




Memorandum

U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

Subject: Communications with Nuro relating to its Petition for a
Temporary Exemption

Date: FEB 10 2020

From: 
Daniel Koblenz
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Office of Chief Counsel

To: Docket No. NHTSA-2019-0017

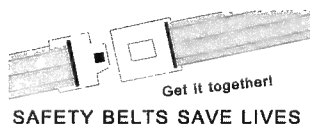
Following NHTSA's March 20, 2019 publication of its Notice of Receipt of Nuro's petition for a temporary exemption from portions of FMVSS No. 500, the agency participated in one meeting and two calls with representative from Nuro in which Nuro's petition was discussed. These communications are briefly described in Table 1, which is included as an attachment to this memo.

Note that the information NHTSA learned in these communications is described in general terms because Nuro requested that the agency treat the information discussed as confidential business information that should not be publicly released without Nuro's permission. NHTSA has not sought Nuro's permission to do so because the agency did not rely on the non-public information learned in these meetings in its decision to grant Nuro's petition. While these communications clarified some of the technical and operational aspects of the R2X, they did not provide the agency with additional information on which the agency relied in its decision to grant Nuro's petition because the aspects of the R2X's design and performance discussed in these meetings were not factors that fell within the scope of NHTSA's safety analysis. NHTSA's decision to grant the petition is based entirely on public information and views provided in the petition and public comments.

Attachment:

Table 1 – Communications between Nuro and NHTSA following publication of NHTSA's Notice of Receipt of Nuro's petition for a temporary exemption

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TRANSPORTATION
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DOCKET OPERATIONS



Attachment

Table 1 – Communications between Nuro and NHTSA following publication of NHTSA’s Notice of Receipt of Nuro’s petition for a temporary exemption

| Date | Description | Information Learned |
|-----------------|---|---|
| April 11, 2019 | <p>Meeting requested by Nuro to learn what, if any, information would be helpful to submit to NHTSA and the public to evaluate Nuro’s petition, as well as to discuss Nuro’s future plans. Nuro was entitled to this meeting per 49 CFR 555.7(c).</p> <p>Attendees: Myself, NHTSA’s Chief Counsel, other staff-level attorneys and engineers.</p> | <p>Provided NHTSA with a better understanding of Nuro’s plans to deploy the R2X as part of a grocery delivery service, and clarified some of the agency’s questions about the R2X’s precise specifications (e.g., the R2X’s precise GVWR, which was not provided in the petition).</p> |
| July 18, 2019 | <p>Follow-up phone call to the April 11, 2019 meeting to provide NHTSA’s engineering staff who were not present at the meeting an opportunity to ask technical questions about the R2X.</p> <p>Attendees: Myself, NHTSA’s Chief Counsel, staff-level engineers.</p> | <p>Answered some of the agency’s technical questions about the R2X that were not pertinent to the petition, but that assisted with the agency’s general understanding of the vehicle (e.g., the capacity of the vehicle’s propulsion battery). Nuro also provided some additional details about the operation of the R2X’s ADS.</p> |
| August 23, 2019 | <p>Phone call requested by NHTSA for clarification on how Nuro intended to certify that the R2X complies with the portions of FMVSS No. 111 backup camera requirements from which Nuro did not seek an exemption.</p> <p>Attendees: Myself, other staff-level attorneys and engineers.</p> | <p>Nuro provided oral descriptions of how it would run the FMVSS No. 111 compliance verification test for the backup camera “Field of view” (FOV) and Size requirements, which are roughly described in its petition. Nuro followed this up with a confidential written submission describing its modified backup camera test procedures.</p> |