From: Topka, Tanya (NHTSA)
To: Matt Lowry; Eric Williams; Eddie Gates
Cc: Simmons, Scott (NHTSA)
Subject: Tesla Software Update 2025.32.3 "Lane drift detected. Let FSD assist so you can stay focused"
Date: Friday, September 19, 2025 2:15:00 PM
Attachments:

Tesla Team,

We are aware of recent reports that Tesla Software Update 2025.32.3 adds new user-facing prompts recommending activation of FSD when lane drift or driver drowsiness is detected in a manually- driven Tesla.

[redacted]

We request:

1. Tesla's confirmation of the public release date for this functionality and the applicable vehicle hardware versions / models using it.

2. A detailed description of this functionality, including:
    a. Functionality triggers (including a list and descriptions of types of driver impairment detected and detection methods for each)
    b. Capture (if any) of feature activation in vehicle data logs
    c. Alert descriptions along with applicable images of the alerts
    d. Tesla's safety case justifying the deployment of this new feature
    e. Tesla SAE Level designation of the new feature
    f. Any plausibility checks applied to driver control inputs adjacent to feature activation (e.g., safe user control of accel and brake pedals)

3. Please identify and provide an overview of the FSD neural networks designed to identify lane drift or driver drowsiness and activate the aforementioned partial automation features.

4. Provide data and events that prompted feature field development and deployment including
    a. Prompting clips and / or crashes
    b. Collision / near miss count / rate by road class
    c. Descriptions of human factors studies, considerations, and assessments by Tesla to assess the benefits and risks of altering (reducing) the workload of a driver

presumed to be drowsy.

5. Provide a description of any new sensors or existing sensor provisions necessary to activate these partial automation features.

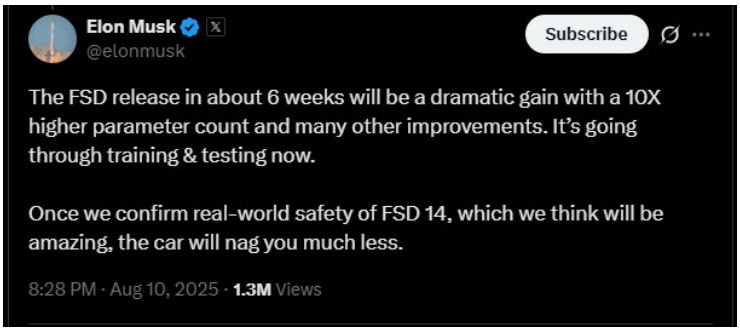
6. Tesla's owner's manuals instruct that drivers must keep their hands on the wheel and remain attentive at all times when operating FSD-Supervised. Please confirm whether Tesla continues to stand by this position and how it reconciles with the mentioned functionality and conflicting public statements.

We are concerned that this functionality may introduce additional risks to the roadways in the following foreseeable ways:

- Promotion of FSD use by a driver who is drowsy or otherwise impaired, which is inconsistent with Tesla's manuals and prior communications to NHTSA that FSD requires an attentive driver at all times
- Encouragement of driver overreliance on a partial driving automation system
- Implication that FSD may operate at higher levels of autonomy inconsistent with an SAE Level 2 partial automation system:
    - Recommends engagement when the driver may not be capable of continuous supervision
    - Implies the system can operate safely without continuous monitoring by the driver which contradicts with a SAE Level 2 system.

We also note various public statements made by Tesla and its representatives that are consistent with these concerns. Two such recent examples include:

- August 8, 2025: indicating that an upcoming update would "reduce the need for driver attention", and
- August 10, 2025: stating that within six weeks there would be a significant update released with development trending towards fewer system 'nags' requiring driver attention. Please confirm whether this new functionality is related to these statements.



We request Tesla's response no later than September 30th.
If you would prefer to discuss rather than provide a written response, please contact me to schedule a meeting.

Tanya Topka
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