

Mr Thierry Breton  
Commissioner for Internal Market  
European Commission

By email:  
[cab-breton-contact@ec.europa.eu](mailto:cab-breton-contact@ec.europa.eu)

The Consumer Voice in Europe

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31 January 2022

**Subject: Commission must take urgent action to protect consumers' data in the automotive sector.**

Dear Commissioner,

We are contacting you to reiterate our call for an urgent sector-specific Regulation regarding access to in-vehicle data, functions and resources. So far, the Commission has not put forward a proposal on the matter. This is despite of several announcements, notably in the European Strategy for Data and the Sustainable and Smart Mobility Strategy, to revise the so-called "Type-approval Regulation" in 2021.

In July 2021, we shared our concerns together with FIA in a [letter](#) to your and Commissioner Breton's cabinet. The Commission seemed then to have begun its preparatory work when presenting the long-awaited results of TRL study on access to in-vehicle, during a workshop organised in September 2021. The Commission representative also mentioned a timeline pointing towards the publication of a legislative proposal in early 2022.

By doing so, the Commission finally responded to all the evidence showing the urgent need for legislation expressed by many stakeholders. However, neither a public consultation nor the impact assessment of a legislative proposal have been published at this date despite promising signals by the Commission over the last years.

This delay in proposing a sector-specific Regulation is particularly detrimental to consumers: they see their car sharing a growing amount of data without any control over it and they are being locked in communication systems without any possibility to make alternative, informed choices. Further delay in taking legislative action will only open the door to further abuses by car makers or tech companies.

Indeed, car makers do not simply act as gatekeepers for the access and use of consumers' data. The emergence of application platforms and the growing involvement of technology giants pose serious concerns to how this data will be used. Recently, Stellantis (Citroën, Opel, Peugeot, Fiat...) concluded an agreement with Amazon to equip its vehicles with software-defined platforms and use Amazon cloud services to store data. Everything that will happen inside and outside the car (entertainment, payment services, navigation system, but also connection with the consumer's smartphone and home connected devices) will be controlled by Amazon, in what looks like a data dystopian scenario. This is bad for consumers' privacy, this is also bad for the competitive structure of not only in car market, but also other related markets such as transport and logistics, as Amazon could use the data harvested to reinforce its market power across numerous markets it is active on.

.../...

Without a strong regulatory framework, such agreement or any manufacturer-specific data management scheme will lead to competition issues and potential misuse of personal data, along with the already existing risks to cybersecurity. A non-intervention from the European Commission would simply mean that car makers or tech companies will keep the upper hand in choosing what data can be shared, under which condition, with a clear lack of standardisation and consumer control. ACEA's Extended Vehicle model will simply not solve the issues highlighted by the majority of stakeholders in the car sector.

We therefore urge you to act pre-emptively via sectoral legislation, following the conclusion of TRL in its study on access to in-vehicle data.

We stand ready to contribute to this important debate and to meet with you and your team at your best convenience.

Yours sincerely,

Monique Goyens  
Director General

PS: Letter also sent to Ms Margrethe Vestager, Executive Vice-President.