



DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2025-0523]

Zoox – Receipt of Application for Temporary Exemption from Various Requirements of the Federal Motor Vehicle Safety Standards for an Automated Driving System-Equipped Vehicle; Request for Comment

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Request for public comment.

SUMMARY: Zoox, Inc. (“Zoox”) has petitioned NHTSA for a temporary exemption from certain requirements in eight Federal Motor Vehicle Safety Standards (FMVSS) applicable to its passenger car equipped with an automated driving system (ADS). Specifically, Zoox seeks exemption from portions of FMVSS No. 103, Windshield defrosting and defogging systems; FMVSS No. 104, Windshield wiping and washing systems; FMVSS No. 108, Lamps, reflective devices, and associated equipment; FMVSS No. 111, Rear visibility; FMVSS No. 135, Light vehicle brake systems; FMVSS No. 201, Occupant protection in interior impact; FMVSS No. 205, Glazing materials; and FMVSS No. 208, Occupant crash protection. NHTSA is publishing this document in accordance with statutory and administrative provisions and seeks comment on the merits of Zoox’s exemption application and on potential terms and conditions that should be applied to a temporary exemption if granted. After receiving and considering public comments, NHTSA will make a decision on the merits of the application and will publish a notice in the **Federal Register** setting forth NHTSA’s reasoning for either granting or denying the petition.

DATES: Comments must be received on or before [INSERT 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit comments to the docket number identified in the heading of this document by any of the following methods:

- *Electronic Submissions:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail or Hand Delivery:* Docket Management, U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building, Suite W58-213, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays. To be sure someone is there to help you, please call (202) 366-9826 or (202) 366-9317 before coming.

Instructions: All submissions must include the agency name and docket number. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. Please see the Privacy Act discussion below. NHTSA will consider all comments received before the close of business on the comment closing date indicated above. To the extent possible, NHTSA will also consider comments filed after the closing date.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov/docket/NHTSA-2025-0523> at any time or to 1200 New Jersey Avenue, S.E., West Building Ground Floor, Room W12-140, Washington, D.C. 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays. Telephone: 202-366-9826.

Privacy Act: In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to inform its rulemaking process. DOT posts these comments, without edit, to www.regulations.gov, as described in the system of records notice, DOT/ALL-14 FDMS, accessible through www.dot.gov/privacy. In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all

timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

Confidential Business Information: If you wish to submit any information under a claim of confidentiality, you must submit your request directly to NHTSA's Office of the Chief Counsel. Requests for confidentiality are governed by 49 CFR part 512. If you claim that any of the information or documents provided to the Agency constitute 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 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. Your request must include a cover letter setting forth the information specified in our confidential business information regulation (49 CFR 512.8) and a certificate, pursuant to § 512.4(b) and part 512, appendix A. NHTSA is currently treating electronic submission as an acceptable method for submitting confidential business information to the Agency under part 512. Please do not send a hardcopy of a request for confidential treatment to NHTSA's headquarters. The request should be sent to Dan Rabinovitz in the Office of the Chief Counsel at Daniel.Rabinovitz@dot.gov or you may contact him for a secure file transfer link. Manufacturers or any companies that already have a Confidential Business Information (CBI) Portal account or an Enterprise Account with NHTSA should use the CBI Portal for their submission. If you submit a CBI request, please also email a courtesy copy of the request to Callie Roach, Office of the Chief Counsel at callie.roach@dot.gov. In addition, you should submit a copy, from which you have deleted the claimed confidential business information, to the Docket at the address given above.

FOR FURTHER INFORMATION CONTACT: For legal issues: Callie Roach, Office of the Chief Counsel at callie.roach@dot.gov. For technical issues: Emily Shull, Rulemaking Office of Automation Safety at Emily.Shull@dot.gov; Fax: (202) 366-7002. Mailing address: National

Highway Traffic Safety Administration, 1200 New Jersey Avenue S.E., Washington, D.C.
20590.

SUPPLEMENTARY INFORMATION:

- I. Introduction**
- II. Authority and Procedures for Temporary Exemption**
- III. Zoox’s Application**
- IV. Agency’s Review of Zoox’s Application**
- V. Terms**
- VI. Public Participation**

I. Introduction

NHTSA is responsible for promulgating and enforcing Federal Motor Vehicle Safety Standards (FMVSS) designed to improve motor vehicle safety. Generally, a manufacturer may not manufacture for sale, sell, offer for sale, or introduce or deliver for introduction into interstate commerce a vehicle that does not comply with all applicable FMVSS.¹ There are limited exceptions to this general prohibition.² One path permits manufacturers to petition NHTSA for an exemption for noncompliant vehicles under a specified set of statutory bases.³

On August 22, 2025, Zoox submitted an application for exemption for its ADS-equipped vehicle, the “Zoox robotaxi.” Specifically, Zoox petitioned NHTSA for a temporary exemption from portions of eight FMVSS. Zoox requests a two-year exemption for not more than 2,500 exempted vehicles for each 12-month period covered by the exemption. Granting the temporary exemption would allow Zoox to manufacture for sale, sell, or deploy into interstate commerce vehicles that do not comply fully with the FMVSS.

¹ 49 U.S.C. 30112(a)(1).

² 49 U.S.C. 30112(b); 49 U.S.C. 30113; 49 U.S.C. 30114.

³ 49 U.S.C. 30113.

NHTSA is seeking comment on the merits of Zoox’s exemption application, as supplemented by additional information provided to NHTSA. These documents are available in the docket for this petition, available at <https://www.regulations.gov/docket/NHTSA-2025-0523>.

II. Authority and Procedures for Temporary Exemption

The National Traffic and Motor Vehicle Safety Act (the “Safety Act”) authorizes the Secretary of Transportation to exempt motor vehicles on a temporary basis, under specified circumstances and on terms that the Secretary considers appropriate, from an FMVSS or bumper standard. This authority is set forth at 49 U.S.C. 30113 and has been delegated to NHTSA.⁴ Section 30113 authorizes the Secretary to grant, in whole or in part, a temporary exemption to a vehicle manufacturer if the Secretary finds that the exemption meets one of the four enumerated bases⁵ and finds that the exemption is consistent with the public interest and with the objectives of the Safety Act.⁶

Zoox seeks a temporary exemption on the basis specified in 49 CFR 555.6(d) that compliance with the eight FMVSS would prevent it from selling a motor vehicle with an overall safety level at least equal to the overall safety level of nonexempt (*i.e.*, compliant) vehicles.⁷

NHTSA established 49 CFR part 555, *Temporary Exemption from Motor Vehicle Safety and Bumper Standards*, to implement the statutory provisions concerning temporary exemptions. The requirements in 49 CFR 555.5 state that the applicant must set forth the basis of the application and the information required under 49 CFR 555.6, and the reasons why the exemption would be in the public interest and consistent with the objectives of the Safety Act. An application submitted on the basis that the applicant is otherwise unable to sell a vehicle whose overall level of safety is at least equal to that of a nonexempt vehicle must include the information specified in 49 CFR 555.6(d).

⁴ 49 CFR 1.95.

⁵ 49 U.S.C. 30113(b)(3).

⁶ 49 U.S.C. 30113(b)(3)(A).

⁷ 49 U.S.C. 30113(b)(3)(B)(iv).

III. Zoox's Application

Zoox's application provides a description of its vehicle and safety features. It discusses how specific aspects their vehicle's design precludes compliance certification with certain aspects of specific FMVSS (*e.g.*, the vehicle does not have a service brake pedal required by FMVSS No. 135, "Light vehicle brake systems" because the vehicle is designed never to be operated by a human driver). The application describes requested FMVSS exemptions and explains why Zoox believes the vehicle provides an overall safety level equivalent to a nonexempt vehicle. The application also details the capabilities of the automated driving system, general operational procedures, and Zoox's public interest arguments. To support its safety justification, Zoox submitted nine appendices. Following the application, NHTSA requested further information regarding the vehicle's design, the ADS, and operations. Because Zoox sought confidential treatment of portions of its submitted materials, redacted versions of Zoox's application, appendices, and responses to NHTSA's questions can be found in the docket.⁸

Zoox has petitioned NHTSA for a temporary exemption from certain requirements in eight FMVSS for its ADS-equipped vehicle. Specifically, Zoox seeks exemption from portions of:

- FMVSS No. 103, "Windshield defrosting and defogging systems"
- FMVSS No. 104, "Windshield wiping and washing systems"
- FMVSS No. 108, "Lamps, reflective devices, and associated equipment"
- FMVSS No. 111, "Rear visibility"
- FMVSS No. 135, "Light vehicle brake systems"
- FMVSS No. 201, "Occupant protection in interior impact"
- FMVSS No. 205, "Glazing materials" and
- FMVSS No. 208, "Occupant crash protection"

⁸ NHTSA-2025-0523

IV. Agency’s Review of Zoox’s Application

NHTSA has not yet made any decision on the merits of Zoox’s application. NHTSA will make a decision on the merits of the application after receiving and considering public comments to this notice, as well as any additional information that the agency receives from Zoox.

V. Terms

Section 30113 authorizes the Secretary, NHTSA by delegation, to condition the grant of a temporary exemption “on terms [NHTSA] considers appropriate.”⁹ The agency’s authority to set terms includes the ability to set terms that would ensure that the exemption is in the public interest and allow NHTSA to oversee vehicle operation as appropriate. If NHTSA decides to grant Zoox’s application, it will carefully consider whether and what terms to establish. The terms may apply for specified lengths of time or may apply throughout the exempted vehicles’ useful life. In addition, NHTSA may condition a grant on operational terms that may be changed pursuant to subsequent letters from NHTSA that will be made publicly available.

VI. Public Participation

A. Request for Comment and Comment Period

The agency seeks comment from the public on the merits of Zoox’s petition for a temporary exemption. NHTSA is also seeking comment on the potential types of terms the agency should set if the agency decides to grant the petition. NHTSA is providing a 30-day comment period. After considering public comments and other available information, NHTSA will publish a notice of final action on the petition in the **Federal Register**.

B. Instructions for Submitting Comments

How long do I have to submit comments?

Please see **DATES** section at the beginning of this document.

How do I prepare and submit comments?

- Your comments must be written in English.

⁹ 49 U.S.C. 30113(b)(1) (delegation of authority at 49 CFR 1.95).

- To ensure that your comments are correctly filed in the Docket, please include the Docket Number shown at the beginning of this document in your comments.
- If you are submitting comments electronically as a PDF (Adobe) File, NHTSA asks that the documents be submitted using the Optical Character Recognition (OCR) process, thus allowing NHTSA to search and copy certain portions of your submissions. Comments may be submitted to the docket electronically by logging onto the Docket Management System website at <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- You may also submit two copies of your comments, including the attachments, to Docket Management at the address given above under **ADDRESSES**.

Please note that pursuant to the Data Quality Act, in order for substantive data to be relied upon and used by the agency, it must meet the information quality standards set forth in the OMB and DOT Data Quality Act guidelines. Accordingly, we encourage you to consult the guidelines in preparing your comments. OMB's guidelines may be accessed at <http://www.whitehouse.gov/omb/fedreg/reproducible.html>. DOT's guidelines may be accessed at http://www.bts.gov/programs/statistical_policy_and_research/data_quality_guidelines.

Will the Agency consider late comments?

We will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, we will also consider comments that Docket Management receives after that date.

How can I read the comments submitted by other people?

You may see the comments on the internet. To read the comments on the internet, go to <http://www.regulations.gov>. Follow the online instructions for accessing the dockets.

Please note that, even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late

comments. Accordingly, we recommend that you periodically check the Docket for new material.

Authority: 49 U.S.C. 30113 and 30166; delegation of authority at 49 CFR 1.95.

Jonathan Morrison,
Administrator.

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