



April 10, 2026

Submitted via *regulations.gov*

Docket Management
U.S. Department of Transportation
1200 New Jersey Avenue SE
West Building, Suite W58-213
Washington, DC 20590

Re: Application: Zoox; Temporary Exemption from Various Requirements of the Federal Motor Vehicle Safety Standards for an Automated Driving System-Equipped Vehicle, NHTSA-2025-0523-0003

The undersigned members of the Consortium for Constituents with Disabilities (CCD) Transportation Task Force write to respond to the request for public comments on the Zoox application for a temporary exemption from various requirements of the Federal Motor Vehicle Safety Standards (FMVSS) for an automated driving system (ADS) - equipped vehicle. CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. Before granting Zoox's petition, the undersigned members of the CCD Transportation Task Force strongly urge the National Highway Traffic Safety Administration (NHTSA) to compel Zoox to operate a vehicle that is fully accessible for people with disabilities, consistent with the public interest. Given NHTSA's safety mandate and mission, it is essential to integrate accessibility into exemption approvals because it is inextricably linked to the safety of people with disabilities.

On August 22, 2025, Zoox submitted an application for an exemption for its ADS-equipped vehicle, the "Zoox robotaxi." Specifically, Zoox petitioned NHTSA to approve 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. 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 standard. The Secretary can grant, in whole or in part, a temporary exemption to a vehicle manufacturer if the Secretary finds that the exemption is

consistent with the public interest and the objectives of the Safety Act.¹ The application must include the reasons why the exemption would be in the public interest and consistent with the objectives of the Safety Act.

As noted in their petition, Zoox owns the entire robotaxi fleet and is responsible for daily operations, including fleet management, maintenance and repair, fleet routing and optimization, teleguidance support, and customer service. The vehicles are within their direct control at all times, allowing them to maintain the focus on day-to-day operational safety. Likewise, because they retain direct control of the fleet, should the need arise, they have the ability to swiftly and completely resolve any safety or operational concerns. Specifically, Zoox indicates that they are enhancing safety through their “prevent and protect” strategy and ongoing control of the fleet, and they are building innovative technologies in the U.S. that will revolutionize how Americans use roadways.

NHTSA’s regulations stipulate that the exemption in question should serve the public interest.² The undersigned CCD Transportation Task Force members strongly believe that the public interest can only be met if people with disabilities are able to safely and accessibly use Zoox’s robotaxis. There is great potential for this technology to improve the mobility of people with disabilities, many of whom face significant travel barriers in our current transportation system. Indeed, the Bureau of Transportation Statistics estimates that more than 18.6 million Americans age 5 and older have travel-limiting disabilities, and many people do not have reliable transportation for reasons not directly related to their disabilities, such as transportation access or cost.³ However, despite Zoox’s entire ownership of the fleet, they are not fully accessible for people with disabilities.

The provision of autonomous ride-hailing services has the potential to increase safety for passengers, pedestrians, and bicyclists; to increase multi-modal travel and decrease reliance on individual gas-powered vehicles. In addition, these can provide access to transportation and crucial on-demand services to travelers who are low income or live in, or are members of, historically disadvantaged communities. Despite our hopes for this technology, we are concerned that unless autonomous vehicles (AVs) are intentionally designed, tested, and deployed for accessibility, millions of people with disabilities, and older adults who may develop age-related disabilities, will face significant travel barriers to accessing and using this mode of transportation.

In addition, AVs may impact the sustainability of other transportation services. Introducing large numbers of AVs will likely have an impact on the availability of other modes if the technology is successful. For example, in the past when on-demand rideshare companies flooded a market with inaccessible services, we saw a negative impact on accessible services, such as taxis and transit.

¹ 49 U.S.C. 30113(b)(3)(A).

² 49 CFR § 555.5(b). (“Each application [...] for an exemption or its renewal must [...] (7) Set forth the reasons why the granting of the exemption would be in the public interest, and, as applicable, consistent with the objectives of 49 U.S.C. Chapter 301 or Chapter 325.”).

³ Bureau of Transportation Statistics, Travel Patterns of American Adults with Disabilities (Mar. 27, 2026), <https://www.bts.gov/travel-patterns-with-disabilities>.

Thus, it is reasonable to expect that a similar shift would occur when these proposed inaccessible AV services increase. Likewise, existing transportation network companies and transit agencies will eventually adopt AVs as part of their service offerings and will need these AVs to be accessible. Therefore, it is important that Zoox's robotaxis be accessible, so that people with disabilities are not relegated to less accessible services in existing and future transportation systems.

In addition, NHTSA must also consider the safety of people with disabilities in vehicle operations. NHTSA must ensure that Zoox performs safety testing for people with disabilities, both as passengers and pedestrians. These requirements should be met before the vehicles are deployed as part of any public services, including being operated as part of a ride-hailing service or public transit. Safety testing should also include how AVs detect and respond to people with disabilities as pedestrians, including mobility device users and service animals and their handlers. NHTSA should require the collection of data on how Zoox are or are not meeting the needs of the people with all types of disabilities, not limited to nonvisual accessibility and wheelchair use, as well as reports on known damages, injuries, and complaints. The data collected should be reported regularly and frequently and made available to the public online in an accessible format. As a reference point, NHTSA should consider imposing requirements similar to those currently applied to airlines around public reporting of wheelchair damages and complaints from passengers with disabilities.⁴

In addition, NHTSA should require Zoox to produce a document similar to an ADA transition plan in which Zoox identifies specific accessibility barriers in the vehicle, service, and policies; describe in detail the methods for making the vehicle and service accessible; and specify a schedule for when those barriers will be removed.⁵ NHTSA should require short timelines for remediation to reduce the time that people with disabilities are excluded from the service. This plan should be regularly updated throughout the service life of the vehicle since it is our experience that software updates and physical maintenance conducted after the release of new technologies may both improve and reduce the accessibility of the vehicle.

We urge NHTSA to make full accessibility for people with disabilities – including sensory, physical, and cognitive disabilities – a prerequisite to granting this exemption. As NHTSA notes in its request for comment, the Administrator has the authority to determine if the exemption meets the public interest.⁶ Under Section 504 of the Rehabilitation Act, NHTSA has an affirmative obligation to ensure that people with disabilities have equal access and an equal opportunity to participate in and benefit from its services, programs, and activities.⁷ NHTSA may not “utilize criteria or methods of administration...[t]hat have the effect of subjecting qualified individuals with disabilities to discrimination on the basis of disability [or] [t]hat have the purpose or effect of defeating or substantially reducing the likelihood that persons with a disability can benefit by the

⁴ USDOT Air Travel Consumer Reports: <https://www.transportation.gov/individuals/aviation-consumerprotection/air-travel-consumer-reports>. See also Air Travel Consumer Resources: <https://www.transportation.gov/individuals/aviation-consumer-protection/consumer-resources>.

⁵ See 28 CFR. §§ 35.105 and 35.150(d).

⁶ 49 CFR § 555.7(d).

⁷ 49 CFR § 27.7(b).

objectives of the recipient's program or activity[.]”⁸ Additionally, because Zoox intends to operate these vehicles as a publicly available commercial service, Zoox will be subject to the Americans with Disabilities Act prohibitions on discrimination against people with disabilities. Granting an exemption without requiring these vehicles to be fully accessible will result in subjecting many individuals with disabilities to discrimination because they will not have access to the network of vehicles operated by Zoox. Therefore, to prevent discrimination, NHTSA must make accessibility an enforceable requirement in this exemption and future exemption requests.

The undersigned members believe that NHTSA must take advantage of this important opportunity to set a high bar for accessibility and safety for people with disabilities. This exemption can also affect future exemptions for AVs and the future of transportation services. The accessibility of AVs being released on the market today will determine whether people with disabilities can use transportation systems for years to come. Granting an exemption for AVs can only help advance greater transportation accessibility for all users if the manufacturers address disability accessibility needs and are held to a high standard for design, testing, and service implementation. Therefore, we urge NHTSA to consider vehicle and service accessibility and safety for all people with disabilities when considering Zoox’s petition.

Sincerely,
Access Ready Inc.
American Foundation for the Blind
American Therapeutic Recreation Association
Autistic Women & Nonbinary Network
CommunicationFIRST
Cure SMA
Deaf Equality
Epilepsy Foundation of America
National Rehabilitation Association
Paralyzed Veterans of America
United Spinal Association

⁸ 49 CFR § 27.7(b)(4).