

ZOOX



ZOOX INC 1149 CHESS DR
FOSTER CITY, CA 94404

February 16, 2024

Terra Curtis
Director, Consumer Protection and Enforcement Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California
94102

Re: Zoox, Inc. Request for Exemption to Requirement for Commercial Registration of Its Driverless Pilot Vehicles

Dear Ms. Curtis,

Pursuant to Part 8 of the California Public Utilities Commission (CPUC or Commission) General Order (GO) 157-E, Zoox, Inc. (Zoox) requests an exemption from the Commission guidance that its autonomous vehicles be registered as "commercial" with the California Department of Motor Vehicles. This request is consistent with the Commission's purpose for the pilot program and, if granted, Zoox's service will be functionally equivalent to the operations otherwise required by GO 157-E.

On July 19, 2023, Zoox applied for its autonomous vehicle driverless pilot permit with the Commission, pursuant to Decision [D.] 18-05-043 and the Application Instructions and Requirements for Permit Holders re: CPUC Autonomous Vehicle Drivered and Driverless Pilot and Phase I Deployment Programs (Application Instructions).¹

General Order 157-E Part 4.01 states that charter-party carriers, which include autonomous vehicle companies,² shall maintain with the Commission an equipment list of all vehicles in use under each certificate or permit. The Commission's equipment list form (Form PL-664) and California Vehicle Code Section 260 require commercial vehicle registration for vehicles that are used for the transportation of persons for hire. Zoox requests that the Commission grant an exemption from this commercial registration requirement to allow Zoox to operate under a driverless pilot permit.

¹ Available at <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/consumer-protection-and-enforcement-division/documents/tlab/av-programs/cpuc-av-program-applications-guidance-20211026.pdf>, last accessed February 16, 2024.

² Under Public Utilities Code Section 5360, "charter-party carrier of passengers" means every person, corporation, or other entity engaged in the transportation of persons by motor vehicle for compensation over any public highway in California.

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Zoox will use its 2023 model robotaxi for its initial operations under the CPUC driverless AV pilot permit. This vehicle is operating under the plates provided by Zoox's Manufacturer's License ("m-plates") through the DMV's Occupational Licensing Division and therefore will not be registered.³ M-plates allow Zoox to, as a manufacturer, operate the vehicle on public roads without a traditional registration.

The pilot programs set forth in D.18-05-043 were created "to allow the introduction of AVs into passenger service to the public on a pilot basis, while providing for the safety and consumer protection of passengers, consistent with the Commission's regulation of private passenger-carrying transportation entities subject to its jurisdiction."⁴ Importantly, the Decision goes on to state that the pilot programs are "designed to work in tandem with the DMV's jurisdiction over regulations addressing the safe operation of AVs themselves . . ."⁵ Zoox presently has a driverless testing permit from the DMV that allows its driverless autonomous vehicles with m-plates to operate public roads. Zoox's passenger service to the public under the CPUC pilot testing permit would be consistent with the purpose of the pilot program, as it does not hinder the safety and consumer protection of passengers. Furthermore, it is consistent with the DMV's regulations because Zoox is already operating the prototype vehicles under its DMV permit.

Zoox's service will also be functionally equivalent to operations required by GO 157-E because the m-plates do not impact its operations.

For these reasons, Zoox respectfully requests that the CPUC grant this exception.

Sincerely,

DocuSigned by:

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Christopher Nalevanko
General Counsel
Zoox

³ Starting with the 2024 model year of the Zoox robotaxi, the Zoox robotaxis will be registered as commercial vehicles with the DMV.

⁴ D.18-05-043, Page 2.

⁵ *Id.*