



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

1200 New Jersey Avenue SE
Washington, DC 20590

March 7, 2022

Max Harris
Pony.ai
3501 Gateway Blvd
Fremont, CA 94538

NEF-107KL
22E-016

Subject: Software Error May Cause ADS Shutdown

Dear Max Harris:

This letter serves to acknowledge Pony.ai's notification to the National Highway Traffic Safety Administration (NHTSA) of a safety recall which will be conducted pursuant to Federal law for the product(s) listed below. Please review the following information to ensure that it conforms to your records as this information is being made available to the public. If the information does not agree with your records, please contact us immediately to discuss your concerns.

Makes/Models/Model Years:

PONY.AI/AUTOMATED DRIVING SYSTEM/9999

Mfr's Report Date: March 3, 2022

NHTSA Campaign Number: 22E-016

Components:

ELECTRICAL SYSTEM:ADAS:AUTONOMOUS/SELF DRIVING:SOFTWARE

Potential Number of Units Affected: 3

Problem Description:

Pony.ai is recalling certain Automated Driving Systems (ADS) with software version v2_20210712, and subsequent versions through v2_20210920_RC38, and v2_20211004. A software error may cause the ADS to shutdown unexpectedly while the vehicle is moving.

Consequence:

An unexpected ADS shutdown while in motion can increase the risk of a crash.

Remedy:

Pony.ai updated the ADS software code, free of charge. All affected vehicles have been repaired.

Notes:

Owners may also contact the National Highway Traffic Safety Administration Vehicle Safety Hotline at 1-888-327-4236 (TTY 1-800-424-9153), or go to www.nhtsa.gov.

We note that your report stated that Pony.ai believes it has not introduced its ADS into interstate commerce. In our view, this statement has no force or effect in terms of Pony.ai's recall or other legal obligations under the Safety Act. NHTSA also does not agree with the statement, as we note, for instance, that Pony.ai has equipped its ADS technology on vehicles that it operates on public roads.



Please be reminded of the following requirements:

Copies of all notices, bulletins, dealer notifications, and other communications that relate to this recall are required to be submitted to this office no later than 5 days after they are originally sent (if they are sent to more than one manufacturer, distributor, dealer, or purchaser/owner).

Please be reminded that under 49 U.S.C. § 30112(a)(3), it is illegal for a manufacturer, to sell, offer for sale, import, or introduce or deliver into interstate commerce, a motor vehicle or item of motor vehicle equipment that contains a safety defect once the manufacturer has notified NHTSA about that safety defect. This prohibition does not apply once the motor vehicle or motor vehicle equipment has been remedied according to the manufacturer's instructions.

As stated in Part 573.7, submission of the first of eight consecutive quarterly status reports is required within one month after the close of the calendar quarter in which notification to purchasers occurs. Therefore, the first quarterly report will be due on, or before, 30 days after the close of the calendar quarter.

Pony.ai's contact for this recall will be Kristin Lepper who may be reached by email at kristin.lepper@dot.gov. We look forward to working with you.

Sincerely,



Alex Ansley
Chief, Recall Management Division
Office of Defects Investigation
Enforcement