

GUIDELINES 1/2020 ON PROCESSING PERSONAL DATA IN THE CONTEXT OF CONNECTED VEHICLES AND MOBILITY RELATED APPLICATIONS

ETRMA welcomes the European Data Protection Board's guidelines on the processing of personal data in the context of connected vehicles and associated mobility applications. While European citizens are increasingly reluctant to share their personal data from their vehicles, considering that it is an intrusion on privacy¹, a clear framework for the protection of personal data from connected vehicles generates trust among users: it is essential for the development of innovative connected mobility services.

✓ **Local Processing of Personal Data: a solution to minimize the risks**

ETRMA considers access to data from hard interface to soft ones throughout the in-vehicle platform on which data are generated and managed². This reduces security risks and facilitates acceptance of the processing by the vehicle user, making the association between data and processing purpose more relevant.

ETRMA supports direct and real-time communication of data to third parties. Third parties should be able to analyze the data and send back information to the user if needed, at least through the infotainment system – as it is the case today for mobile phones;²

✓ **Data collected by connected vehicles are personal data**

In line with the EDPB, ETRMA considers that data collected by the connected vehicles are personal. Therefore, the processing requires a relevant legal basis to address the cases where, and how to express, an explicit consent by user of the vehicle, during any journey. In line with EDPB (section: rights of the data subject section 2.6), ETRMA advocates that the user shall also be able, with the exception of the wider public interest cases, to oppose this processing through the vehicle's HMI. In any event, the service provider collecting the data must itself be informed of the user's choice.

✓ **The benefits of standardization for the user**

Since the user is the key player, he/she must be able to give and withdraw his/her consent easily. ETRMA considers that standardizing the way that the subject gives his/her consent to data processing outside the vehicle would be a further step towards better integration of personal data protection. It would improve transparency and management comfort for the user. This standardization could lead to the definition of a single user profile allowing authentication in any vehicle and automatic management of preferences and authorizations for the processing of personal data.

✓ **In terms of personal data protection: Not all technologies are the same**

Some technological solutions such as On-Board Application Platform³ guarantees the protection of personal data by design and by default: it offers the service provider the possibility to process the data in

¹ AUTO, mobilités, géographies, générations, La Fracture Automobile, Observatoire CETELEM, 2020, URL : https://observatoirecetelem.com/wp-content/themes/obs-cetelem-V3/publications/2020/14-BNP%20PF_OBS_ENTIER.pdf

² https://www.etrma.org/wp-content/uploads/2019/09/20180410-safer-drive-enhanced-consumer-choice-in-cam_vf.pdf

³ Access to In-Vehicle Data and Resources, Final Report, TLR, May 2017

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the vehicle and to export only the bare minimum and allows direct interaction with the vehicle user via the HMI to manage his/her authorization in the very clear context of the service being run. OBAP gives the user the means to manage in full awareness and in real time his/her authorization for each trip.