ETRMA final remarks on access to in vehicle data OPC

The Data Act sets a **favorable regulatory basis for fair access to data generated by the use of connected vehicles**, which shall be complemented by **vehicle-specific regulations** in order to clarify and harmonize the implementation of these principles throughout the automotive industry. Indeed, only this harmonization will allow the development of the European value chain of connected mobility services, based on innovation and free competition.

To this end, the sectoral regulation should clarify and address:

- The extension of scope to vehicle functions and resources, including vehicle's Human Machine Interface (HMI);
- Transparency measures for service providers;
- Standardization of common dataset as is being assessed by the EC services;
- Standardization of safety and cybersecurity criteria[1] to grant access to vehicle data function and resources;
- Definition and implementation of access rights for third parties under the governance of an independent authority.

Data definition and standardization

Only standardization will allow the interoperability of services between brands and models of vehicles, **provided that it does not affect the quality of the data** collected (limited aggregation, high sampling frequency, as close as possible to the data generated by the vehicle sensors). The upcoming legislation needs to clarify on which principles the vehicle manufacturers are going to list the data generated by the vehicle and available for services. Is the scope limited to data that can be accessed remotely or is it including data that can be accessed via a physical connection (via the OBD port for instance)?

The minimum set of standardised data, functions and resources, can be acceptable only for the standardised data but, the service providers should access, either remotely or locally, all the data, functions & resources available in the vehicle.

Sectoral regulation will also have to extend the scope of the Data Act to **vehicle functions** that can be activated remotely as well as to the **human-machine interface.**

Better Regulation

Ensuring consistency between Data Act, Intelligent Transport Systems Framework, sector specific regulations is needed. The revision of the type approval shall be consistent with **Article 11** (*Technical*

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[1] Regarding cybersecurity, ETRMA would welcome an EC initiative to address the implementation of UN R155 in the European Framework through amendments to Annex X to (EU) 2018/858. In that respect, ETRMA reiterates its request for putting in place **an independent cybersecurity governance scheme by setting-up the missing key technical harmonized requirements**. A governance scheme based on SERMI roles extension could deliver authentication to all cyber secured parties to access the data requested.

protection measures and provisions on unauthorized use or disclosure of data) and the **UNECE R155 and 156 regulations** specific to the automotive industry to prevent cybersecurity from becoming an obstacle to enforcement of data user rights. This regulation should introduce standard cybersecurity criteria for receiving login credentials, establish an independent authority responsible for issuing these credentials, and ensure fair allocation of cybersecurity costs among all actors.

For all the reasons mentioned above, on the top of the questionnaire replies, ETRMA calls on the European Commission to make in good time during 2022 its proposal for a Regulation on sector-specific provisions for accessing in-vehicle data, which will ensure fair competition among industry players and guarantee EU competitiveness and leadership.