

Newsletter

October – November 2019

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EAC Event: Car Data - Who does OWN, HAVE and USE it?

Modern cars are not merely means of transport, but increasingly data producers and data carriers. Even before the engine starts to buzz, the manufacturer already receives a multitude of data from countless sensors installed by him in the vehicle, all of which are generated by the car driver and are therefore considered to be personal, unless they are completely anonymised. The question at issue is now whether they belong to the car owner, the driver or de facto the manufacturer? One thing is crystal-clear: Thanks to the monopoly over the exclusive control of the access and delivery channels in the cars, they come into the possession of the manufacturers that use them primarily for their own product optimisation. At the same time, vehicle data is of vital importance for the future of the automotive aftermarket and services sector, whose establishment and development are being hampered by monopoly prices on the part of the manufacturer. There are also important questions that arise from the perspective of consumer welfare: Who may, can and should have access to my vehicle and access to my data? Which regulatory approach does offer maximum transparency, security and comfort? Can I still choose my service provider as an autonomous and mature driver?

EAC cordially invites you to join the discussion on these topics at the lunch debate

Car Data - Who does OWN, HAVE and USE it?

**on Thursday, 21 November 2019, 11:30 a.m.
at the Representation of the State of North
Rhine-Westphalia,
Rue Montoyer 47, 1000 Brussels.**

Keynote address by Ismail Ertug MEP

We are thrilled to announce that Ismail Ertug MEP will be opening our forthcoming event 'Car

Data-Who does OWN, HAVE and USE it?' on 21 November 2019 in Brussels. Since 2009 he has been Member of the European Parliament contributing significantly to the Committee on Transport and Tourism (TRAN). He is best known for his tremendous work in combating odometer fraud across Europe and advocating for the rights of 3.6 million professional drivers within the EU Mobility Package. On top of that, Ismail Ertug is the founder of the Driving Future Platform promoting the required exchange between relevant actors initially in the field of connected and automated driving, and now more and more sectors concerning the future of mobility.

Further Links:

- [Invitation](#)
- [Agenda](#)
- [Registration](#)

EAC and ACV: Strong Partners for Europe

The Automobil-Club Verkehr (ACV) is one of the largest automobile clubs in Germany and represents as a modern mobility service provider the interests of its currently 450,000 members (as of November 2019). The primary focus lies on individual mobility considered as the modern society's indispensable cornerstone. In this respect, ACV regularly takes stand in its communication, in interviews, round tables and campaigns. Traditionally there is close cooperation with DEVK Insurance, which has founded ACV in 1962. Since its inception ACV has been developing a broad network thanks to its involvement in numerous committees and associations reaching out to industry, business and politics, such as the German Council on Jurisdiction in Traffic, the German Transport Forum, the German Road Safety Council or the Senate of Economy in Germany.

ACV is a Founding Member of EAC

ACV leaders understood early on that, on top of that, a strong voice on European issues is also important. ACV is therefore proud to be one of the founding members of the European Automobile Clubs (EAC). The past ten years have shown that European policy issues cannot be solved solely within the nation-state borders – to name a single buzz word “passenger car toll”. Up until now, politics has not been able to find a workable uniform and harmonised solution for the EU citizens. Another, even more urgent problem concerns climate protection and the associated contribution of the transport sector. Together with its partners in the EAC, ACV is fighting for better, sustainable and affordable mobility options in Europe. CEO Holger Küster (pic. 2) and transport policy spokesman Gerrit Reichel (pic. 3) are committed to the work representing ACV in the EAC.

Another important demand relates to the required major renewal of the transport infrastructure. Considering particularly the big cities ACV advocates for the shift towards environment friendly transport modes including using bicycles as a substitute to motorised private transport modes – all the while requiring appealing alternative transport offers. Accordingly, the number of park & ride facilities should be increased while the prices for public transportation should be reduced over time. The entire network of cycle lanes needs to be significantly improved considering the increased use of bicycles. Taking the example of the city of Cologne, ACV has already criticised the lack of a comprehensive masterplan concerning the transport sector. With regard to eco-friendly propulsion systems, ACV counts not only on electromobility but also hybrid, gas and hydrogen cars. ACV has therefore created the Drive-o-Mat for its members, which will help selecting the user’s individual best choice.

Vision Zero and Project Edward: Fighting for More Road Traffic Safety

Improving road safety is another focus area of ACV's transport policy. Like the German Road

Safety Council and the Federal Ministry of Transport and Digital Infrastructure (BMVI), ACV endorses the security strategy Vision Zero – with the German slogan "Alle kommen an, keiner kommt um" (“Everybody arrives, nobody dies”). ACV actively fights against road traffic hazards created for example through microsleep or distraction while driving. In 2019, as a member of EAC ACV has also participated in the Project Edward, which is a campaign with one main objective: To set the number of road fatalities to zero for one day.

In principle, ACV believes that a triad of distinct approaches are always required to enhance road safety: 1. The use of innovative technologies, such as assistance systems, 2. The review of the legal framework and, where necessary, the tightening of penalties for serious traffic violations, and 3. The continuous educational work to increase the awareness of the road users with the objective of changing their behaviour, for instance as regards using the mobile phone while driving.

ACV criticises the constantly proliferating tutelage of motorists. CEO Holger Küster explains, “It is unacceptable that virtually every month a new topic emerges, which then further fuels the general hysteria in the transport policy sector at the expense of individual mobility. Germany does not need new limits and prohibitions in the field of transport policy – but smarter solutions.” ACV clearly rejects the restriction of individual mobility, especially a general speed limit on motorways.

Vision for the Future: Commitment and Coherence

With regard to the future of EAC, Holger Küster says, “I hope that EAC will be able to communicate transport policy issues even more to the EU citizens. EAC has the great potential to influence seminal decisions and shape smartly our mobility beyond national borders. It requires coherence and commitment. ACV will do its part. ”

France loses before the ECJ

On 24 October 2019, the European Court of Justice (ECJ) ruled that “France has systematically and persistently exceeded the annual limit value for nitrogen dioxide [NO₂] since 1 January 2010.” France is the first of several EU Member States against which the European Commission has initiated proceedings. Germany and Great Britain will also have to answer in court. The proceedings are also seen as a sign from the Commission, especially after the Dieselgate scandal in 2015, that it is intensively involved in the fight against environmental pollution. Since 2010, the Commission has warned that the values are too high. However, the warnings remained unanswered for 7 years. In 2018, the Commission then appealed to the ECJ.

Although France does not deny that the limit values have been exceeded, it adds that they are not systematic and that “applying the directive must be assessed in the light of the structural difficulties encountered at the time of transposition of that directive.” However, the Directive requires that “exceedance period of nitrogen dioxide limit values would be kept as short as possible.” According to the ECJ, “France did not implement appropriate and effective measures.” Thus, the “Court accordingly upholds the Commission’s action and finds that France has failed to fulfil its obligations under the Air Quality Directive.”

The ruling opens the way for possible sanctions at a later stage if Paris does not take action to reduce NO₂ levels effectively and as soon as possible. Similar judgements are also expected in the case of Germany and Great Britain.

Further Links:

- [ECJ Press Release](#)

New European Commission

As was already apparent in September, the vote on the new Commission will be postponed by

about a month to November. This was announced by David Sassoli, President of the European Parliament, in a speech to the European Council on 17 October. Previously, three of the candidates proposed by Ursula von der Leyen, President-designate of the Commission, had been rejected by the Parliamentary Committee on Legal Affairs and the Internal Market (JURI), including Rovana Plumb, Romania's Transport Commissioner. Also rejected were the Hungarian Conservative László Trócsányi (EPP) and Sylvie Goulard, the French nomination as Commissioner-designate for Industry. In fact, the new Commission should have started its work on 1 November 2019.

EEA: Air Quality Report 2019

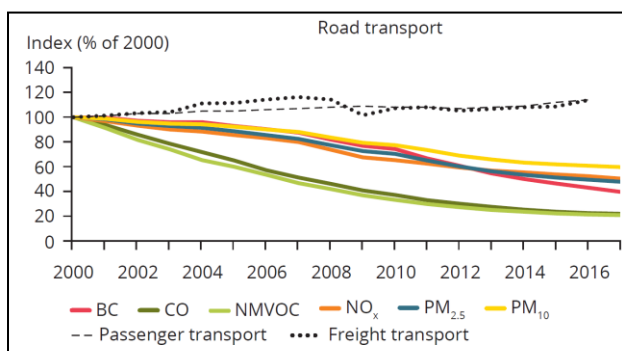
On 16 October 2019, the European Environment Agency (EEA) published its new report on air quality in Europe 2019, containing data up to 2017. Despite steadily falling levels in the transport sector, particulate matter (PM) concentrations in large parts of Europe were above current EU limits and World Health Organisation (WHO) air quality guidelines.

At 22 per cent of the hotlines (646 out of 2 886) in 17 of the 28 EU Member States (EU-28) and in six other reporting countries, PM₁₀ values (PM with a diameter of 10 µm or less) were above the EU daily limit value. For respirable PM_{2.5} values (PM with a diameter of less than 2.5 µm), the annual limits were exceeded at 7 percent of the reporting points (98 out of 1,396) in seven Member States and three other reporting countries. The stricter WHO Air Quality Guidelines (AQG) for PM₁₀ were exceeded at 51 percent of stations (1 497 out of 2 927) and in all reporting countries except Estonia, Finland and Ireland. PM_{2.5} even exceeded 69 percent (958) in all reporting countries except Estonia, Finland and Norway. 17 per cent of the population in urban areas of the EU-28 were exposed to PM₁₀ levels above the EU annual limit and 44 per cent to PM₁₀ levels above the WHO-AQG. For PM_{2.5}, the rate was 8 percent above the EU

annual limit and 77 percent above the WHO-AQG.

For nitrogen dioxide (NO₂), the EU annual limit values (identical to WHO values) were exceeded in 2017 by about 10% of all hotlines (329 out of 3 260) in 16 of the EU-28 and four other hotlines. 86% of exceedances were registered at traffic monitoring stations.

Emissions of important pollutants (e.g. NO_x) in both road and non-road traffic have fallen significantly, although the volume of passengers and freight transported has gradually increased. Policies have been taken at EU level to tackle air pollution from transport while allowing sectoral growth. The regulation of emissions through the setting of emission standards (e.g. Euro 1-6) or the setting of fuel quality requirements are good examples of such measures at EU level.



Further Links:

- [EEA Report](#)

The Future of Hydrogen

The European Automobile Manufacturers Association (ACEA), Hydrogen Europe and the International Road Transport Union (IRU) have issued a joint call for accelerated deployment of hydrogen refuelling infrastructure across the EU. Against the background of the general objective of decarbonising transport, the three associations stress that fuel cell electric vehicles can make a positive contribution. Fuel cell vehicles emit no emissions at the exhaust pipe and with sustainable hydrogen production it is also possible to significantly reduce CO₂ emissions. Hydrogen technology also acts as a bridge

between the energy and transport sectors (sectoral integration) and offers solutions for better integration of surplus renewable energies such as wind and sun ("power to hydrogen"). The growing demand for renewable and low carbon hydrogen in many industries will increase supply and reduce costs. The associations also emphasise that promoting the hydrogen industry would strengthen Europe's competitiveness in the long term and that this would also mean growth and jobs. For this reason, the three associations make five demands:

1. Revising the Alternative Fuels Infrastructure Directive (AFID)
2. Putting in place a strategic plan for infrastructure deployment at the European and national levels
3. Developing joint ventures or other financial instruments combining EU and national funding
4. Ensuring an EU-wide single market through integrated governance and forward-looking national strategies
5. Supporting European industry competitiveness

In the spirit of this call, individual European states are already acting. Germany, for example, has now decided that hydrogen should become a "key raw material". Four ministries are currently working on a hydrogen strategy paper. There should also be increasing efforts at the pan-European level to promote hydrogen technologies. Europe already has some catching up to do in the battery and electric vehicle sectors. However, Europe should not lose touch with hydrogen technology.

Further Links:

- [Joint Call](#)

Insurance and Access to Data

Insurance Europe, a European insurance and reinsurance association, has recently published an Insight Briefing that examines the liability issues of light electric and automated vehicles and the issue of access to data on connected and

automated vehicles. The briefing was launched as part of an event to secure future mobility.

Insurance Europe argues that in order to fulfil their core function of compensation, insurers must have access to all relevant data generated by the vehicles involved before, during and after an accident or incident. In this way, insurers will be able to better understand the accident and distribute liability correctly. In addition, access to data from automated vehicles will also help insurers better understand and insure against the risks they pose. The data generated by the vehicle can also be used to create a range of new insurance and service products (“Pay how you drive” and “Pay as you drive”).

However, the Association adds that some regulatory action at EU level is needed to ensure that consumers in general benefit from these technological developments. The driver must retain control over his vehicle data and be able to pass it on to the service provider of his choice without having to contact the vehicle manufacturer. This can only be achieved through EU regulatory measures. Such a regulatory package is long overdue and has also been demanded by the EAC for years.

Further Links:

- [Insight Briefing](#)
- [EAC Position Paper: Car Data](#)

Calendar

Meeting Dates

Council

Transport, Telecommunications and Energy Council	02/12/2019
Competitiveness Council	28/11/2019
Council of Justice and Home Affairs	02/12/2019
Council of Environment	19/12/2019

Plenary

13-14/11/2019 ([Agenda](#))

Committees

Environment (ENVI)	02-03/12/2019 (Agenda , tba)
Internal Market / Consumer (IMCO)	14/11/2019 (Agenda)
Justice & Home Affairs (LIBE)	11-12/11/2019 (Agenda)
Transport (TRAN)	03/12/2019 (Agenda , tba)

Events (Brussels)

14/11/2019	Boosting Cross-Border Regions through Better Transport
26/11/2019	“Green & smart mobility: European challenges”
11/12/2019	Sustainable roads towards 2050 carbon neutrality

EAC-Events

20/11/2019	EAC-Fall Meeting 2019 in Brussels
21/11/2019	EAC Lunch Debate: Car Data - Who does OWN, HAVE and USE it?