



'Access to Data & Resources'

Section IV: The way forward

Key guiding principles for a legislative approach

OBJECTIVES FOR LEGISLATION

- Sector-specific legislation is mandatory to maintain the balance of equal market access for VMs and ISPs with respect to the provision of access to in-vehicle data, functions & resources;
 - EU Data Act is too generic to resolve automotive sector specific issues with VMs in a gatekeeping position while competing with ISPs causing the risk of market foreclosure and limited choice for consumers;
 - Effective competition among ISPs and VMs as well as full transparency and access to all available data, functions & resources are a pre-requisite for innovation and fast deployment of new data-based services;
 - To accelerate the speed of innovation and deployment of data-based services any limitation on pre-selected use cases and business models as provided by VMs must be avoided.
- ➔ It is imperative to establish legal and technical rules as a basis for efficient, interoperable on-board access to the full extent of existing real-time data/functions/resources technically supported by the vehicle and accessible on the in-vehicle networks, as is available to VMs themselves.

INDUSTRY OBJECTIVES FOR 'ACCESS TO IN-VEHICLE DATA' LEGISLATION

Sector-specific legislation which enables effective market for digital services, while ensuring safety & security



Ensure effective competition with level playing field for all market participants in digital services (*)



Empower consumers and ensure freedom of choice



Enable data-driven innovation & foster development of digital ecosystems



Guarantee vehicle security and enhance safety & environmental impact

* €225 bn. market for aftermarket parts and related services and the emerging market for mobility services (€35 bn. estimated)

KEY PRINCIPLES

Guiding principles for an 'Access to In-vehicle Data & Resources' legislation:



Regulate VM Gatekeeper Role

VMs as platform providers must ensure full & effective access to all software interfaces, data points & resources on the platform, including the HMI & in-vehicle real-time access



Protect Consumer Rights

Freedom of choice of service provider, the right to opt out and a liability management framework in line with the updated Product Liability Directive Provisions



Direct Customer Relationship

Direct contractual relationship between ISPs & their customers without interposition of the VM



Separation of Duties

Avoid conflict of interest through an independent control of access rights



Independent authorisation of ISPs

Harmonised certification scheme for independent operators seeking remote access, supporting separation of duties principle

CORE LEGISLATIVE REQUIREMENTS

Vehicle manufacturers shall make available to authorised ISPs:



Access to the full extent of in-vehicle **data/ functions** as available on vehicle networks



Access to the **resources** of the vehicle, incl. HMI & Communication resources



Transparency list of available data/ functions, both on-board & offboard



Application Environments & APIs



A **standardised mandatory Set of Data / Functions**, at all available integration points



Communications/ Data Connectivity over the lifetime of the vehicle

This proposal does not create a new hardware ‘black box’, but is technology-neutral, based on technical functionalities/capabilities of the vehicle, respecting the vehicle’s architecture, but with software adaptations to implement the requirements.

CORE REQUIREMENTS FOR 'ACCESS TO DATA' LEGISLATION

Underpinned by a regulatory framework asking for:

- Prohibition for VM on bundling of connectivity with other services
- Limitations on rights of VMs to derive business intelligence from ISPs technical activities (monitoring, knowledge of customer details, ..)
- Dynamic Governance
- ...

Thank you