



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

February 13, 2026

1200 New Jersey Avenue, SE
Washington, DC 20590

DOT-SP 22123

EXPIRATION DATE: 2028-01-31

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: Lucid USA, Inc.
Newark, CA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of prototype and low production lithium ion batteries that exceed 35 kg net weight and battery-powered vehicles containing these batteries aboard cargo-only aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
 - d. This special permit serves as an approval under Special Provisions A88 and A99, and State Variation US 3 of the ICAO TI as a "Competent Authority Approval" as defined under 49 CFR 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 of the Hazardous Materials Table Column (9B) in that the lithium ion batteries exceed 35 kg; §§ 173.185(a)(1) and 173.220(d) in that the lithium-ion batteries are not of a type proven to meet the test criteria in Part III, subsection 38.3 of the UN Manual of Tests and Criteria, as specified herein.

Tracking Number: 2025104994

5. BASIS: This special permit is based on the application of Lucid USA, Inc. dated October 31, 2025, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries <i>including lithium ion polymer batteries</i>	9	UN3480	N/A
Battery-powered vehicle <i>or</i> Battery-powered equipment*	9	UN3171	N/A
Vehicle, lithium ion battery powered**	9	UN3556	N/A

*For domestic transportation.

** For International transportation.

7. SAFETY CONTROL MEASURES:

a. PACKAGING:

(1) Only prototype and low production lithium ion modules and batteries (battery packs) and those installed in vehicles as described in Lucid USA, Inc.' request submitted on October 31, 2025, and on file with the Office of Hazardous Materials Safety (OHMS) may be offered for transportation under the terms of this special permit. ("Low production" is defined as a production run of no more than 100 modules or batteries annually of a particular type.) Each different cell, module, and battery type must comply with all the conditions of this special permit prior to being offered for transportation.

(2) Lithium ion modules or batteries:

(i) **Inner Packaging:** Each module or battery (UN3480 only) must be individually placed in a non-metallic inner packaging that completely encloses the module or battery and separates the modules or batteries from contact with conductive materials in the packaging as described in the application and on file with the OHMS.

- (ii) Outer Packaging: Inner packagings containing the batteries must be placed in a plywood PG I UN-rated crate as described in the application and on file with the OHMS and secured from movement within the box.
 - (3) Battery-powered vehicle (or Vehicle, lithium ion battery powered):
 - (i) Each battery within the vehicle must have a mass of 12 kg or greater and a strong, impact-resistant outer casing.
 - (ii) Each battery within the vehicle must be securely fastened in the battery holder. Each vehicle may contain not more than one battery.
 - (4) Packaging containing the modules, batteries, or the vehicles containing the batteries must comply with the requirements in Packing Instruction 910 of the ICAO TI Supplement.
 - (5) The net weight of lithium ion batteries including those contained in battery-powered vehicles (or vehicles, lithium ion battery powered) within each package may exceed 35 kg (77 pounds) but may not exceed 700 kg (1543 pounds) as described in the application and on file with the OHMS.
 - (6) The outer packagings may not contain more than one module or battery per package, as applicable.
- b. **TESTING:** Cells must be of a type proven to have passed all required tests as specified in the “UN Manual of Tests and Criteria” 7th Revised Edition
- c. **OPERATIONAL CONTROLS:**
- (1) Nominal rated energy capacities of modules and batteries and the batteries installed in vehicles, and the cell configurations are as described in the application which is on file with the OHMS.
 - (2) All modules and batteries including those installed in vehicles must be offered for transportation at a state of charge not exceeding 30 percent.
 - (3) The modules and batteries must be equipped with an effective means of preventing dangerous reverse current flow for the modules and batteries that contain cells connected in parallel.
 - (4) Cells, modules and batteries including those installed in vehicles must be protected against short circuiting.

(5) Each module and battery including that installed in the vehicle must be fitted with a battery management system that has been verified as preventing overcharge, short circuits and overdischarge between the strings.

d. MARKING REQUIREMENTS: Each package, and overpack if used, prepared under the provisions of this special permit must be plainly marked with the special permit number: "DOT-SP 22123."

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo-only aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) —“The Hazardous Materials Safety and Security Reauthorization Act of 2005” (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term “exemption” to “special permit” and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. **REPORTING REQUIREMENTS:** Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Quade
Acting Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-13, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/special-permits-search>. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: Steve H/ae