



U.S. Department of Transportation
**National Highway Traffic Safety
Administration**



Ms. Lauren Isaac
Director of Business Initiatives
EasyMile
6144 North Panasonic Way
Denver, CO 80249

Box 7

May 14, 2020

Re: Return to Service Plan for EasyMile EZ10 Gen2 and EZ10 Gen3 Vehicles

Dear Ms. Isaac:

On February 25, 2020, the National Highway Traffic Safety Administration (“NHTSA” or the “Agency”) suspended permission for certain passenger operations of EasyMile EZ10 Gen2 and EasyMile EZ10 Gen3 vehicles (“Subject Vehicles”) in the United States. Specifically, this action “suspend[ed] all permissions for the Subject Vehicles to operate with members of the public on board,” a condition fully detailed in the letter imposing the suspension (“Suspension” or “Suspension Letter”). The suspension followed a single vehicle non-collision incident involving an EasyMile EZ10 Gen3 vehicle operating in Columbus, Ohio on February 20, 2020 (“Columbus Incident”). This incident involved the vehicle experiencing a sudden and unexpected stop in the roadway, which resulted in injuries to a passenger.

At the time of its issuance, the suspension affected 16 Subject Vehicles with permissions to operate in the United States: 4 vehicles with permissions held by EasyMile and 12 vehicles with permissions held by other importers. Each importer of a Subject Vehicle, including EasyMile, received a separate letter from NHTSA advising of the suspension and the affected permissions. Since the suspension of the Subject Vehicles, NHTSA has worked with affected parties, including EasyMile, other importers, local authorities, and other project stakeholders, to evaluate the vehicles’ operations and assess potential corrective actions necessary to mitigate the safety risks arising from the vehicles’ operations under the original terms of importation.

Through these efforts, NHTSA has conducted a technical evaluation of the specific conditions leading to the Columbus Incident, as well as a review of the more generalized safety risk to occupants of the Subject Vehicles during such events. Through this evaluation, NHTSA determined that the sudden stop occurring in the Columbus Incident was the result of a software condition in the Subject Vehicles that commanded an emergency stop for the specific operating conditions experienced on the Columbus route. In the Columbus Incident, this sudden stop caused one of the seated vehicle passengers to fall forward. Working with NHTSA and other project

stakeholders, EasyMile developed a plan identifying six corrective actions (“Corrective Action Plan”) to address the technical cause of the Columbus Incident and mitigate the generalized safety risk arising from the unexpected rapid deceleration of the Subject Vehicles. The six corrective actions are summarized below. Each of these corrective actions is specified in more detail in EasyMile’s March 20, 2020 “Passenger Safety Enhancement Plan,” which is incorporated fully herein.

- **Seat Belts.** Apart from the vehicle operator, standing passengers will no longer be permitted. In addition, each of the vehicles’ six seating positions must be equipped with lap belts.
- **Passenger Warnings.** The vehicle must include highly visible signage and periodic audible messages warning passengers both that the vehicle is a research and demonstration vehicle that may stop suddenly and of the need to fasten their seat belts.
- **Enhanced Operator Training.** Importers and vehicle operators, in coordination with EasyMile, must require and provide more rigorous training for all individuals operating the vehicles, which focuses on passenger safety and emergency response scenarios.
- **Operator Performance Monitoring.** Importers and vehicle operators, in coordination with EasyMile, must generate a plan for the continued evaluation of operator performance in each project.
- **Software Update.** Importers, in coordination with EasyMile, must ensure that Subject Vehicles receive a software update to address the specific technical conditions that led to the sudden unexpected stop experienced by the vehicle in the Columbus Incident.
- **Tethered Controller.** The vehicle controller worn by the operator must be tethered to the operator to restrict its freedom of movement during a sudden stop.

Reinstatement of each Subject Vehicle will be reviewed on a case by case basis once the importer holding the permission for the vehicle submits a request for reinstatement that includes the following:

1. A signed letter verifying that each corrective action summarized above and fully described in EasyMile’s Passenger Safety Enhancement Plan has been fully implemented for each Subject Vehicle.
2. A detailed plan describing how Operator Performance Monitoring will be conducted.
3. A signed letter verifying that the importer has not and will not resume suspended vehicle operations until it has received a subsequent letter from NHTSA granting reinstatement for the Subject Vehicle(s).

Requests for reinstatement must be emailed to Box7Imports@dot.gov. Please note that upon reinstatement, the vehicle will also remain subject to all active terms and conditions otherwise governing the vehicle’s operation, including any timeframes for the vehicle’s operations and importation set by any existing permission letters for the vehicle. Each importer of a Subject

Vehicle affected by the suspension will receive a separate letter from NHTSA that is substantially similar to this letter.

As a further condition of reinstatement, to assess the efficacy of these corrective actions, each importer shall include in the annual report for each Subject Vehicle a short evaluation of the effectiveness of each corrective action and, if applicable, suggested modifications to further their safety benefit.

Please note that NHTSA retains the discretion to modify these corrective actions or request additional materials if further information or circumstances indicate that the vehicles present an unacceptable safety risk even after fully implementing the corrective actions outlined herein. In addition, a false, misleading, or fraudulent representation made in connection to reporting for the Subject Vehicle, including the confirmation of the implementation of the corrective actions, may be considered a violation of 49 U.S.C. § 30166 and/or 49 U.S.C. § 30170, which could subject the entity to penalties.

We appreciate your cooperation with NHTSA's evaluation of the Columbus Incident and the Subject Vehicles. If you need any further information or wish to discuss any of these issues, please do not hesitate to contact me at Otto.Matheke@dot.gov, (202) 366-5253, or contact the Box 7 Imports Team by email at box7imports@dot.gov.

Sincerely,

Otto Matheke
Director, Office of Vehicle Safety Compliance