Smart Mobility & Law

Research Meet
Zwarte Doos
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Content

Smart Mobility
- Liability
- Environmental law

Data
- Intellectual Property rights
- ‘Ownership’
- Privacy
- Open Data
Liability law

• **Getting allowance to access the public road system**
  - System will become stricter
  - Standards will increasingly gain importance (also to determine liability)

• **Insurance**
  - Policies will change (Swedish model??)
  - Incident Management system on Dutch Highways as an example

• **Establishing liability**
  - Becomes easier
    - Data from eCall module
    - IEEE 802.11p/V2V/DSRC
    - Car manufacturers data
Environmental law

- Concerning (the construction of) Highways
- Getting allowance to access the public road system
- Value of (emission) standards
- Emission in relation to particulates (fijnstof)
- Liability of car manufacturers for health problems?
Data stemming from the car

Data
- Intellectual Property rights
- ‘Ownership’
- Privacy
- Open Data
- (Security)
Intellectual Property rights

A car is composite product, with parts from a great variety of producers
Also true for electronic components and the software

- Necessity for clearly defined
  - Technical & legal borders & interfaces
  - (contractual) standards
Ownership

- Who ‘owns’ software
  - Buyer
  - Car company
  - Garage

- Who owns data generated by the software?
- Who owns data resulting from (external) sensors?

- In IPR exhaustion of rights is a common legal principle
  - What does this mean for privately selling the car to other user
Privacy general

Privacy: data (processing) that makes traceability of natural person possible

Examples
1. Geolocation tracking in general and that of employees in particular
2. Geolocation tracking of stolen vehicles (role of insurance companies)
3. Sharing of (car & mobility) data with dealer / automaker / government
4. Etc.
Privacy & eCall

1. GSM 2G establishes an audio channel between (people inside) the car and the Public Safety Answering Point (PSAP= 112 central)
2. Receivers compatible with positioning services provided by the Galileo / GPS satellites systems
3. Third, are the sensors that register when the car is in a (severe) crash

• EU said that
  • Besides road safety, the TPS eCall service is expected to bring benefits for industry, because it offers a platform for the provision of added value services, e.g. the tracking of stolen cars

• Regulation of April 29, 2015 (2015/758).
Open Data / Big Data

• What will publicly available open data mean when combined with car generated data?
  • For new service providers
  • For users
  • For car manufacturers
    – See Ford’s OpenXC platform
Conclusion

The number of systems and software for cars will grow enormously over the next 10 years.

A lot still has to be designed/defined.

- Use the law (human rights) as a design criterion, notably
  - On liability issues
  - Data and software ownership
  - Privacy
  - Big data
  - (security)

- My motto: Use technology to prevent annexation of private sphere
Thank you for your attention
Contact

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