



GAVDA
GLOBAL ALLIANCE FOR
VEHICLE DATA ACCESS

August 14, 2018

Mr. Mitch Bainwol
President and Chief Executive Officer
Alliance of Automobile Manufacturers
803 Seventh Street, N.W.
Suite 300
Washington, D.C. 20001

Mr. John Bozzella
President and Chief Executive Officer
Global Automakers
1050 K Street, N.W.
Suite 650
Washington, D.C. 20001

Re: Control of, And Access to, Vehicle Data By Vehicle Owners

Dear Messrs. Bainwol and Bozzella:

I write with the goal of initiating a constructive and positive dialogue with you and your members regarding the important twin issues of control of, and access to, vehicle data by vehicle owners. The Global Alliance for Vehicle Data Access (GAVDA) is a diverse group of stakeholders dedicated to the fundamental proposition that vehicle owners have the right to: (1) control the data generated and stored by their motor vehicles; and, (2) grant access to this data to other entities, including original equipment manufacturers (OEMs).

GAVDA members recognize that OEMs have need for access to some vehicle data for safety and design improvement purposes. This need may justify access to some data with little more than a vehicle owner's informed consent in a vehicle purchase agreement. However, GAVDA's members also are aware that some OEM's are accessing vehicle data, including personally identifiable data, for use cases beyond safety and design. Our members are united by the conviction that this type of OEM access to vehicle data must be granted by the vehicle owner only with advance, express, and informed consent. Without such consent, vehicle owners' rights to control the data produced by their owned asset are not protected.

Additionally, the right to control vehicle data conveys with it the ability for a vehicle owner to access that data and to grant access to parties other than OEMs. European OEMs, both directly and through their industry association ACEA, continue to call for the

restriction of data access by vehicle owners, and the parties to whom the owners give express permission to access their vehicles' data, through advocacy for their "Extended Vehicle Platform."

While GAVDA is not aware that either of your organizations has endorsed or advanced the "extended vehicle" concept, we are aware that some of your members are also members of ACEA and therefore signatory to the Extended Vehicle position statements. Of particular concern to GAVDA's members is that it has come to our attention that certain OEMs have started to restrict data access by vehicle owners to some vehicle data in some models. Attached is an initial chart of the types of data restrictions found and the models impacted. GAVDA expects to expand this chart in the near future as additional research uncovers additional data restrictions in more models.

Section 15 of S. 1885, the Senate AV START Act – also known as the Inhofe/Baldwin Amendment -- was approved unanimously by the Senate Commerce Committee in October 2018. Section 15, which was supported by many GAVDA members, was intended to provide a forum for the discussion of vehicle data access and control public policy issues through an advisory committee framework. However, it is not at all clear when autonomous vehicle legislation, including Section 15 of S. 1885, will be enacted.

In this federal vehicle data access policy vacuum, it appears that some OEMs have started to bypass the collaborative process exemplified by Section 15 of S. 1885 and have moved towards cutting off data access by vehicle owners. GAVDA's members would appreciate the chance to discuss these developments with you and your members at the earliest possible opportunity.

Thank you in advance for your attention to these important issues. I hope to hear from you in the near future. I can be reached at 202-297-5123 or at gscott@gavda.org.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Gregory M. Scott", written over a horizontal line.

Gregory M. Scott
Executive Director

cc: David Schwietert
Damon Shelby Porter

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The Global Alliance for Vehicle Data Access is a diverse group of global stakeholders and thought leaders united by the common goal of ensuring the right of private and commercial motor vehicle owners to maintain control over their personal and vehicle-generated data. This is to be achieved by preserving and enhancing the current vehicle data environment of open, secure, technology-neutral, and direct access by vehicle owners to real-time data. GAVDA promotes a data access model that: provides for vehicle owner control, including access for parties authorized by the vehicle owner; ensures full and fair competition; protects personal privacy; and, advances data security.

GAVDA pursues this goal through research, advocacy, and collaboration. Participation in GAVDA is open to all organizations and entities that endorse GAVDA's mission statement, including government organizations, trade associations, public interest groups, academic associations, private companies, and others.

VEHICLE DATA ACCESS ISSUES

The following table provides an overview of where changes to data broadcasting have been observed.

Table 1. List of Makes/Models Which No Longer Broadcast Critical Information

Issue	Make/Model	Year
Data (Odometer and Fuel Rate) no longer broadcast but resolved with request.	Dodge Ram 3500 NA	2018
	Jeep Grand Cherokee NA	2018
Certain engine data (Odometer) has been permanently blocked and is inaccessible via the OBD or through other vehicle interface ports; gateway bypass is necessary.	Hyundai Ioniq Europe	2017-2018
	Hyundai Santa Fe	2016-2018
	Hyundai Sonata NA/Europe/Mexico	2016-2018
	Kia Sorento NA/Europe/Mexico	2016-2018
	Kia Niro Europe	2017-2018
	Toyota Corolla	2017-2018
	Subaru Legacy	2018
	Subaru Forester	2018

<p>Manufacturers limit their engine data and also display a "fault" when a third party telematics device is connected.</p>	<p>Subaru Outback</p>	<p>2018</p>
	<p>Mercedes is restricting the amount of data available through their Vehicle Gateway, and several important data elements are missing. More specifically, faults are not available when using the recommended connection point from Parametric Special Module (PSM) for Fleet Management System (FMS).</p>	
	<p>Mercedes trucks and some cars when connected to OBD port may display on dash "Scan tool connected" or "Mercedes Me Connect Services limited See Owner's Manual" and do not allow scrolling through the dash and do not allow for dismissal of the message.</p>	
	<p>Some Volkswagen Group vehicles can be configured with an "OBD Intrusion" alarm that will set the alarm off when a telematics device is connected.</p>	