



Alicia Fenrick
Vice President, Deputy General Counsel
Cruise LLC
333 Brannan Street
San Francisco, California 94107

October 12, 2023

California Public Utilities Commission (CPUC)
Consumer Protection and Enforcement Division, License Section
505 Van Ness Avenue
San Francisco, CA 94102

**Re: Cruise's Supplemental Exemption Request to the California Public Utilities Commission
Consumer Protection and Enforcement Division for the Driverless Pilot Program for the Origin**

Dear Consumer Protection and Enforcement Division,

On February 9th, 2023, Cruise submitted an amendment application to its CPUC Driverless Pilot permit to add purpose-built Cruise Origin autonomous vehicles ("Origins") to the Driverless Pilot Program ("Pilot"). In the application, Cruise seeks an exemption to allow Cruise to include Origins owned by General Motors Company LLC ("GM") on its equipment list,¹ consistent with the exemptions approved by the CPUC Consumer Protection and Enforcement Division ("CPED") for Cruise's existing programs using the Cruise AV. After further review and at the request of CPED, Cruise provides this updated exemption and updated Declaration of A. Fenrick to remove the request for an exemption to allow Cruise to include Origins owned by GM on its equipment list. All Origin vehicles participating in the CPUC Driverless Pilot will be registered and titled under Cruise LLC. The remainder of the exemption requests below remain unchanged.

On April 4, 2023, CPED requested that Cruise evaluate whether additional exemptions are required given the design of the Origin vehicle. Accordingly, through this letter, Cruise supplements Attachment 9 of the Amendment to Cruise's Pilot application and respectfully requests that CPED grant these additional exemptions pursuant to General Order ("G.O.") 157-E Part 8.02. Collectively, if these exemptions are granted, Cruise's operations under the Pilot would remain functionally equivalent to the obligations under G.O. 157-E. The additional exemptions requested are described below.

1. **Inspections and Maintenance of Records.** The purpose-built Origin is uniquely designed to operate without a human driver. As part of that design, the Origin is not equipped with parking hand brake, windshield wipers, front seat adjustment mechanism, speedometer, muffler and exhaust system, and

¹ See Amendment to Cruise's CPUC Driverless Pilot Program, Attachment 9 - Exemption Request Under General Order 157-E, Part 8.02, pg. 28, submitted on February 9th, 2023.



interior and exterior rear view mirrors (collectively, “Non-Origin Hardware”) that are required to be inspected under G.O. 157-E. Cruise seeks an exemption to the following parts of G.O. 157-E due to the unique design of the Origin:

- a. Part 4.02 - Safety Requirements Before Operation. With the exception of inspecting the Non-Origin Hardware, Cruise complies with the requirements of the California Highway Patrol and the Motor Carrier Safety Sections of Title 13 of the California Code of Regulations (“CCR”). Cruise seeks an exemption to the inspection and reporting requirement under 13 CCR 1215 for the parking hand brake, windshield wipers, and rear vision mirrors for which the Origin is not equipped. The automatic inspections, manual inspections, and continuous monitoring through safety diagnostics that Cruise performs through daily, monthly, and mileage intervals on the Origin is functionally equivalent, if not more thorough, than the inspections and reports under 13 CCR 1215. There are no additional safety concerns or risks associated with not inspecting these items. Specifically, the Origin’s lidar, radar and autonomous system make the need for parking hand brake, windshield wipers, and rear vision mirrors obsolete.
 - b. Part 4.05 - 19-Point Vehicle Inspection. With the exception of inspecting the Non-Origin Hardware, Cruise complies with the 19-point vehicle inspection requirement under G.O. 157-E. The automatic inspections, manual inspections, and continuous monitoring through safety diagnostics that Cruise performs, at a minimum, every 12 months or 50,000 miles (whichever is first) on the Origin is functionally equivalent, if not more thorough, than the 19-point inspection. There are no additional safety concerns or risks associated with not inspecting these items. Specifically, the Origin’s lidar and radar and autonomous system makes the need for windshield wipers, speedometer, and interior and exterior rear view mirrors obsolete. There is no seating adjustment mechanism in the Origin. And, finally, there is no muffler and exhaust system on the Origin because it is a fully electric vehicle.
 - c. Section 4.06 - Maintenance of Vehicle Inspection Records. With the exception of records for inspecting the Non-Origin Hardware, Cruise complies with the requirement to maintain 19-point vehicle inspection records. Cruise seeks an exemption to this requirement for portions of the inspection records that address items, as described above, for which the Origin is not equipped.
 - d. Section 1.06 - Applicability of Vehicle Code. The Origin is designed to comply with the California Vehicle Code. To the extent a Vehicle Code section addresses an inspection or record maintenance requirement for hardware for which the Origin is not equipped, as described above, Cruise requests an exemption.
2. **Third-Party Staffing Provider**. Cruise engages full-time employees of a third-party staffing provider to serve as operators (e.g., Field Support Representatives) that Cruise submits to the CPUC TCP portal. Cruise seeks an exemption to Part 5.03 - Driver Status of G.O. 157-E to permit its use of third-party operators as part of the Pilot for the Cruise Origin. These operators undergo rigorous training and supervision pursuant to Cruise’s DMV AV Testing Permit. This exemption request is consistent with the exemption granted by CPED for Cruise’s autonomous vehicle test operators.²

² See Resolution TL-19136 which renews Cruise’s exemption to allow Cruise’s autonomous vehicle test operators to be employed by a third-party provider as requested by Cruise on April 14, 2021.



Thank you for your consideration of Cruise's exemption request.

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Alicia Fenrick". The signature is enclosed in a blue rounded rectangular box.

C7097063861D4CD...
Alicia Fenrick

Vice President, Deputy General Counsel

Enclosure: Declaration of A. Fenrick



DECLARATION OF ALICIA FENRICK

IN SUPPORT OF CRUISE LLC'S REQUEST FOR EXEMPTION

I am a Vice President, Deputy General Counsel of Cruise LLC ("Cruise"), a Delaware limited liability company, and wholly-owned subsidiary of GM Cruise Holdings LLC ("Cruise Holdings"), a Delaware limited liability company, in each case, headquartered at 333 Brannan St., San Francisco, California, 94107.

I submit this declaration in support of Cruise's Exemption Request under General Order ("G.O.") 157-E, Part 8.02 ("Exemption Request"), submitted on October 12, 2023, in connection with Cruise's charter party carrier authority (TCP 39080).

1. Cruise conducts automatic inspections, manual inspections, and continuous monitoring through safety diagnostics on its autonomous vehicles. With the exception of certain hardware items for which the Origin is not equipped (as described in the Exemption Request), the inspections comply with the requirements of the California Highway Patrol and the Motor Carrier Safety Sections of Title 13 of the California Code of Regulations and the 19-point vehicle inspections under General Order 157-E. While the Origin is not equipped with some of the equipment required for inspections under these inspection requirements, Cruise will continue to conduct inspections for the Cruise Origin to maintain safe operation under the Driverless Pilot Program. The automatic inspections, manual inspections, and continuous monitoring through safety diagnostics that Cruise performs through daily, monthly, and mileage intervals on the Origin is functionally equivalent, if not more thorough, than the requirements set forth in G.O. 157-E.
2. Cruise uses a third-party vendor to supply personnel to operate the Cruise Origin. Cruise plans to continue to use a third-party vendor to supply such personnel for the duration of the Driverless Pilot Program, and in the event that those plans change, Cruise would notify the California Public Utilities Commission ("Commission").
3. Cruise contractually requires its current third-party vendor to ensure that all of the employees who may serve as operators of the Cruise Origin in the Driverless Pilot Program are contractually required to maintain a drug and alcohol testing program that complies with General Order 157-E. The third party vendor's drug testing consultant is contractually required to provide drug and alcohol testing results directly to the Commission if requested. In addition, Cruise contractually requires its current third-party vendor to ensure that the employees who may serve as operators of the Cruise Origin in the Driverless Pilot Program are covered by workers' compensation insurance in accordance with California Labor Code Section 3602(d)(1). In the future, if Cruise retains any new vendors to assist it with finding operators of the Cruise Origin in the Driverless Pilot Program, Cruise will ensure such vendors are subject to the same contractual requirements.



4. Cruise has a training program for the operators of the Cruise Origin. Operators who will participate in the Driverless Pilot Program will be enrolled in the California Department of Motor Vehicles ("DMV") pull-notice program through Cruise's DMV Employer Pull Notice account.
5. Cruise is insured under an auto liability policy that covers the vehicles and operators it intends to use in the Driverless Pilot Program. The applicable insurance policy meets the standards set by the Commission's General Orders, Decision 20-11-046, and statutory requirements.

Dated this 12th day of October, 2023.

DocuSigned by:

Alicia Fenrick

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Alicia Fenrick
Vice President, Deputy General Counsel
Cruise LLC