

**UNITED STATES DEPARTMENT OF TRANSPORTATION  
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**

1200 New Jersey Avenue SE  
Washington, DC 20590

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**In re:** )  
)  
**Standing General Order 2021-01** )  
)  
Incident Reporting for )  
Automated Driving Systems (ADS) and )  
Level 2 Advanced Driver )  
Assistance Systems (ADAS) )  
\_\_\_\_\_ )

**TO: Each Manufacturer and Operator on the Attached Service List**

This Standing General Order 2021-01 (General Order) is issued by the National Highway Traffic Safety Administration (NHTSA or the agency), an Operating Administration of the United States Department of Transportation, pursuant to 49 U.S.C. § 30166(g)(l)(A) and 49 C.F.R. § 510.7.<sup>1</sup>

Under the National Traffic and Motor Vehicle Safety Act, as amended (the Safety Act), 49 U.S.C. Chapter 301, NHTSA is charged with authority “to reduce traffic accidents and deaths and injuries resulting from traffic accidents.” 49 U.S.C. § 30101. To carry out this statutory mandate, NHTSA has broad information gathering authority, including authority to obtain information on vehicle crashes, potential defects related to motor vehicle safety, and compliance with legal requirements to timely identify and conduct recalls for safety defects. *See* 49 U.S.C. § 30166(e), (g); 49 C.F.R. Part 510; *see also id.* §§ 30118-30120.

NHTSA’s statutory mandate includes the exercise of its authority to proactively ensure that motor vehicles and motor vehicle equipment, including those with novel technologies, perform in ways that “protect[] the public against unreasonable risk of accidents occurring

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<sup>1</sup> *See* 49 C.F.R. §§ 1.95, 501.8(d)(3) (delegations of authority).

because of the design, construction, or performance of a motor vehicle, and against unreasonable risk of death or injury in an accident.” 49 U.S.C. § 30102(9).<sup>2</sup> Both Automated Driving Systems (ADS) and Advanced Driver Assistance Systems (ADAS) are “motor vehicle equipment” subject to the requirements of the Safety Act. *See id.* § 30102(8). Given the rapid evolution of these technologies and testing of new technologies and features on publicly accessible roads, it is critical for NHTSA to exercise its robust oversight over potential safety defects in vehicles operating with ADS and Level 2 ADAS.<sup>3</sup>

The Safety Act is preventive, and the identification of safety defects does not and should not wait for injuries or deaths to occur. *See, e.g., United States v. Gen. Motors Corp.*, 565 F.2d 754, 759 (D.C. Cir. 1977) (“The purpose of the Safety Act . . . is not to protect individuals from the risks associated with defective vehicles only after serious injuries have already occurred; it is to prevent serious injuries stemming from established defects before they occur.”)

Consistent with this mandate, NHTSA is requiring vehicle and equipment manufacturers and operators of ADS and Level 2 ADAS vehicles to report crashes to the agency.

### ***Automated Driving Systems (ADS)***

Numerous manufacturers and operators are actively engaged in the development, testing, and limited deployment of vehicles with ADS, including through on-road operation of prototype vehicles or systems. There are two paths for vehicles with ADS to operate on publicly accessible roads under Federal law.<sup>4</sup> First, manufacturers may equip ADS on vehicles that fully comply

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<sup>2</sup> This includes the nonoperational safety of a motor vehicle. 49 U.S.C. § 30102(9).

<sup>3</sup> For a description of the Society of Automotive Engineers (SAE) levels of driving automation, see SAE J3016 Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles (April 2021); <https://www.nhtsa.gov/technology-innovation/automated-vehicles-safety#topic-road-self-driving>.

<sup>4</sup> Vehicles, including those with ADS, must also operate in compliance with applicable State and local laws.

with the Federal Motor Vehicle Safety Standards (FMVSS) and are certified as compliant.<sup>5</sup>

Alternatively, manufacturers may utilize a statutory exception<sup>6</sup> or exemption,<sup>7</sup> as appropriate, to operate noncompliant vehicles with ADS. *See* 49 U.S.C. §§ 30112(b)(10), 30113-30114. Many vehicles equipped with ADS are being tested in manufacturer or operator-owned fleets in specific communities for a limited purpose such as taxi or delivery services.

ADS present new and unique risks to motor vehicle safety because they fundamentally alter the nature of motor vehicles and their operation. Potential safety issues with vehicles operated with ADS include the design and performance of sensors and other technology used to determine the vehicle's location and to identify, classify, and position other roadway users and objects. Likewise, potential safety issues may arise from decisions by software algorithms that analyze data inputs in real time to determine the appropriate vehicle response. Safety issues may also arise from the operational design domain<sup>8</sup> for the ADS, and the continuing evolution and modification of these systems through software updates (including over-the-air updates).

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<sup>5</sup> In doing so, a manufacturer or other regulated entity “may not knowingly make inoperative any part of a device or element of design installed on or in a motor vehicle or motor vehicle equipment in compliance with an applicable motor vehicle safety standard.” 49 U.S.C. § 30122(b).

<sup>6</sup> A manufacturer that meets certain statutory criteria may introduce a noncompliant motor vehicle “in interstate commerce solely for purposes of testing or evaluation by a manufacturer that agrees not to sell or offer for sale the motor vehicle at the conclusion of the testing or evaluation.” 49 U.S.C. § 30112(b)(10). Specifically, the manufacturer must have manufactured and distributed FMVSS-compliant vehicles in the United States prior to enactment of the Fixing America's Surface Transportation (FAST) Act (December 4, 2015), and must have complied with certain regulatory requirements. *Id.*

<sup>7</sup> Several statutory exemptions are available, including temporary exemptions to “make easier the development or field evaluation of a new motor vehicle safety feature providing a safety level at least equal to the safety level of the standard,” to “make the development or field evaluation of a low-emission motor vehicle easier and would not unreasonably lower the safety level of that vehicle,” or where “compliance with the standard would prevent the manufacturer from selling a motor vehicle with an overall safety level at least equal to the overall safety level of nonexempt vehicles.” 49 U.S.C. § 30113; 49 C.F.R. Part 555. Temporary exemptions are also available for, among other things, research and demonstrations. 49 U.S.C. § 30114; 49 C.F.R. Part 591.

<sup>8</sup> Operational design domain refers to operating conditions under which a given ADS or ADS feature is designed to function. This includes, but is not limited to, environmental, geographical, and time-of-day restrictions, and/or the presence or absence of certain traffic or roadway characteristics.

### ***Level 2 Advanced Driver Assistance Systems (ADAS)***

Vehicles with Level 2 ADAS are widely available for consumers to purchase and are commonly in use on public roads. As with all vehicles, vehicles with Level 2 ADAS must comply with all applicable FMVSS and be certified as compliant, unless a statutory exception or exemption applies.

Vehicles operated using Level 2 ADAS present safety risks to occupants of those vehicles and other roadway users, in part due to the unconventional division of responsibility between the vehicle and its human driver. Misuse of an ADAS (including overreliance by a driver) may create a foreseeable risk and potential safety defect. *See, e.g., United States v. Gen. Motors Corp.*, 518 F.2d 420, 427 (D.C. Cir. 1975) (explaining that failures caused by foreseeable misuse of pickup trucks could support finding of a safety defect under the Safety Act). Other potential safety issues with vehicles operating using Level 2 ADAS include the design and performance of sensors, software algorithms, and other technology used to analyze and respond to the vehicle's environment; technology and strategies to ensure appropriate driver engagement; and the evolution of the system over time through software updates.

### ***NHTSA's General Order***

Through this action, NHTSA will evaluate whether specific manufacturers (including manufacturers of prototype vehicles and equipment) are meeting their statutory obligations to ensure that their vehicles and equipment are free of defects that pose an unreasonable risk to motor vehicle safety, or are recalled if such a safety defect is identified. *See* 49 U.S.C. §§ 30112, 30118-30120.

NHTSA's oversight of potential safety defects in vehicles operating on publicly accessible roads using ADS or Level 2 ADAS requires that NHTSA have timely information on incidents involving those vehicles. In carrying out the Safety Act, NHTSA may "require, by

general or special order, any person to file reports or answers to specific questions.” *Id.* § 30166(g)(1)(A). As set forth below, NHTSA is requiring each vehicle and equipment manufacturer and operator of vehicles with ADS or Level 2 ADAS to report specified information about certain safety-related incidents involving vehicles (including prototype vehicles) operating on publicly accessible roads using ADS or Level 2 ADAS. Each manufacturer and operator will be served with this General Order, which triggers the entity’s legal obligations to report crashes as required by the General Order.

Specifically, this General Order requires manufacturers and operators to report certain crashes involving these vehicles that occur while the ADS or Level 2 ADAS is engaged, or immediately after it is in use, and to provide sufficient information for NHTSA to identify crashes warranting further follow-up. Crashes that meet specified criteria must be reported within one calendar day after the manufacturer or operator learns of the crash, and other ADS crashes must be reported on a monthly basis. The reporting obligation in this General Order is specific to these crashes, which are a primary source of information regarding potential defects in ADS or Level 2 ADAS. NHTSA’s oversight is not limited to the information collected through this General Order, and NHTSA will consider all information relevant to potential safety defects, including information regarding non-crash incidents, and may open defect investigations as warranted.

### **DEFINITIONS**

For purposes of this General Order, the following terms, whether used in the singular, plural, possessive, or non-possessive forms, capitalized or uncapitalized, have the following definitions.

1. “**ADAS**” means an Advanced Driver Assistance System.

2. “**ADS**” means an Automated Driving System.
3. “**Advanced Driver Assistance System**” means a Level 1 or Level 2 system.
4. “**Automated Driving System**” means a Level 3, Level 4, or a Level 5 system

and includes hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational design domain and regardless of the presence of a safety operator. For purposes of this General Order, a prototype of a system that is intended to function as an Automated Driving System in its mature form is an Automated Driving System.

5. “**Crash**” means any physical impact between a vehicle and another road user (vehicle, pedestrian, cyclist, etc.) or property that results or allegedly results in any property damage, injury, or fatality. For clarity, a subject vehicle is involved in a crash if it physically impacts another road user or if it contributes or is alleged to contribute (by steering, braking, acceleration, or other operational performance) to another vehicle’s physical impact with another road user or property involved in that crash.

6. “**Level 1**” means the same as and is coterminous with the definition of “Level or Category 1 - Driver Assistance” in SAE J3016 Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles § 5.2 (April 2021). A Level 1 system is a driver support feature on the vehicle that can assist the human driver with either steering or braking/accelerating, but not both simultaneously. The human driver must remain fully and continuously engaged in the driving task.

7. “**Level 2**” means the same as and is coterminous with the definition of “Level or Category 2 - Partial Driving Automation” in SAE J3016 Taxonomy and Definitions for Terms

Related to Driving Automation Systems for On-Road Motor Vehicles § 5.3 (April 2021). A Level 2 system is a driver support feature on the vehicle that can control both steering and braking/accelerating simultaneously under some circumstances. The human driver must remain fully and continuously engaged in the driving task.

8. “**Level 3**” means the same as and is coterminous with the definition of “Level or Category 3 - Conditional Driving Automation” in SAE J3016 Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles § 5.4 (April 2021). A Level 3 system is an Automated Driving System (ADS) on the vehicle that can perform all aspects of the driving task under some circumstances. In those circumstances, the human driver must be ready to take back control at any time when the ADS requests the human driver to do so. In all other circumstances, the human driver performs the driving task.

9. “**Level 4**” means the same as and is coterminous with the definition of “Level or Category 4 - High Driving Automation” in SAE J3016 Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles § 5.5 (April 2021). A Level 4 system is an Automated Driving System (ADS) on the vehicle that can perform all driving tasks and monitor the driving environment (essentially, do all the driving) in certain circumstances without the need for a takeover-ready human driver. When operated solely within their limited domains, any human occupants are considered passengers and need not be involved in the driving task.

10. “**Level 5**” means the same as and is coterminous with the definition of “Level or Category 5 - Full Driving Automation” in SAE J3016 Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles § 5.6 (April 2021). A

Level 5 system is an Automated Driving System (ADS) on the vehicle that can do all the driving in all circumstances. Any human occupants are just passengers and need never be involved in the driving task.

11. **“Manufacturer”** means a person developing, fabricating, manufacturing, assembling, or importing motor vehicles or motor vehicle equipment (including pre-production and prototype motor vehicles and equipment). A manufacturer may also be an operator.

12. **“Motor Vehicle”** means any pre-production, prototype, or production vehicle driven or drawn by mechanical power and being developed or manufactured primarily for use on public roads.

13. **“Motor Vehicle Equipment”** means and includes any pre-production, prototype, or production ADS or Level 2 ADAS, including software or any other component of such system, that is installed on a motor vehicle, or used to control or operate a motor vehicle.

14. **“Notice”** is defined more broadly than in 49 C.F.R. § 579.4 and means information you have received from any internal or external source and in any form (whether electronic, written, verbal, or otherwise) about an incident that occurred or is alleged to have occurred; including, but not limited to vehicle reports, test reports, crash reports, media reports, consumer or customer reports, claims, demands, and lawsuits. A manufacturer or operator has notice of a crash or a specified reporting criterion (i.e., a resulting hospital-treated injury, fatality, vehicle tow-away, air bag deployment, or the involvement of a vulnerable road user) when it has notice of facts or alleged facts sufficient to meet the definition of a crash or a specified reporting criterion, regardless of whether the manufacturer has verified those facts.

15. **“Operator”** means the entity operating a motor vehicle equipped with ADS on a publicly accessible road. An operator may also be a manufacturer.

16. **“Person”** means and includes “corporations, companies, associations, firms, partnerships, societies, and joint stock companies, as well as individuals.” 1 U.S.C. § 1.

17. **“Reporting Entity”** means any company identified on the attached Service List for this General Order.

18. **“Subject Vehicle”** means and includes: 1) for a motor vehicle manufacturer responding to this General Order, a motor vehicle manufactured, imported, or operated by the manufacturer and equipped with an ADS or Level 2 ADAS; 2) for a motor vehicle equipment manufacturer responding to this General Order, a motor vehicle equipped with an ADS or Level 2 ADAS with any motor vehicle equipment (including software) manufactured or imported by the motor vehicle equipment manufacturer; and 3) for an operator responding to this General Order, a motor vehicle equipped with an ADS being operated by the operator.

19. **“Vulnerable Road User”** means and includes any person who is not an occupant of a motor vehicle with more than three wheels. This definition includes, but is not limited to, pedestrians, persons traveling in wheelchairs, bicyclists, motorcyclists, and riders or occupants of other transport vehicles that are not motor vehicles, such as all-terrain vehicles and tractors.

20. **“You”** or **“your”** means each individual manufacturer or operator to whom this General Order is directed.

### **INSTRUCTIONS**

The following instructions apply to each Reporting Entity:

1. This General Order requires you to submit reports to NHTSA on a prospective basis. It requires reports of incidents of which you receive notice ten (10) calendar days or more

after being served with this General Order. **This is a standing reporting obligation, which shall continue for three (3) years after the date of this General Order.**

2. You are required to respond to every request listed in this General Order, including each subpart. If you cannot substantively respond to any specific request or subpart, you must state the reason why you are unable to do so. Examples include, but are not limited to, situations where you do not possess the information requested at the time the report is due or where you are required to redact the information because it is protected from disclosure under law. If you do not possess the information necessary to fully complete a report required by this General Order by its due date, you must provide as much information as you have available at the time the report is due and subsequently update that information, as appropriate, consistent with the requirements of Request No. 3.

3. You must provide each report required by this General Order to NHTSA in an electronic format, pursuant to the instructions set forth in Appendix A, and with the information required and in the form set forth in Appendix C. You should immediately review the instructions set forth in Appendix A to determine whether you need to establish an account and have it authorized for the submission of reports under the terms of this General Order. You must also separately submit any report that you claim contains confidential business information (CBI) to NHTSA's Office of Chief Counsel pursuant to the instructions set forth in Appendix B.

4. NHTSA has determined that the information required by the Incident Report form set forth in Appendix C, with three exceptions, does not include any potential CBI exempt from public disclosure under either the Safety Act (49 U.S.C. § 30167(a)) or the Freedom of Information Act (5 U.S.C. § 552(b)(4)). But for these three exceptions described below, the

nature of the crash-related information required by the Incident Report form is widely available to the public from law enforcement agencies and through motor vehicle crash databases maintained by NHTSA.<sup>9</sup> NHTSA, therefore, will not keep this information confidential, intends to make it publicly available, and is providing no assurance to you to the contrary. *See Food Marketing Inst. v. Argus Leader Media*, 139 S. Ct. 2356, 2363 (2019).

5. There are three exceptions, for which NHTSA will permit you to claim, when appropriate and appropriately supported, that information submitted in an Incident Report constitutes CBI. These three exceptions are: (1) the version of the ADAS/ADS with which a vehicle is equipped; (2) whether the vehicle was within its operational design domain (ODD) at the time of the incident; and (3) the narrative. The instructions provided in Appendix B explain how you can make such a claim of confidentiality. Making a request for confidential treatment does not ensure that the information claimed to be confidential will be determined to be confidential. *See* 49 C.F.R. Part 512, Subparts D-E.

6. If the deadline for submission of any report required by this General Order (other than those reports required within one calendar day under Request No. 1) falls on a weekend or Federal holiday, the deadline is extended to the next business day that is not a Federal holiday. The deadline extension described in this paragraph does not apply to reports required within one calendar day under Request No. 1.

7. Any questions about the information or format required for the reports required by this General Order should be directed to Jeff Eyres, Office of Chief Counsel, via email at [jeffrey.eyres@dot.gov](mailto:jeffrey.eyres@dot.gov) or telephone at 202.913.4307 or, for technical questions, an email should

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<sup>9</sup> *See* <https://www.nhtsa.gov/data/crash-data-systems>.

be sent to sgo202101-info@dot.gov. The deadlines for filing reports required by this General Order are not tolled or otherwise held in abeyance by the submission of a question.

8. With respect to words and terms used in this General Order: the singular includes the plural; “and” as well as “or” shall be construed either disjunctively or conjunctively to bring within the scope of this General Order all information, incidents, and responses that might otherwise be construed to be outside its scope; “each” shall be construed to include “every” and “every” shall be construed to include “each”; “any” shall be construed to include “all” and “all” shall be construed to include “any”; and the use of a verb in any tense shall be construed as the use of the verb in a past or present tense whenever necessary to bring within the scope of the requests all information, incidents, and responses that might otherwise be construed to be outside its scope.

9. The reporting requirements established by this General Order, issued pursuant to 49 U.S.C. § 30166(g), are in addition to any reporting obligations applicable to you under the National Traffic and Motor Vehicle Safety Act, as amended (the Safety Act), 49 U.S.C. Chapter 301, and regulations thereunder, but not limited to, early warning reporting requirements, 49 C.F.R. Part 579, Subpart C.

10. Failure to respond timely, fully, or truthfully to this General Order may result in a referral to the United States Department of Justice for a civil action to compel responses and may also subject you to civil penalties, currently up to \$22,992 per violation per day, up to a maximum penalty of \$ 114,954,525 for a related series of violations. *See* 49 U.S.C. § 30165(a)(3); 49 C.F.R. § 578.6(a)(3).

## REQUESTS

### **IT IS THEREFORE ORDERED THAT:**

**In accordance with the instructions set forth above, each Reporting Entity shall submit an Incident Report, with the information required and in the form prescribed by Appendix C, as follows:**

1. For each incident that meets the following criteria, submit an Incident Report not later than one (1) calendar day after receipt of notice of such incident and an updated Incident Report on the tenth (10<sup>th</sup>) calendar day after receipt of notice of such incident:
  - A. a subject vehicle (whether equipped with ADS or Level 2 ADAS) is involved in a crash on a publicly accessible road in the United States (including any of its territories);
  - B. the ADS or Level 2 ADAS on the subject vehicle was engaged at any time during the period from 30 seconds immediately prior to the commencement of the crash through the conclusion of the crash; and
  - C. the crash results in any individual being transported to a hospital for medical treatment, a fatality, a vehicle tow-away, or an air bag deployment or involves a vulnerable road user; and
  - D. notice of the crash is received ten (10) calendar days or more after being served with this General Order.

The third criterion (Request No. 1.C.) is met when 1) the crash results in any person being transported to a hospital for medical treatment of an injury, or a fatality, regardless of whether the person injured or killed was an occupant of the subject vehicle; 2) the crash results in a tow-away or air bag deployment on any vehicle involved in the crash, regardless of whether the tow-

away or air bag deployment involved the subject vehicle; or 3) a vulnerable road user is injured as a result of the crash, is struck by any vehicle involved in the crash, is an occupant of any vehicle that is damaged as a result of the crash, or is alleged to have caused or contributed to the crash by influencing any part of the driving task for any vehicle involved in the crash.

2. For each incident that meets the following criteria and is not reportable under Request No. 1, submit an Incident Report on the fifteenth (15<sup>th</sup>) calendar day of the month following the calendar month in which notice of the incident was received:

- A. a subject vehicle equipped with ADS is involved in a crash on a publicly accessible road in the United States (including any of its territories);
- B. the ADS on the subject vehicle was engaged at any time during the period 30 seconds immediately prior to the commencement of the crash through the conclusion of the crash; and
- C. notice of the crash is received ten (10) calendar days or more after being served with this General Order.

3. For any incident previously reported under Request No. 1 or Request No. 2, submit an updated Incident Report on the fifteenth (15<sup>th</sup>) calendar day of the month following any calendar month in which notice of any material new or materially different information about the incident is received.

4. In the absence of any new or updated Incident Reports due under Request No. 2 and Request No. 3, submit an Incident Report confirming the lack of any reportable information on the fifteenth (15<sup>th</sup>) calendar day of each month, beginning the calendar month after you are first served with this General Order.

NATIONAL HIGHWAY TRAFFIC SAFETY  
ADMINISTRATION,  
U.S. DEPARTMENT OF TRANSPORTATION

Dated: June 29, 2021

By: \_\_\_\_\_

Ann Carlson  
Chief Counsel

Attachments:

Service List

Appendix A—Incident Report Submission Instructions

Appendix B—Confidential Business Information (CBI) Instructions

Appendix C—Incident Report

**UNITED STATES DEPARTMENT OF TRANSPORTATION  
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION**  
1200 New Jersey Avenue SE  
Washington, DC 20590

**In re:** )  
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**Standing General Order 2021-01** )  
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Incident Reporting for )  
Automated Driving Systems (ADS) and )  
Level 2 Advanced Driver )  
Assistance Systems (ADAS) )  
)

**SERVICE LIST**

The following manufacturers and operators shall be served with and are then, upon service, subject to the requirements of Standing General Order 2021-01:

Niall Berkery  
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Jan Becker  
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## **Appendix A to Standing General Order 2021-01**

### **Incident Report Submission Instructions**

Each report required by this Standing General Order (General Order) shall be provided to NHTSA in electronic format, via the NHTSA Manufacturer Recalls Portal (MAP). These instructions explain how to set up a MAP account and how to submit a report required under this General Order via the MAP. Any report that contains confidential business information must also separately be submitted to NHTSA's Office of Chief Counsel pursuant to the instructions set forth in Appendix B.

If you do not have a NHTSA MAP account, you must set up an account before you can file any report required by this General Order. You should establish an account before the reporting period (10 calendar days after service of this General Order) begins to ensure that you can timely file a report and to become familiar with the MAP and the procedure for filing a report. If you already have a MAP account, you should use your existing account to file reports and should not create a separate account.

Your MAP account must separately be authorized by NHTSA for filing reports under this General Order before it can be used for filing any such report. If you have a preexisting MAP account, NHTSA has already authorized that account for submitting reports under this General Order. If you do not have preexisting MAP accounts, you must, consistent with the instructions below, inform NHTSA that you have established an account so that NHTSA can authorize the account for filing reports under this General Order.

#### **Setting up a MAP Account**

To set up a MAP account and have it authorized to submit reports under this General Order, you must follow these steps:

1. Access the NHTSA Recalls Portal Sign-up page at <https://map.safercar.gov/mportal/signuphome>, select the appropriate option, select the Next button, complete the information needed for the selected option, and then submit the form for approval.

## Recalls Portal Sign-up

Welcome to the Recalls Portal Sign-up page. Please select the appropriate option based on your current history with NHTSA/ODI recalls and then select NEXT. You will then be able to set up your Recalls Portal account.

Choose the appropriate Option below based on your company's particular situation with regards to Early Warning Reporting (EWR) and the filing of recall information.

- Option 1: Have EWR Account** Currently have an Early Warning Reporting (EWR) Account.
- Option 2: Do not have EWR Account** Do not have an EWR Account, but *have filed* a recall with NHTSA/ODI before.
- Option 3: First Time Filing** Do not have an EWR Account, and *have not filed* a recall with NHTSA/ODI before.

**Next**

**You are accessing a U.S. Government information system.** This information system, including all related equipment, networks, and network devices, is provided for U.S. Government-authorized use only. Unauthorized or improper use of this system is prohibited, and may result in civil and criminal penalties, or administrative disciplinary action. The communications and data stored or transiting this system may be, for any lawful Government purpose, monitored, recorded, and subject to audit or investigation. By using this system, you understand and consent to such terms.

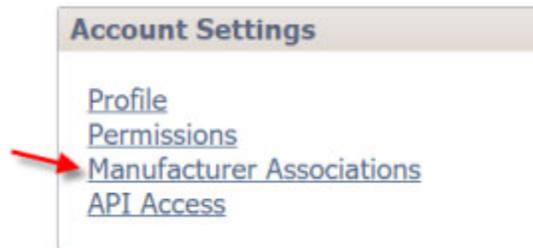
2. After you receive a notification that the account request has been approved, you must send an email to NHTSA at [recalls.helpdesk@dot.gov](mailto:recalls.helpdesk@dot.gov) stating that you have set up a MAP account and requesting that the account be authorized to permit you to submit reports under this General Order.

## Submitting a Report to NHTSA via the MAP

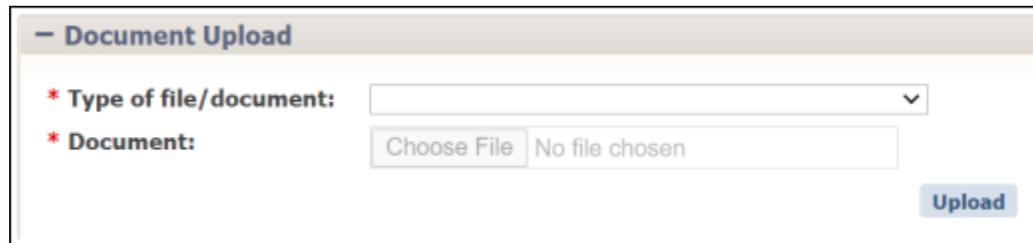
To create a new report for submission, you should download a copy of the PDF template file shown in Appendix C (available online from the Document Upload section of the Manufacturer Associations page on the Safety Recall Dashboard). All data elements on the report are required to be completed. Some data elements have restrictions based on other entries made.

To submit a report to NHTSA under this General Order via the MAP, you should access the MAP landing page at <https://map.safercar.gov/mportal/signin> and follow these steps:

1. Log in to your MAP account, if not already logged in.
2. Select “Manufacturer Associations” in the “Account Settings” box on the left side of the “Safety Recall Dashboard” page.



3. On the “Manufacturer Associations” page go to the “Document Upload” section. If this section is collapsed, select the plus sign (“+”) to expand it.

A screenshot of a 'Document Upload' form. The form has a title bar that says '- Document Upload'. Below the title bar, there are two required fields: '\* Type of file/document:' with a dropdown menu, and '\* Document:' with a 'Choose File' button and a text box containing 'No file chosen'. An 'Upload' button is located at the bottom right of the form.

4. In the “Type of file/document” drop-down list, select the “Incident Report – SGO 2021-01” item. A checkbox to confirm that you are submitting an Incident Report

-SGO 2021-01 will then be shown above the Upload button, which will be disabled while the checkbox is shown and unchecked.



The screenshot shows a web form titled "Document Upload". It contains a "Note" section with a link to a template. Below that, there are two fields: "\* Type of file/document:" with a dropdown menu set to "Incident Report - SGO 2021-01", and "\* Document:" with a "Choose File" button and the text "No file chosen". At the bottom, there is a checkbox that is unchecked, followed by the text "I am submitting this report pursuant to this company's obligations under Standing General Order 2021-01." and an "Upload" button.

5. In the "Document" field select the "Choose File" or "Browse" button (browser dependent) and navigate to the folder on your system containing the document you want to upload.
6. Select the desired document. The document filename will then appear next to the "Choose file" or "Browse" button.



This screenshot is identical to the previous one, but the "Document:" field now shows "Sample - ADAS 05-04-21.pdf" next to the "Choose File" button. The checkbox remains unchecked.

7. Confirm that you want to upload an Incident Report – SGO 2021-01 by selecting the checkbox. The "Upload" button will then be enabled.

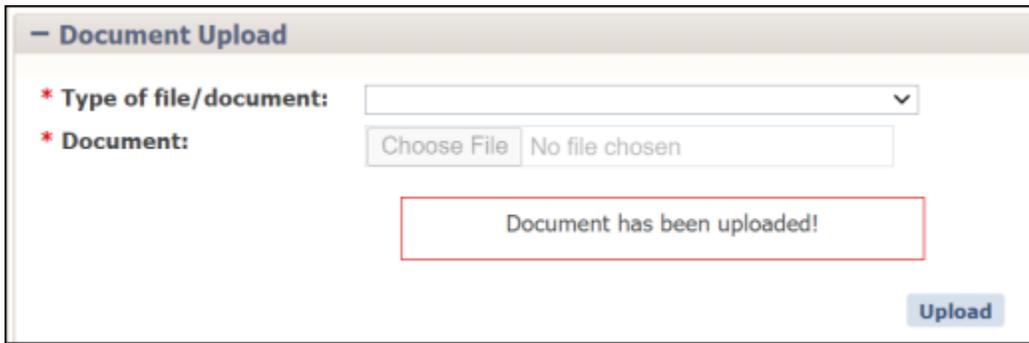


This screenshot is identical to the previous one, but the checkbox is now checked, and the "Upload" button is highlighted in blue, indicating it is enabled.

8. Select the "Upload" button.

9. Log out of your MAP account using the Logout link near the top of the page, unless you need to perform additional MAP actions.

If the file meets basic requirements, a message that the file was uploaded will be displayed. (The document must be a PDF file. The maximum file size is 10MB.)



The screenshot shows a form titled "Document Upload". It has two required fields: "\* Type of file/document:" with a dropdown menu, and "\* Document:" with a "Choose File" button and the text "No file chosen". A red-bordered box contains the message "Document has been uploaded!". An "Upload" button is located at the bottom right.

An error message will be shown if the file does not meet these requirements.



The screenshot shows the "Document Upload" form with a note: "Incident Report - SGO 2021-01 Template is available at this link: [Incident Report - SGO 2021-01 Template](#)". The "\* Type of file/document:" dropdown is set to "Incident Report – SGO 2021-01". The "\* Document:" field shows "Invalid document type.docx" and "Invalid file extension." below it. A red checkbox is checked with the text "I am submitting this report pursuant to this company's obligations under Standing General Order 2021-01." An "Upload" button is at the bottom right.



The screenshot shows the "Document Upload" form with the same note as above. The "\* Type of file/document:" dropdown is set to "Incident Report – SGO 2021-01". The "\* Document:" field shows "Oversized document.pdf" and "File size cannot be greater than 10MB." below it. A red checkbox is checked with the text "I am submitting this report pursuant to this company's obligations under Standing General Order 2021-01." An "Upload" button is at the bottom right.

If the submission is successful, a row will be added at the top of the table of "Available association-related documents," located below the "Upload" button.

Available association-related documents.					
Show <input type="text" value="10"/> entries					
	Name	Description	Status	Size(kb)	Date
1	MACDD-010254-05052021-001.pdf (Sample - ADAS 05-04-21.pdf)	Incident Report – SGO 2021-01	Pending	81	05/05/2021

The Status will initially show “Pending” and will be changed to “Received” when the document has been successfully added to the NHTSA database, usually within a few minutes. (Refresh the page, if needed.)

Available association-related documents.					
Show <input type="text" value="10"/> entries					
	Name	Description	Status	Size(kb)	Date
1	MACDD-010254-05052021-001.pdf (Sample - ADAS 05-04-21.pdf)	Incident Report – SGO 2021-01	Received	81	05/05/2021

The Name entry will also show a unique filename that will be associated with your submission. Selecting the Name entry will allow viewing the uploaded file. This unique filename will be used as a reference for discussions with NHTSA. You also will need this unique filename for any CBI request submitted under the instructions in Appendix B.

### Technical Assistance

For technical assistance setting up a MAP account or submitting a report to NHTSA via the MAP, please contact the Recalls Portal Help Desk at 1-888-719-9220 or contact the Recalls Office at [recalls.helpdesk@dot.gov](mailto:recalls.helpdesk@dot.gov). For technical assistance regarding the content required in a report, please send an email to [sgo202101-info@dot.gov](mailto:sgo202101-info@dot.gov).

## **Appendix B to Standing General Order 2021-01**

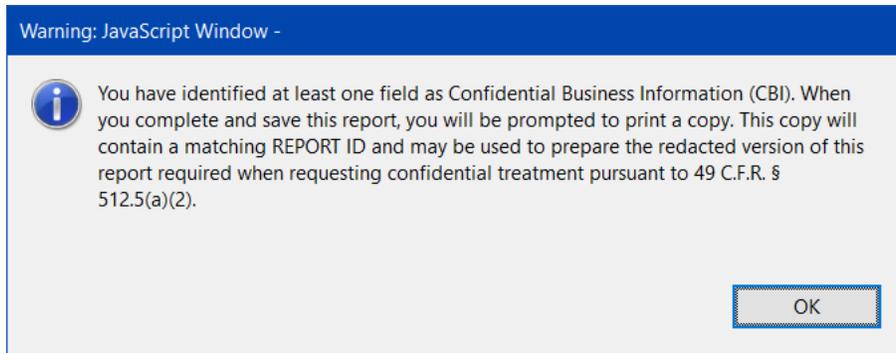
### **Confidential Business Information (CBI) Instructions**

If you claim that information in an Incident Report you submit contains confidential business information (CBI), you must comply with 49 C.F.R. Part 512 and these instructions. These instructions provide information intended to help you comply with that regulation in the context of submitting required Incident Reports under this General Order. A current version of the regulation is available at <http://www.ecfr.gov> by selecting Title 49 “Transportation,” selecting “Parts 500 – 599” and then selecting Part 512 “Confidential Business Information.”

1. NHTSA has determined that only three of the fields on the Incident Report form (Appendix C) request information that potentially could be CBI. Those three fields are: (1) “ADAS/ADS VERSION”; (2) “WAS VEHICLE WITHIN ITS ODD AT THE TIME OF THE INCIDENT?”; and (3) “NARRATIVE.” The form includes a box labeled “CBI” next to each of these three fields.

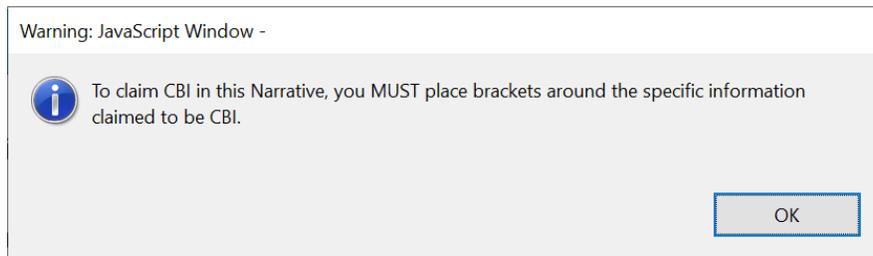
2. To claim that your response to any of these three fields constitutes CBI, you must check the CBI box next to each field you are claiming constitutes CBI. You must separately check each CBI box to claim that the information submitted in that field constitutes CBI.

3. If any one of the CBI boxes is checked, the report will automatically display the statement “CONFIDENTIAL BUSINESS INFORMATION” at the top of the report, consistent with the requirements of 49 C.F.R. § 512.6(c)(2). The following message also will appear as a reminder:



4. If you check the CBI box for “ADAS/ADS VERSION and/or “WAS VEHICLE WITHIN ITS ODD AT THE TIME OF THE INCIDENT,” brackets will be automatically placed around the response for which the CBI box is checked to designate the information that is claimed to be confidential, consistent with the requirements of 49 C.F.R. § 512.6(c)(2).

5. If you check the CBI box for “NARRATIVE,” you must manually insert brackets in the text of your response around the specific information you are claiming is confidential. These brackets will not be inserted automatically because you must identify the specific information within the “NARRATIVE” response you are claiming is confidential, consistent with the requirements of 49 C.F.R. § 512.6(c)(2). When you check the CBI box for “NARRATIVE,” the following message will appear as a reminder:



If you do not insert brackets around the specific information you are claiming is confidential, you have not made a CBI claim for any information in your response to “NARRATIVE.”

6. To make a valid CBI claim, you must also, in addition to following the procedures described in Paragraphs 2-5, separately submit a confidentiality request to NHTSA in support of your CBI claim. You must submit a separate confidentiality request for each Incident Report on which you are claiming CBI. You need to submit one confidentiality request for each Incident Report, regardless of how many of the three CBI boxes you checked. To submit a confidentiality request, you will need the unique filename that was generated and assigned to the report when it was submitted to NHTSA. This unique filename can be found in the Document Upload section of the Manufacturer Associations page on your Safety Recall Dashboard.

7. You must email your confidentiality request to NHTSA's Office of Chief Counsel at SGO2021-1.CBI@dot.gov. Your email must include in the subject line: the name of the Reporting Entity (not the individual submitting the email) and the unique filename. To facilitate social distancing due to COVID-19, NHTSA is treating electronic submission as an acceptable method for submitting confidentiality requests to the agency under 49 C.F.R. Part 512. See <https://www.nhtsa.gov/coronavirus/submission-confidential-business-information>. Do not send a duplicate hardcopy of your confidentiality request to NHTSA.

8. The confidentiality request you email to NHTSA must include the following:

a. A request letter that contains supporting information, pursuant to 49 C.F.R. § 512.8. See *Food Marketing Institute v. Argus Leader Media*, 139 S. Ct. 2356 (2019). The request letter must reference the unique filename assigned to the report.

b. A certificate, pursuant to 49 C.F.R. § 512.4(b) and 49 C.F.R. Part 512, Appendix A. The certificate must reference the unique filename assigned to the report.

c. An unredacted, “confidential version” of the report for which you are requesting confidential treatment. The report you submitted electronically, with checked CBI boxes, brackets around the information claimed to be confidential, and the label “CONFIDENTIAL BUSINESS INFORMATION” meets the requirements of 49 C.F.R. § 512.6 for this purpose. You may, therefore, submit a copy of the Incident Report, as saved in NHTSA’s system, with your confidentiality request to meet this requirement.

d. You must include a redacted, “public version” of the report for which you are requesting confidential treatment. Pursuant to 49 C.F.R. § 512.5(a)(2), the redacted “public version” should include redactions of any information for which you are seeking confidential treatment (i.e., the only information that should be unredacted is information for which you are not seeking confidential treatment). The Incident Report will prompt you to print a copy of the report when you save the document. This copy will contain a matching REPORT ID and may be used to prepare the redacted, “public version” of the report. This copy is not fillable and must not be submitted through the portal. Note: You must print this copy before submitting the fillable Incident Report through the portal, otherwise the REPORT IDs will not match.

## **Appendix C to Standing General Order 2021-01**

### **Incident Report Form**

The Incident Report Form is an interactive PDF form that can be downloaded from the Document Upload section of the Manufacturer Associations page on the Safety Recall Dashboard (see instructions in Appendix A for accessing Safety Recall Dashboard). A static image of the form is shown on the following page. You cannot use this static image or the static image available to the public at [www.NHTSA.gov/SGOCrashReporting](http://www.NHTSA.gov/SGOCrashReporting) for filing a report required under this General Order.

**UNITED STATES DEPARTMENT OF TRANSPORTATION  
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION  
Standing General Order 2021-01  
Appendix C - Incident Report**

REPORT TYPE	REPORTING MONTH & YEAR (monthly reports only)
REPORT ID REPORT ID is created when document is saved. Use Adobe Acrobat with Javascript enabled.	

**Reporting Entity Information**

REPORTING ENTITY

FIRST NAME	LAST NAME	POSITION TITLE	PHONE	EMAIL
------------	-----------	----------------	-------	-------

**Subject Vehicle Information**

VIN or S/N	<input type="checkbox"/> UNKN MAKE	MODEL	<input type="checkbox"/> UNKN MODEL YEAR	<input type="checkbox"/> UNKN
MILEAGE	<input type="checkbox"/> UNKN DRIVER / OPERATOR TYPE	ADAS / ADS VERSION	<input type="checkbox"/> UNKN OPERATING ENTITY	<input type="checkbox"/> UNKN
<input type="checkbox"/> CBI				

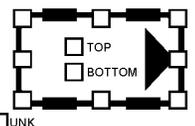
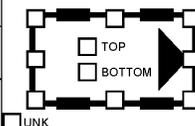
**Incident Information**

SOURCE <input type="checkbox"/> Complaint / Claim <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Other: <input type="checkbox"/> Telematics <input type="checkbox"/> Testing <input type="checkbox"/> Field Report <input type="checkbox"/> Media	INCIDENT DATE <input type="checkbox"/> UNKN	INCIDENT TIME <input type="checkbox"/> UNKN
	NOTICE RECEIVED DATE	IDENTIFIER <input type="checkbox"/> 0 <small>If multiple incident notices were received on the same date, enter a number to uniquely identify each incident. If this is a report update, the identifier must match the original report.</small>

**Incident Scene**

LATITUDE (decimal) <input type="checkbox"/> UNKN	LONGITUDE (decimal) <input type="checkbox"/> UNKN	LOCATION ADDRESS / DESCRIPTION	<input type="checkbox"/> UNKN CITY	<input type="checkbox"/> UNKN STATE	ZIP <input type="checkbox"/> UNKN
ROADWAY TYPE	SURFACE CONDITION	ROADWAY DESCRIPTION	WEATHER <input type="checkbox"/> Clear <input type="checkbox"/> Snow <input type="checkbox"/> Unknown <input type="checkbox"/> Cloudy <input type="checkbox"/> Fog / Smoke <input type="checkbox"/> Other: <input type="checkbox"/> Rain <input type="checkbox"/> Severe Wind		
SPEED LIMIT (mph) <input type="checkbox"/> UNKN	LIGHTING				

**Crash Description**

CRASH WITH	HIGHEST INJURY SEVERITY	PROPERTY DAMAGE?
<b>SUBJECT VEHICLE</b>		
GENERAL DAMAGE / CONTACT AREA  <input type="checkbox"/> UNKN	PRE-CRASH MOVEMENT ANY AIR BAGS DEPLOYED? WAS VEHICLE TOWED? WERE ALL PASSENGERS BELTED?	PRE-CRASH MOVEMENT ANY AIR BAGS DEPLOYED? WAS VEHICLE TOWED?  <input type="checkbox"/> UNKN

**Post-Crash Information**

DATA AVAILABILITY <input type="checkbox"/> EDR <input type="checkbox"/> Complaints <input type="checkbox"/> Telematics <input type="checkbox"/> Other <input type="checkbox"/> Video <input type="checkbox"/> No Data <input type="checkbox"/> Police Report <input type="checkbox"/> Unknown	LAW ENFORCEMENT INVESTIGATING?	INVESTIGATING AGENCY <input type="checkbox"/> UNKN	REPORTING ENTITY OR MANUFACTURER INVESTIGATING?
	INVESTIGATOR NAME <input type="checkbox"/> UNKN	INVESTIGATOR PHONE <input type="checkbox"/> UNKN	INVESTIGATOR EMAIL <input type="checkbox"/> UNKN
			WAS VEHICLE WITHIN ITS ODD AT THE TIME OF THE INCIDENT? <input type="checkbox"/> CBI

**Narrative**

Provide a written description of the pre-crash, crash, and post-crash details. Include explanations for any responses indicating see *Narrative*, list all ADAS or ADS features engaged prior to the incident, describe any ADAS or ADS feature disengagements leading up to the incident, and provide any other available information. Indicate if this is an update to a previously submitted report and provide the previous report's REPORT ID. If you selected Media as a source in the Incident Information section, provide the URL or reference.  CBI