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4th Workshop

Draft recommendations to the EU and national policymakers to create shared, EU-wide in-vehicle data platforms

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Big Data and B2B platforms: the next big
opportunity for Europe
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EASME - European Commission
Executive Agency for Small and
Medium-sized Enterprises



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Draft
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to the EU and
national
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create shared,
EU-wide in-vehicle
data platforms

Items

Background: Identifying regulatory barriers and market deficiencies

Draft policy recommendations recommendations

Poll: What measures are urgently needed?

Q&A

Background: Identifying regulatory barriers and market deficiencies



Report on market deficiencies and regulatory barriers

- Extensive desk research and in-depth interviews (30)
- Main areas identified
 - Regulatory barriers (focus on data protection rules, data access and control rights, liability)
 - Strategic barriers (access to data and access to consumers)
 - Interoperability, data standardization, and technical enablers
 - Knowledge and skills



Report on policy recommendations and an action plan

Methodology for developing policy recommendations



Desk research

Preliminary policy recommendations drafted based on the identified regulatory barriers and market deficiencies, as well as from the experience with the pilot



Delphi survey

Iterative consultation process involving 10 experts and consisting of three rounds, rolled out between June and September 2020

Draft policy recommendations – Personal data protection



Problems

- While harmonising data protection rules across the EU, the GDPR leaves some room for different interpretations at the national level
- Lack of clarity on how data portability rights apply in the field of vehicle-generated data

Draft recommendation 1

The EDPB should **ensure coordination** between national Data Protection Authorities and Courts when it comes to the **implementation and interpretation of the GDPR** in the field of cooperative, connected and automated mobility, especially with regard to innovative applications and technologies.

Draft recommendation 2

The EDPB should clarify key terms in Article 20 of the GDPR, i.e. **define the scope and application of the portability rights** with regard to vehicle-generated data, thus fostering competition in the market for data-based services. Portability requirements should minimise, however, compliance costs for SMEs.

Draft policy recommendations – Liability and product safety issues



Problems

- The current legal framework has not been designed to adequately address connected and autonomous vehicles' liability issues
- Legal uncertainty on liability linked to new technologies and data-based applications
- Different liability rules implemented by Member States may pose substantial barriers to the functioning of the Single Market

Draft recommendation 1

Revise existing legal instruments to properly address liability issues and contemplate a shift from individual responsibility to shared responsibility and to account for current gaps and new risks associated with connected and autonomous vehicles (e.g. the Product Liability Directive, the Motor Insurance Directive, Vienna Convention on Road Traffic).

Draft recommendation 2

Ensure a coordinated EU approach to update the current legal framework for liability, keep the pace of technological progress, and facilitate the cross-border provision of data-based mobility services.

Draft policy recommendations – Strategic barriers



Problems

- Often consumers may not be aware of the full extent of data-based mobility services, beyond those that are authorised by OEMs. The lack of transparency may have negative effects on competition.
- The need to foster competition and prevent abuses of dominant position as novel services appear on the market

Draft recommendation 1

Increase the transparency in providing information on aftersales services to the customers, particularly during advertising and sales activities.

Draft recommendation 2

EU rules for accessing vehicle-generated data need to be adapted swiftly to remain effective. The fair access to in-vehicle data needs to go beyond repair and maintenance and road-safety data to cover other complementary and emerging services.

Draft policy recommendations – barriers related to interoperability and the need for technical enablers



Problems

- Full interoperability is still a major and global challenge (e.g.: use of proprietary standards) for creating, storing, and exchanging data in the automotive sector
- The development and provision of integrated EU-wide mobility services to end-users have not reached their full potential. More coordination would facilitate the access, exchange and reuse of public and private transport data to foster such integrated services

Draft recommendation 1

- Consider establishing a European Telecommunications Standards Institute (ETSI) task force on standardisation of in-vehicle data in view to support data sharing
- Promote initiatives to improve standardisation and interoperability in the automotive sector, with a focus on sharing best practices

Draft recommendation 2

EU should intervene to further enhance the synergy between the public and private sectors to combine their data and ultimately offer integrated mobility services.



Poll: What
measures are
urgently needed?



Thank you