



Connected Vehicle Policy Needs

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Workshop on Intelligent Transport Systems

Scott J. McCormick, President
Connected Vehicle Trade Association

What are the Fundamental Policy Needs?

2

- Distraction
- Liability
- Data Ownership
- Privacy

Distraction

- Authorities that enacted no-texting laws saw the incidence of crashes increase (largely due to below-the-dash texting)
- The human machine interface (HMI) of the vehicle is diametrically opposite the user interface of the phone
- Laws already exist to punish driving behavior (crashes, speeding, failure to yield, reckless endangerment, drunk driving, etc.)
- Penalties for distracted driving must scale against the severity of the incident as existing laws do for driving behavior.
- Typically the average fine for littering is four times the fine for texting while driving.

Liability Issues

- Major vehicle safety technologies typically have been available and in use on new vehicles - sometimes for years - before they have become mandatory safety standards.
- Therefore, any decision to require these systems has essentially been aimed at taking a proven safety technology and expanding its existing use across the new vehicle fleet.
- The decision to regulate connected vehicle technologies presents a contrasting situation in which the regulatory decision likely will be based on proof-of-concept and pilot projects, rather than incorporating a safety technology already in use into a mandatory standard.

Key Liability Policy/Legal Questions:

5

- Product liability claims
 - Generally governed by local laws
 - Vary widely – claims, defenses, evidentiary rules differ
 - Four typical theories:
 - Strict liability – relies on existence of defect in product
 - Negligence – exercise of due care by designer or mfr
 - Failure to warn – may be strict liability or negligence
 - Breach of implied warranty (fitness, merchantability)

Data Ownership

6

- A typical car can generate up to an exabyte of data a year (1 billion gigabytes)
- Almost all of the data is used by the car's internal systems for engine management, steering and braking, command and control of subsystems, etc.
- Event triggered data management is also a major concern for OEMs.
- Very little of the data is attributable to your travels, driving behavior or other personal information.
- Isolating useful data to extract knowledge is a monumental task.
- Transaction data has dual ownership.

Data Ownership Policy Issues

7

- Automakers differ widely on what data the vehicle owner have rights too.
- Consumers vary even more widely on what information they do or don't want, or are willing, to share.
- Accessibility to the data is difficult, may void warranties, and is not generally human-readable.
- Should a car owner have rights to 'see' car data he doesn't have rights to (vehicle diagnostics, performance, etc.)?
- Why should my car have a different privacy policy and regulation than my phone or internet connection, cable or marine radio?
- Rather than building a Policy and Regulation framework based on data ownership, we would be better served by building one based on authority, rights, and responsibilities.

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Privacy Policy and Regulation Issues

- Laws and regulations should be crafted that are agnostic to the device.
- The EU Data Protection Directive ensures that personal data can only be gathered under strict conditions and for legitimate purposes.
- The US has 24 regulations for data privacy, but they are all non-mandatory and recommend industry oversight.
- In China, Civil Code and Tort Liability Law provide legal recourse for infringement of rights to privacy, and further protection is covered by the Decision of the Standing Committee of the National People's Congress on Strengthening the Network Information Protection.

Conclusion

- To maximize the potential and achieve an optimal ITS ecosystem that supports safety, mobility, increased transportation efficiency, and environmental applications, we must have a clear and implementable ITS privacy and security strategy which harnesses both connected and autonomous technologies.
- The ITS strategy must include technical and policy solutions, namely a fully secured connected vehicle network and adequate consumer privacy protections that evoke trust from drivers and passengers traveling on roads and highways.
- Vehicle owners should have the right to opt-in to any use of their data, and know how that it will be used.



10

Scott McCormick

51037 Weston Drive

Plymouth, Michigan USA 48170

Bus: +1.734.354.0546

Fax: +1.734.446.0326

Cell: +1.734.730.8665

Skype: scott.j.mccormick1

sjm@connectedvehicle.org

www.connectedvehicle.org



Scott McCormick
President
Connected Vehicle Trade Association

- Scott has degrees in Mechanical and Aerospace Engineering, a Master's in Business Administration, and Post Graduate Research in Artificial Intelligence. Prior to CVTA, Scott was the first President of the VII Consortium and before that the Executive Director of the AMI-C, a nonprofit research organization of the world's largest automakers.
- Scott is a former Advisor to the US National Science Foundation and the Industry Representative the US Federal Laboratories Technology Transfer Consortium. He is the former Strategic Advisor to the United Nation's International Telecommunications Union (ITU-T) Advisory Panel on Communication Standards to Vehicles
- In 2012, Scott was appointed by the US Congress to the ITS Program Advisory Committee to advise the Secretary of Transportation and Congress on matters relating to the study, development, and implementation of Intelligent Transportation Systems.

Who We Are: Connected Vehicle Trade Association

12

- CVTA is an international, non-profit trade association formed to advance the interests of industries and organizations involved in vehicle communications.
- Membership is open to companies, universities, standards bodies and public agencies globally.
- The Board of Directors was established with one representative from each industry involved and includes Delphi, Magneti Marelli, Nokia, Cisco, Intel, Visteon, Verizon, Oracle and Road America, among others.