

When I use a car, I want to know how the car uses my data

Comments on Guidelines 1/2020 on processing personal data in the context of connected vehicles and mobility related applications

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The protection of individual rights in the “complex ecosystem” that is data processing in a connected vehicle requires a strong legal framework, but also other active measures to enforce individual rights.

This includes regular inspection of vehicle systems by the supervisory authority, to ensure privacy by design.

The information currently provided to consumers by connected vehicle manufacturers has shortcomings. It is for example often bundled in a way that does not comply with the draft guidelines.

Purchasing and using a connected vehicle with different controllers of personal data can be an overwhelming experience for the European consumer. The amount of information to digest and decisions to make increases the risk of “personal data fatigue” where the individual feels pressure to consent without having properly understood hers/his rights, in order to purchase/use the vehicle without hassle. Applications in a connected vehicle which involve transferring of personal data to the cloud could, according to the draft Guidelines, put natural persons in the situation of being a controller or processor, which does not make things easier.

I therefore propose that the supervisory authorities be given the task of providing guidance services for consumers on connected vehicles. This should include a dedicated website with a helpline where consumers can get advice about how to enforce their rights, for example by identifying the data controller for a certain service or feature in a connected vehicle or getting advice on how to obtain data the individual needs for insurance claims or court proceedings relating to accidents. Consumers should also be able to file complaints regarding data processing in the context of connected vehicles through such a dedicated website.