

April 10, 2026

The Honorable Jonathan Morrison
Administrator
National Highway Traffic Safety Administration
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**RE: Zoox; Temporary Exemption from Various Requirements of the Federal Motor Vehicle Safety Standards for an Automated Driving System-Equipped Vehicle
Docket No. NHTSA-2025-0523**

Administrator Morrison:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the National Highway Traffic Safety Administration's (NHTSA) request for comments regarding the merits of Zoox's application for exemption from certain Federal Motor Vehicle Safety Standards (FMVSS) for 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. As America's largest transportation labor federation, TTD represents unions whose members work in all modes of transportation, including public transit workers who will encounter Zoox's vehicles on our roads during the course of their normal duties. As such, we strongly caution NHTSA against approving Zoox's petition. Additionally, we endorse the comments filed in this docket by our affiliates, the Transport Workers Union of America (TWU), the Transportation Division of the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART-TD), and the Service Employees International Union (SEIU).

Regulatory Framework

We have serious concerns about the precedent this petition would set, if NHTSA chooses to grant it. The current regulatory system functions on the basis of self-certification by motor vehicle companies that their product meets applicable FMVSS, or if an exemption is required, that the vehicle's technology provides a level of safety at least equal to the safety level of the standard.¹

¹ 49 U.S. Code § 30113

According to NHTSA’s own guidance document, exemptions provide for limited exceptions to the obligation to comply with the FMVSS in certain circumstances specified in the National Traffic and Motor Vehicle Safety Act. The document specifically states, “general exemptions are also not a device to excuse non-compliance with applicable standards simply because doing so would be inconvenient or inconsistent with the manufacturers’ preferred vehicle design.”² The scope of Zoox’s request goes far beyond the narrow exemptions allowed under the National Traffic and Motor Vehicle Safety Act and clearly exemplifies the need for a national framework of enforceable standards for the deployment of autonomous vehicles.

NHTSA’s document goes on to state that if a party “has a motor vehicle or equipment design substantially different from anything currently on the road that compliance with standards may be very difficult or complicated (or new standards may be needed), a petition for rulemaking may be the best path forward.”³ The AV industry is rapidly growing, and we expect to see many more petitions like Zoox’s if NHTSA grants this request. Zoox’s petition is emblematic of the need for safety standards specific to AVs, and if it is granted, NHTSA will set the new, de facto standard for AVs. Rather than governing by exemption, we urge NHTSA to develop enforceable standards and requirements for AVs through the rulemaking process under the Administrative Procedures Act (APA).

Safety Concerns

In addition to the regulatory complexities introduced by its petition, Zoox fails to adequately address in its application materials a range of novel safety risks presented by its vehicles. For example, the absence of traditional driver controls raises serious concerns about how passengers would safely exit the vehicle in the event of a system failure, collision, or emergency situation, potentially leaving occupants trapped without a clear means of escape. Furthermore, the petition provides insufficient detail regarding the vehicle’s operational design domain (ODD), including the specific environmental, geographic, and traffic conditions under which the system can safely function. Without clearly defined and enforceable ODD limitations, there is a heightened risk of the vehicle operating in scenarios for which it is not adequately equipped. Additionally, the increased reliance on software, connectivity, and remote systems introduces significant cybersecurity vulnerabilities, including the possibility of unauthorized access or malicious interference with vehicle controls. These risks are distinct from, and in many ways exceed, those associated with non-exempt, human-operated vehicles. Absent comprehensive, transparent, and verifiable information addressing these concerns, the petition does not meet the threshold necessary to ensure an equivalent or greater level of safety, and therefore should be rejected in its entirety.

² https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/understanding_nhtsas_current_regulatory_tools-tag.pdf

³ https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/understanding_nhtsas_current_regulatory_tools-tag.pdf

If NHTSA decides to grant any of Zoox's requested exemptions, the agency must include strict conditions governing its approval to ensure a high level of safety and transparency. We urge NHTSA to require that Zoox maintain operational control of its vehicles at all times. Second, NHTSA should require transparency and reporting on the company's safety workforce. Additionally, any changes to the ODD must be reviewed and approved by NHTSA in advance. Zoox must also be prohibited from marketing these vehicles for use by public transportation agencies or for any function which would require additional exemptions from other federal agencies, such as the Federal Motor Carrier Safety Administration (FMCSA). And finally, NHTSA must require data on any incident in which a Zoox vehicle encounters any significant deviation from expected performance – including malfunctions, degradations, remote human interventions, clustering and connectivity incidents or reversion to a minimal-risk condition.

Conclusion

TTD firmly believes that a federal framework is necessary to meet the workforce, safety, and technological challenges presented by automated vehicles. A federal safety-focused regulatory response to their operation on public roads is long overdue given the current piecemeal landscape.

For the reasons stated above, we urge NHTSA to deny Zoox's petition for exemption and instead promulgate a federal framework governing the deployment of autonomous vehicles. We appreciate the opportunity to comment on this proceeding and look forward to working with NHTSA in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Regan", enclosed in a light blue rectangular box.

Greg Regan
President