



Transport Workers Union of America, AFL-CIO

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"AMERICA'S FIGHTING DEMOCRATIC UNION"

April 10, 2026

The Honorable Jonathan Morrison
Administrator
National Highway Traffic Safety Administration

RE: NHTSA-2025-0523; Zoox exemption requests

Administrator Morrison,

On behalf of more than 165,000 members of the Transport Workers Union of America (TWU), I am writing to oppose granting the exemption requests included in the above-referenced docket. The TWU represents workers who operate within and around vehicles on our public roadways – including bus operators, mechanics, bikeshare workers, and others whose job sites depend on the safety of the vehicles around them. All of these workers would be impacted by granting these exemption requests.

The TWU has strongly encouraged the Department of Transportation and Congress to enact a holistic, enforceable framework to oversee and regulate autonomous vehicles. Thousands of these vehicles are now on our roads without any coherent national standard to ensure a basic level of safety. On a frequent basis, one or more of these vehicles is involved in a safety incident – including [robotaxis operated by the applicant](#) in this proceeding. In the absence of such a standard, granting the proposed exemptions will become the *de facto* regulatory structure. Without a national standard, NHTSA cannot review these requests in a silo – any action the Department takes on these will set the floor for all ADS applications in the immediate future. Given the context, NHTSA ought better to consider these requests as if they were a petition for rulemaking rather than for a set of exemptions.

Should the Department determine that this application can be safely granted, we strongly urge that you set strict conditions as outlined below to ensure that Zoox lives up to the promises made in its application. This genie will not go

back into the bottle and any action taken now will determine the shape of future NHTSA work to oversee ADS-equipped vehicles.

NHTSA should acknowledge that this exemption request is not a standard-issue request and requires additional scrutiny

Due to the lack of a federal framework overseeing AVs, this application cannot be evaluated solely within itself. While traditional exemption requests live within a larger set of redundant safety standards, which minimizes their potential risks, Zoox is effectively asking the Administration to relieve it of all standards. The question before NHTSA is not whether any of the individual exemptions requested by Zoox could narrowly provide an equivalent level of safety to one system or another, it is whether a driverless car can be overseen by the Department absent an enforceable framework regulating the entire vehicle. TWU does not believe it can be.

As noted above, granting this request whole cloth would instantly set the scope of a new, de facto AV standard. Zoox will certainly not be the last AV operator to request exemptions from human control obligations and the agency will be hard pressed to respond differently to similar applications in the future. Viewed this way, this application does not represent 5,000 non-compliant vehicles on our roads, but potentially several orders of magnitude more. While Zoox may be framing their application as a mere exemption request, this is more appropriately considered as a petition for rulemaking – a rulemaking that would completely relieve AVs of all of their safety obligations to NHTSA standards. TWU does not believe NHTSA would give serious consideration to such a petition, the agency should not give such consideration to this request.

Rather than acknowledging the enormity of their request, Zoox has sought to downplay their application as a reiteration of its previously granted exemption for the purposes of demonstration under 49 USC 30114. This is *not* the same thing. The exemption Zoox had previously received is under the same standard that NHTSA uses to evaluate vehicles being used for research, training, and car shows. Claiming, as the Zoox exemption application does, that this standard can reasonably substitute for appropriate scrutiny because “the agency has already reviewed this supporting information” is a naked attempt to undermine the existing safety standard. By definition, if NHTSA were to do as Zoox proposes and evaluate this petition based solely on the standard in 49 USC 30114, the systems in this application cannot be deemed to “provide an equivalent level of safety” and the application should then be denied. NHTSA must fully analyze this application under the long-established standards in 49 USC 30113 – a much higher

standard that assumes the noncompliant vehicles will not pose a risk to public safety when widely deployed.

Zoox's petition leaves many unanswered questions that should be addressed before any exemption is issued

The assertion that Zoox can provide “an overall safety level at least equal to the overall safety level of nonexempt vehicles” is highly suspect in this application. While Zoox presents a version of reality that lives solely within the four corners of its own application, the actual reality on city streets is *significantly* more complicated.

Most immediately, human oversight and the ability for humans to intervene to prevent accidents is critical to all transportation safety. As we are seeing routinely across the country as more automated vehicles are deployed, the number and variance of unique situations on our roads is massive – so large, in fact, that machines have yet to account for all of them. While the TWU does not believe the existing set of controls required by FMVSS is necessary to provide an equivalent level of safety, the existence of basic controls that allow for human intervention absolutely is. Zoox's application ignores this underlying necessity and assumes away human oversight in its entirety.

More broadly, establishing an equivalent level of safety for an automated vehicle doesn't merely require addressing the existing safety concerns for the individual systems Zoox is asking to remove. Automated vehicles also create new issues that, if unaddressed, will undermine road safety. For instance, compliant vehicles do not need to establish an operation design domain (ODD) limited to their performance capabilities; the risks associated with cyber attacks are much lower; and compliant vehicles do not drive in circles in parking lots for hours with passengers trapped inside. In effect, Zoox is arguing that only the subset of safety concerns that apply to compliant vehicles should be used to determine an equivalent level of safety; the applicant asks that all additional concerns created by automated vehicles should be ignored. NHTSA ought to recognize this kind of double speak and firmly reject it.

Should NHTSA feel that Zoox could address these additional concerns, it should request the applicant to submit this additional information for public review. Absent additional information that directly addresses the new safety threats which are not posed by nonexempt vehicles, the petition should be rejected in its entirety

If NHTSA decides to grant any exemption to any of these standards, it should include several conditions on the applicant

The TWU strongly encourages NHTSA to reject this application. If the Department decides to approve it, instead, we urge you to include the below conditions in order to ensure Zoox can fulfill the safety promises made in its application.

Suggested conditions for Zoox exemption application

Procedural limitations

- Require Zoox to maintain operational control of its vehicles at all times. Operational control should include all exercise of authority over initiating, conducting, or terminating any trip.
- Require that any changes to Zoox's ODD be approved by NHTSA prior to deployment.

Setting the correct scope for operations

- Prohibit Zoox from using any exempted vehicles for any purpose that would require additional exemptions from other federal agencies (e.g., using the same vehicle under exemptions from both NHTSA and FMCSA regulations)
- Prohibit Zoox from marketing or using exempted vehicles for public transportation (as defined in 49 USC 5302).

Workforce qualifications and reporting

- Prohibit Zoox from using any personnel based outside of the U.S. to oversee vehicles in operation or conduct any other safety critical tasks. This includes work performed by Zoox's "TeleGuidance tacticians".
- Require that only personnel with an appropriate license/certification have the ability to oversee or intervene in vehicle operations. This includes work performed by Zoox's "TeleGuidance tacticians".
- Require Zoox to report the number of personnel it employs and/or contracts to oversee, maintain, and inspect its exempted vehicles. This report should include the locations these workers are based, the relevant qualifications they have, and total hours they spend performing their duties.

These conditions are essential to ensure that, if NHTSA approves these exemption requests, the agency can reasonably track and enforce an equivalent safety standard under this application.

It would be unreasonable for NHTSA to assume any of its controls under this exemption request would be enforceable without procedural limits. Absent these basic

conditions, NHTSA would have to rely on its power to rescind the exemption entirely or its much broader recall authority to address safety concerns. Far better, in our view, to ensure from the start that NHTSA and Zoox could both immediately fix problems as they arise.

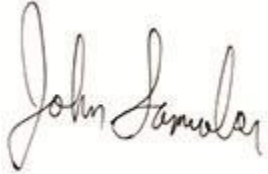
Setting the correct scope of these operations is necessary to guard against widespread safety disruptions. Zoox's application speaks solely to the company's plans to operate robotaxis – a complicated, but discrete task that requires its own set of expertise. Another mode of transportation would have a different set of safety concerns and require additional knowledge and skills that would go far beyond Zoox's application. Additionally, piling on different exemptions from different agencies would potentially prevent one regulator from seeing the full picture of the applicant's operation, which would undermine road safety and potentially delay government action in response to issues that may arise. NHTSA should be crystal clear that any exemption issued under this docket can be used solely for the stated purpose of the applicant and no other commercial use.

Lastly, Zoox's application centers around the competency of its workforce. Its engineers, mechanics, "TeleGuidance tacticians", and "Support Team" all have safety critical responsibilities that make the difference between safe and disastrous outcomes. As with all autonomous systems, it is oversight by these humans that will determine whether Zoox's vehicles actually provide an equivalent level of safety on our roads. NHTSA needs insight into these roles both to enforce this application and to prepare to oversee automated driving systems more generally in the future.

The workforce conditions outlined above would set essential limits on qualifications for safety-sensitive workers. Other robotaxi operators currently employ a significant number of workers based outside of the U.S. with no drivers' license or demonstrated ability to read English. That business model could not, by definition, credibly claim to provide an equivalent level of safety for its vehicles. While Zoox's application indicates that its safety-sensitive workers are based in the U.S., as noted above, any grant of exemption in this case will instantly become the de facto standard for AV oversight. NHTSA must make it clear that workers instructing a vehicle on its operations in real time have to be subject to laws of the United States.

For the above reasons, we urge you to reject this exemption application or set the noted conditions on it to minimize the safety risks posed by these vehicles. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John Samuelson". The signature is written in a cursive, flowing style with a large initial "J".

John Samuelson
International President