

acceleration of at least 0.7g on any axis for at least 150 ms, or of any incidents in which the vehicle has an unexpected interaction with humans or other objects (other than crashes that require immediate reporting).

- Detailed descriptions of all instances in which a public safety official, including law enforcement, has attempted to interact with an R2X, such as to pull it over, or has contacted Nuro regarding an attempted interaction with the R2X.

- Detailed descriptions of any “minimal risk condition fallback”<sup>94</sup> or “remote operator takeover”<sup>95</sup> events that have occurred, even if no crash has occurred. If the event has occurred because the vehicle self-diagnosed a malfunction of a vehicle system, the report must include a detailed description of the cause and nature of the malfunction, and what remedial steps were taken. If the event was caused by the vehicle encountering a complex or unexpected driving situation, the report must include a detailed timeline of the ADS’s decision-making process that led to the event, including any difficulties the ADS had in detecting and classifying objects. For any remote operator takeover event, Nuro must provide information about any technical issues encountered, such as signal latency.

In addition, Nuro must make necessary staff available to meet with NHTSA staff quarterly to discuss the status of its deployment program.

### 3. Cybersecurity

- Nuro must have a documented cybersecurity incident response plan that includes its risk mitigation strategies and the incident notification requirements listed below.

- Nuro must cease operations of all R2X vehicles immediately upon becoming aware of any cybersecurity incident<sup>96</sup> involving the R2X and any systems connected to the R2X that has the potential to impact the safety of the R2X.

- No later than 24 hours after being made aware of a cybersecurity incident, Nuro must

<sup>94</sup> The term “minimal risk condition fallback” refers to a situation in which the ADS pulls over using a “failsafe trajectory,” as described on page 21 of Nuro’s VSSA, which Nuro submitted as an attachment to its comment. See Docket No. NHTSA–2019–0017–0023.

<sup>95</sup> The term “remote operator takeover” refers to a situation in which a remote operator takes control of a vehicle either because the ADS recommends remote operation, or because the remote operator deems it appropriate without being prompted by the ADS.

<sup>96</sup> As used in these terms, “incident” is defined as an occurrence that jeopardizes the functionality, confidentiality, integrity, or availability of a vehicle computing platform through the potential use of an exploit. “Exploit” refers to an action that takes advantage of a vulnerability to cause unintended or unanticipated behavior to occur on computer software and/or hardware.

inform NHTSA’s Office of Defects Investigations (ODI) of the incident. Nuro must also respond to any additional requests for information from NHTSA on the cybersecurity incident.

- Prior to resuming its operation of R2X vehicles following the discovery of a cybersecurity incident, Nuro must inform NHTSA of the steps it has taken to patch the vulnerability and mitigate the risks associated with the incident, and receive NHTSA approval to resume operation.

### 4. Other Conditions

- Nuro must be capable of issuing a “stop order” that causes all deployed R2X vehicles to, as quickly as possible, cease operations in a safe manner, in the event that NHTSA or Nuro determines that the exempted vehicles present an unreasonable or unforeseen risk to safety.

- Nuro must coordinate any planned deployment of the R2X or change to the ADS/ODD with state and local authorities with jurisdiction over the operation of the vehicle as required by the laws or regulations of that jurisdiction.

- The R2X must comply with all state and local laws and requirements at all times while in operation. Each vehicle must be duly permitted, if applicable, and authorized to operate within all properties and upon all roadways traversed.

- Nuro must maintain ownership and operational control over the R2Xs that are built pursuant to this exemption for the life of the vehicles.

- Nuro must create and maintain a hotline or other method of communication for the public and Nuro employees to directly communicate feedback or potential safety concerns about the R2X to the company.

**Authority:** 49 U.S.C. 30113 and 49 U.S.C. 30166; delegations of authority at 49 CFR 1.95 and 49 CFR 501.4.

Issued in Washington, DC, under authority delegated in 49 CFR 1.95 and 501.4.

**James C. Owens,**

*Acting Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Hazardous Materials: Notice of Applications for Modifications to Special Permits

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** List of applications for modification of special permits.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation’s Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the “Nature of Application” portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before February 26, 2020.

**ADDRESSES:** Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:** Donald Burger, Office of Hazardous Materials Approvals and Permits Division, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building, PHH–30, 1200 New Jersey Avenue Southeast, Washington, DC 20590–0001, (202) 366–4535.

**SUPPLEMENTARY INFORMATION:** Copies of the applications are available for inspection in the Records Center, East Building, PHH–30, 1200 New Jersey Avenue Southeast, Washington, DC.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on February 3, 2020.

**Donald P. Burger,**

*Chief, General Approvals and Permits Branch.*

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
<b>Special Permits Data</b>			
14951-M .....	Hexagon Lincoln, LLC .....	173.301(f), 173.302(a) .....	To modify the special permit to authorize permitted cylinders to have an "in-service date" on their labels. This date would be the date in which the cylinder was released from the Hexagon inventory and placed in the possession of the end user. (modes 1, 2, 3).
15347-M .....	Raytheon Missile Systems Co .....	173.301, 173.302a .....	To modify the special permit to authorize passenger carrying aircraft as a mode of transportation. (modes 1, 2, 3, 4, 5).
16560-M .....	Lightstore, Inc .....	173.302(a) .....	To modify the special permit to authorize additional 2.1 and 2.2 hazmat and to authorize an increase in the allowable maximum working pressure of certain cylinders. (modes 1, 2, 3).
20324-M .....	General Dynamics Mission Systems, Inc. ....	172.101(j), 173.185(a)(1)(i) ....	To modify the special permit to authorize the transportation in commerce of slightly modified designs of approved batteries and cells. (mode 4).
20474-M .....	Space Exploration Technologies Corp. ....	172.300, 172.400, 173.1 .....	To modify the special permit to authorize an increase in tank pressure for certain propellant tanks. (modes 1, 3).
20861-M .....	Ayalytical Instruments Inc .....	173.120(c) .....	To modify the special permit to authorize an additional ASTM Standard Test Method D6450. (modes 1, 2, 3, 4, 5).
20902-M .....	Eastern Upper Peninsula Transportation Authority. ....	176.164(e) .....	To modify the special permit to authorize additional hazmat. (mode 3).

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Hazardous Materials: Notice of Actions on Special Permits**

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of actions on special permit applications.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of

Transportation's Hazardous Material Regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein.

**DATES:** Comments must be received on or before March 12, 2020.

**ADDRESSES:** Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:** Donald Burger, Office of Hazardous Materials Approvals and Permits Division, Pipeline and Hazardous

Materials Safety Administration, U.S. Department of Transportation, East Building, PHH-30, 1200 New Jersey Avenue Southeast, Washington, DC 20590-0001, (202) 366-4535.

**SUPPLEMENTARY INFORMATION:** Copies of the applications are available for inspection in the Records Center, East Building, PHH-30, 1200 New Jersey Avenue Southeast, Washington, DC.

This notice of receipt of applications for special permit is published in accordance with part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on February 6, 2020.

**Donald P. Burger,**  
*Chief, General Approvals and Permits Branch.*

Application No.	Applicant	Regulation(s) affected	Nature of the special permits thereof
<b>Special Permits Data—Granted</b>			
15279-M .....	University of Colorado At Boulder, EHS. ....	172.301(a), 172.301(b), 172.301(c), 173.199(a)(3), 173.199(a)(4), 173.199(a)(5), 178.609. ....	To modify the special permit to authorize new destinations due to lab increasing in size and moving.
16011-M .....	Americase, LLC .....	172.200, 172.300, 172.500, 172.400, 172.600, 172.700(a), 173.185(c), 173.185(f). ....	To modify the special permit to authorize an additional package.
16061-M .....	Battery Solutions, LLC .....	172.200, 172.300, 172.400, 173.185(c)(1)(iii), 173.185(c)(1)(iv), 173.185(c)(1)(v), 173.185(c)(3). ....	To modify the special permit to authorize additional Class 8 and 9 hazmat, to remove the UN packaging code from the permit, to clarify the term operator and to increase the maximum gross mass of CellBlockEX material per package to 400kg.
20352-M .....	Schlumberger Technology Corp. ....	173.301(f), 173.302(a), 173.304(a), 173.304(d), 178.36(f). ....	To modify the special permit to authorize a thinner cylinder wall thickness of the cylinder.