

U.S. VEHICLE DATA ACCESS COALITION
1707 L Street, N.W.
Washington, D.C. 20036

August 23, 2019

The Honorable Roger Wicker
Chairman
Committee on Commerce, Science
and Transportation
United State Senate
Washington, D.C. 20510

The Honorable Maria Cantwell
Ranking Minority Member
Committee on Commerce, Science
and Transportation
United States Senate
Washington, D.C. 20510

The Honorable Frank Pallone
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20510

The Honorable Greg Walden
Ranking Minority Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, D.C. 20515

**Re: Comments of the U.S. Vehicle Data Access Coalition on Policy Topics for
Bi-Partisan and Bi-Cameral Self-Driving/Autonomous Vehicle Bill**

Dear Chairs Wicker and Pallone and Ranking Members Cantwell and Walden:

The undersigned organizations and companies of the U.S. Vehicle Data Access Coalition (“Coalition”) respectfully submit the following comments in response to the request by the staffs of the Senate Commerce, Science and Transportation Committee and House Energy and Commerce Committee for feedback on several policy topics with respect to a potential bi-partisan and bi-cameral self-driving/autonomous vehicle (AV) bill.

Background on the Coalition

The Coalition was formed in 2017 with a simple federal legislative goal – to reaffirm -- and codify -- a motor vehicle owner’s right to control the motor vehicle

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data generated by the vehicles owned by that individual or company. The Coalition started with a handful of stakeholders and has grown into a large and diverse stakeholder group representing consumer advocates, light- and heavy-duty motor vehicle fleet owners, insurance companies, technology companies and the motor vehicle aftermarket parts and repair industry. Together, Coalition members represent over 85% of the owners of motor vehicles in the United States – or approximately 224 million vehicles.

With respect to the feedback requested by congressional staff on policy matters to be addressed in a new bi-partisan, bi-cameral autonomous vehicle bill, the Coalition’s focus is simple -- the Coalition urges Congress to:

1. Expand Section 24302 of the 2015 federal surface transportation/highway law (which confirmed vehicle owner’s rights to control data from a vehicle’s “electronic data recorder”) to cover all data generated by the use of a motor vehicle;
2. Reaffirm a vehicle owner’s right to control and access this data;
3. Mandate that such control and access be bi-directional and in real time with non-proprietary standardized language; and,
4. Preserve competition, consumer protection and privacy with respect to vehicle data access, including preserving competition in the aftermarket and replacement parts and service sectors of the economy.

Data access is not solely an AV issue – it applies to the motor vehicles on the road today as well as those that will be deployed in the coming decades. As a result, Congress may elect to address vehicle data access policy matters as a stand-alone bill, as part of an AV or privacy bill, or to use as precedent the EDR provision from the 2015 highway bill to include vehicle data access language in the safety title of the next federal surface transportation program reauthorization bill. From the Coalition’s point of view, the legislative vehicle is less important than getting a

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vehicle data access bill done and reaffirming the rights of vehicle owners to control vehicle generated data.

The Coalition appreciates the opportunity to submit this feedback to the House Energy and Commerce Committee and the Senate Commerce, Science and Transportation Committee as you seek bi-partisan and bi-cameral common policy grounds to advance federal AV legislation. If you have questions about the Coalition's views on the issues covered in these comments or other policy matters related to vehicle data access, competition, consumer protection or privacy, please do not hesitate to contact Greg Scott at 202-297-5123 or at gscott@merevir.com.

Sincerely yours,

American Bus Association
American Car Rental Association
American Fleet Leasing Association
American Property Casualty Insurance Association
Auto Care Association
Automotive Aftermarket Suppliers Association
Automotive Body Parts Association
Automotive Recyclers Association
Automotive Service Association
Coalition for Auto Repair Equality
Coalition for Smarter Transportation
Consumer Action
MERA – The Association of Sustainable Manufacturing
NAFA Fleet Management Association

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National Association of Mutual Insurance Companies
National Consumers League
National Motor Freight Traffic Association, Inc.
Owner-Operator Independent Drivers Association
Telematics Industry Association

eDriving
Enterprise Holdings, Inc.
GPS Insight
Geotab, Inc.
LKQ Corporation
Privacy4Cars
Recall Masters, Inc.
Safelite Group, Inc.
Swift Transportation Company
UPS
Zone Defense LLC