

Alicia Fenrick
Associate General Counsel
Cruise LLC
333 Brannan St.
San Francisco, California 94107

April 14, 2021

California Public Utilities Commission
Consumer Protection & Enforcement Division, License Section
505 Van Ness Avenue
San Francisco, CA 94102

Re: AV Passenger Service Pilot Program Exemption Request

Dear Consumer Protection & Enforcement Division,

Cruise¹ is working to bring an all-electric, self-driving car service to Californians with the aim of making our roads safer and reducing GHG emissions.

Cruise respectfully submits this request pursuant to General Order (G.O.) 157-E, Part 8.02 for a renewal of its limited exemption from Charter-Party Carrier (TCP) regulations for participants in the California Public Utilities Commission's (Commission) Drivered Test Autonomous Vehicles Passenger Service Pilot Program (AV Pilot).² We submit this request in connection with Cruise's existing TCP authority (TCP 39080). The exemptions described below would support the purpose of the AV Pilot and remain functionally equivalent to the obligations of G.O. 157-E.

The first request mirrors an exemption granted by the Consumer Protection & Enforcement Division (CPED) for Cruise on February 19, 2020, which provided for drivers supplied by a third-party staffing agency. In addition, Cruise seeks a technical exemption in conformance with its corporate structure.³

- 1) Third-Party Staffing Provider. Cruise engages full-time employees of a third-party staffing provider to serve as its autonomous vehicle test operators (AVTOs). Cruise seeks

¹ Cruise LLC.

² This exemption expired 12 months after it was granted pursuant to G.O. 157-E Part 8.02, on February 19, 2021. Cruise has not engaged in pilot rides since February 19, 2021.

³ available at

https://www.cpuc.ca.gov/uploadedFiles/CPUCWebsite/Content/Licensing/autovehicle/Cruise_Exemption_Request.pdf.

an exemption under G.O. 157-E, Part 8.02 to permit its use of third-party AVTOs to operate Cruise autonomous vehicles (AVs) in the AV Pilot. These AVTs undergo rigorous training and supervision pursuant to Cruise's Department of Motor Vehicles (DMV) AV Testing Permit.

Cruise has a robust safety culture and has implemented processes to ensure that safe operation of Cruise AVs is the top priority. Cruise trains all AVTOs to prioritize safe operation of Cruise AVs over any secondary objectives. Further, all AVTOs will be subject to Commission and DMV requirements for TCP drivers and autonomous vehicle test drivers, including driver training, testing for alcohol and other controlled substances, and enrollment in the DMV pull-notice program. Cruise's staffing provider is required to engage a CPUC-approved controlled substance provider and meet the testing requirements of G.O. 157-E. All AVTOs who participate in the pilot will be enrolled in Cruise's pull-notice program.

The Commission created the AV Pilot to balance important policy concerns, including protecting the public and facilitating innovation.⁴ The use of these drivers promotes the AV Pilot's purpose because these trained, specialized AVTs are well-placed to drive Cruise AVs safely. This requested exemption does not limit the data that will be reported to the Commission, nor does it bypass any DMV or Commission driver safety regulations.

2) Equipment Listing. Cruise seeks an exemption under G.O. 157-E Part 8.02 from the requirement in G.O. 157-E 4.01 that TCP holders maintain an equipment list of vehicles owned or leased for use under the permit.⁵ Cruise seeks to list on its equipment list vehicles owned by General Motors Company LLC ("GM"), which has a controlling interest in Cruise.⁶ Cruise will satisfy all other vehicle requirements under G.O. 157-E and Decision (D.) 18-05-043. Cruise will manage the AV Pilot, and has authority to manage or direct the use of any equipment made a part of the pilot. Should the Commission grant this exemption, Cruise's AV Pilot operations will be functionally equivalent under G.O. 157-E and D.18-05-043.

⁴ D.18-05-043 at 20.

⁵ See *also* D.18-05-043 at 15; AV Pilot application packet Form PL-664-AV.

⁶ Title to AVs for the AV Pilot will be held by GM or its subsidiaries. Cruise is a wholly-owned subsidiary of GM Cruise Holdings LLC ("Cruise Holdings"). Through its wholly-owned subsidiary, General Motors Holdings LLC, GM has a controlling interest in Cruise Holdings and subsequently Cruise.

Cruise respectfully requests that CPED grant this G.O. 157-E Part 8.02 exemption renewal.

Sincerely,

DocuSigned by:

Alicia W Fenrick

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Alicia Fenrick

Associate General Counsel

Enclosure: Declaration of A. Fenrick