehicles are only permitted to operate with passengers under the age of 18 when they are accompanied by someone over the age of 18.
 26. You must provide NHTSA with documentary proof of the disposition of the Vehicles not later than fifteen (15) days following the end of the period for which the exemption was granted. Possible disposition methods are export, destruction, or certifying that the Vehicles will be kept off public roads. Please note that failure to provide acceptable proof of disposition can result in the denial of future applications.
 27. You must submit an annual report to NHTSA on the status of all vehicles subject to an exemption in the previous year. The report should identify, by vehicle identification number (VIN), whether each vehicle is continuing to operate on public roads. If the vehicle is no longer in operation, the report should include the date and type of disposition. The report must be emailed to SpecialExemptions@dot.gov and should have a subject line containing the words "Zoox," "AVEP Annual Report," and the year. **Zoox's annual report due date is August 4.**
 28. The Vehicles must be made available for inspection by NHTSA upon request.

Nothing in this letter, including conditions 3 and 13, is intended to restrict the ability for the Vehicles to deviate temporarily from the route or conditions described herein when such a

¹⁰ For purposes of this letter, "members of the public" includes anyone that is not employed by (or is an agent of) either the permission holder or the manufacturer of the subject vehicle.

deviation is necessary to react safely to sudden roadway or environmental emergencies or conditions unexpectedly encountered during Vehicle operations. Please note that if such a deviation involves a safety risk situation described in condition 18, notice must be provided in the manner and timeframe specified therein.

Subject to the conditions specified herein and based on the information you provided in support of your request to use the Vehicles on public roads in the demonstration program described above, NHTSA grants your request pursuant to 49 U.S.C. § 30114(a). Nothing in this letter is intended to restrict operation on roads that are not publicly accessible, *e.g.*, closed courses. In addition, nothing in this letter should be construed as affecting any laws or requirements other than those expressly set forth in this letter, including but not limited to any terms or requirements that may exist under any grant programs potentially applicable to you or the demonstration project described herein.

NHTSA may modify, suspend, or revoke this permission, in its discretion and as appropriate, including, for example, to address potential safety concerns that arise during the Vehicles' operation pursuant to all applicable conditions or in response to a violation of any terms and conditions imposed by NHTSA. A copy of your application, all supporting documentation, and a copy of this approval must be retained and made available to DOT upon request. Permission to operate the Vehicles on public roads in the demonstration program described herein expires on the Operation Expiration Date shown below.¹¹

Operation Expiration Date:

August 4, 2026

¹¹ This expiration date applies only to the permission granted in this letter. This permission letter does not supersede any previously issued permission letter(s) which remain in effect until their respective expiration date(s) unless explicitly modified, suspended, or revoked by NHTSA.

If additional time is required, a request for an extension must be submitted in writing, along with a copy of the prior permission letter, no later than forty-five (45) calendar days before the expiration date. It is your responsibility to ensure that all Automated Vehicle Exemption Program (AVEP) permissions are current with NHTSA. Any violation of a term or condition imposed by NHTSA in its letter authorizing operation shall be considered a violation of 49 U.S.C. § 30112(a) for which a civil penalty may be imposed. A revocation of a permission may require disposition of the Vehicles. If you need any further information, feel free to contact the AVEP Team by email at SpecialExemptions@dot.gov.

Sincerely



Eileen Sullivan
Associate Administrator for Enforcement
U.S. Department of Transportation
National Highway Traffic Safety
Administration

NHTSA Note: Appendices withheld in full due to a request for treatment as confidential business information. Similarly, certain terms of the permission letter, such as restrictions setting forth the specific operational parameters for remote operations, were also redacted as they reflect information for which treatment as confidential business information was requested.