

**Comments of the
U.S. Vehicle Data Access Coalition
In Response to
“Autonomous Vehicles – Request for Feedback 3”
From the Staffs of Senate Commerce, Science and Transportation
Committee and House Energy and Commerce Committee**

February 28, 2020

Thank you for including the U.S. Vehicle Data Access Coalition (“Coalition”) and some of our members on the distribution list for the “Autonomous Vehicles – Request for Feedback 3” from the staffs of the Senate Commerce, Science and Transportation Committee and the House Energy and Commerce Committee. The Coalition is pleased to present these comments in response to the Request for Feedback #3.

THE U.S. VEHICLE DATA ACCESS COALITION

The Coalition is a voluntary group of diverse stakeholders – consumer protection and privacy advocates, vehicle fleet owners (both light- and heavy-duty), vehicle equipment suppliers, distributors and repair facilities, vehicle recyclers, telematics and fleet management companies, insurers and others – united by our common belief that vehicle owners must control access to the motor vehicle data generated and stored by the motor vehicles they own.

VEHICLE DATA ACCESS AND AUTONOMOUS VEHICLES

As we collectively move towards the deployment of more connected and automated driving system-equipped vehicles – both light- and heavy-duty – in the coming years, the importance of data access and control by vehicle owners, and other parties, will only increase. The Coalition

commends Senate Commerce Committee and the House Energy and Commerce Committee staffs for working to develop bi-partisan and bi-cameral autonomous vehicle legislation.

DRAFT CYBERSECURITY LANGUAGE

The Coalition is supportive of the draft cybersecurity language to the extent that it confirms that uttering the shibboleth of “cybersecurity” must not be permitted to be the foundation for shutting down access by motor vehicle owners to data generated by their vehicles. For too long, a small number of stakeholders have posited that data access must be restricted to achieve cybersecure autonomous vehicles.

This draft section’s reference to “international consensus cybersecurity standards” demonstrates that the bi-partisan and bi-cameral staff understand that closed data systems are not the most secure and that autonomous vehicle cybersecurity standards must be developed through an unbiased international and consensus standards process. The Coalition looks forward to working with all stakeholders to develop such international consensus cybersecurity standards that respect the rights of motor vehicle owners to control access to the data generated by the vehicle or vehicles they own.

ABSENCE OF DRAFT SECTION ON DATA ACCESS

The Coalition respectfully inquires of the bi-partisan and bi-cameral staff working on drafting a consensus AV bill why a draft section on vehicle data access has not been proposed? During the staff-initiated listening session on vehicle data access in 2019, no objections to addressing vehicle data access in a new autonomous vehicle bill were raised by any stakeholder or staff. In 2017, the Senate Commerce Committee added by voice vote the bi-partisan vehicle data access amendment authored by Senators Inhofe and Baldwin to the Senate autonomous vehicle bill – a

voice vote generally being a strong indication that an amendment is non-controversial and enjoys bi-partisan support.

The Coalition respectfully asks the staff working to craft a new autonomous vehicle bill to add a section on vehicle data access that has the support of a wide range of stakeholders. We look forward to continuing to work with the Committee staffs and the offices of members of both Committees on the inclusion of vehicle data access language in new autonomous vehicle legislation.

The rights of vehicle owners to control and access the data generated by their vehicles is too important to be left unaddressed by Congress. The Coalition supports bi-partisan, bi-cameral legislative efforts to establish a framework for securing the continued rights of vehicle owners – and entities that secure the express permission of vehicle owners -- to control and access vehicle-generated data on a real-time, secure and competitive basis.

Thank you for the opportunity to submit these comments. If you have questions about the Coalition, vehicle data access, or the current threats to a motor vehicle owners' access to their vehicles' data, please contact Greg Scott of the Coalition at gscott@merevir.com or at 202-297-5123.

MEMBERS OF THE U.S. VEHICLE DATA ACCESS COALITION

American Car Rental Association
American Property Casualty Insurance of America
Auto Care Association
Automotive Recyclers Association
Automotive Service Association

Certified Automotive Parts Association
NAFA Fleet Management Association
National Consumers League
National Motor Freight Traffic Association
Telematics Industry Association

eDriving LLC
Geotab, Inc.
Lytx, Inc.
Recall Masters, Inc.
Safelite Group, Inc.