



## Smart and New Mobility

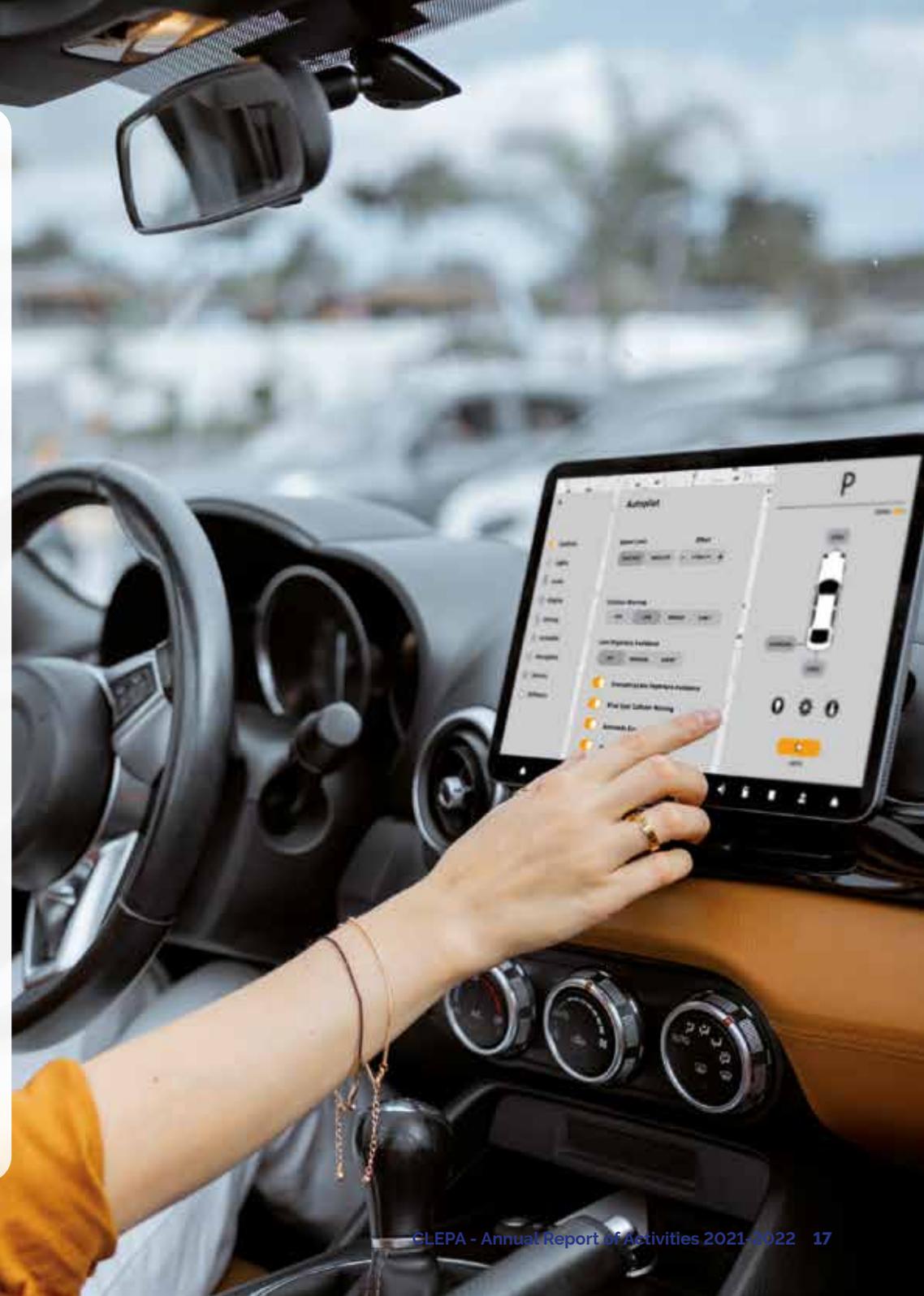
### Reshaping mobility

Today's automotive industry is defined by digital technologies that make vehicles smarter, roads safer and the transportation infrastructure more efficient. The European Commission has made a range of proposals that are crucial to laying the groundwork for future market trends and paving the way for new services in the automotive technology industry. These proposals are part of the Commission's Digital Strategy for Europe.

Data will play a key role in realising the ambitious goals and the right framework conditions will need to be in place to support the development of new business models. With these aims, the Commission will propose regulation for automotive data as well as new plans to establish a framework for introducing important artificial intelligence-based systems. It will revise its cybersecurity regulations, which will be crucial as digital automotive products and services expand. It is also expected to amend product liability rules, which require updating to include new technologies.

New type-approval rules for the certification of automated-driving technologies are now being developed and will enter into force soon. The Commission also intends to speed up the introduction of intelligent transport systems (ITS).

With demand for automotive semiconductors growing and supply shortages expected to last for another year, the Commission has published a Chips Act, which foresees investment of up to €43 billion in the sector.





## Access to in-vehicle data: Advanced data-driven mobility will need a fair and open data market

The rapidly growing number of connected vehicles is expected to represent 30% of all vehicles on the road by 2025. New cars include ever more connectivity-based services such as route planning, system diagnostics and emergency assistance, and more functions are underway. Moreover, software-based automotive technologies generate data that can provide business opportunities by offering new services to consumers or improve upon existing repair and maintenance services.

Addressing this new dimension of digital solutions, the European Commission published its proposal for a Data Act, which aims to facilitate business-to-business data sharing and thus open new opportunities for innovation and competition in the digital space, and to ensure that data-based services can be offered at competitive prices in the mobility services market. The Data Act will have a direct impact on automotive suppliers by allowing users of all connected devices the right to access data generated by those devices and share such data with third parties to provide aftermarket or other data-driven innovative services.

In response to priorities conveyed by CLEPA and other stakeholders, the Commission is additionally preparing a proposal for sector-specific legislation on access to in-vehicle data by the end of 2022. The proposal should also cover access to vehicle functions and resources, the possibility for third parties to send data to the car, and complement the Data Act by addressing the specificities of automotive products and their homologation process. The Commission is currently consulting stakeholders and CLEPA is actively contributing to this process, with the aim to ensure a balanced proposal that protects fair competition in the market of car data-based services.

CLEPA continues to advocate on the urgency of putting forward a specific proposal on access to in-vehicle data and resources as early as possible so that legislative negotiations may conclude before the end of the European Parliament's term in 2024.



**SOCIAL BENEFITS OF IN-VEHICLE DATA**

- Traffic flow improvement**  
Advising on safest route, avoiding traffic jams
- Vehicle monitoring**  
Reporting on maintenance and efficiency
- Emergency assistance**  
Automatically calling emergency services in case of accident
- Automatic payment**  
Speeding up processes in parking or tolls
- Travel comfort**  
Personalising services and entertainment for passengers

**CLEPA**  
EUROPEAN CONFEDERATION OF LEASING AND FINANCING COMPANIES



## ACTIVITIES



### Intelligence

- Input provided to public consultations and workshops
- Active role of the Telematic group in the evidence gathering
- EATA: Public policy guide to connected and automated driving in Europe
- Position paper on Access to in-vehicle data



### Events

- June 2022 - CLEPA Aftermarket Conference had a special focus on utilisation of in-vehicle data and the future relevance of dataplaces
- November 2021 - MOVE LONDON. Panel discussion: Advances in Autonomous – what the future holds and what it means for global mobility
- June 2021 - Workshop on Vehicle Technologies for Connected, Cooperative & Automated Mobility



### Advocacy

- More than 10 meetings organised with representatives from European Commission, Parliament and Council
- Chairing of EATA, automotive and telecoms alliance
- April 2022 - Meeting with experts from the Czech Perm Rep
- February 2022 - Participation at a High-Level Meeting on Connected and Automated Driving (HLM-CAD) under the patronage of France's Council Presidency
- October 2021 - CLEPA and an alliance of stakeholders met with Industry Commissioner Thierry Breton
- July 2021 - Top executives met with Executive Vice-President of the European Commission Margrethe Vestager



## Artificial intelligence: Ensuring a balanced and dedicated regulatory framework for automotive applications

Automotive suppliers play a leading role in the development of connected and automated vehicles. Artificial intelligence (AI) applications are becoming more commonly integrated in vehicles. Automated driving is the best-known example of this, but a broad range of other applications are also being introduced. These include improved vehicle safety and comfort functions, advanced driver-assistance systems, better connectivity and infotainment, predictive maintenance, and other previously unavailable benefits. To raise awareness of these applications and highlight the benefits of AI for the mobility of the future, CLEPA in 2021 launched the social media campaign #saferdrivewithAI.

Underlining its strong commitment for Europe to become a pioneer in AI legislation worldwide, the European Commission released its proposal for an AI Act in 2021. The text is now in the hands of the EU's co-legislators: the Parliament and the Council. In this context, CLEPA is in regular contact with policy makers, stressing the need for a coherent regulatory framework that considers the already extensive regulatory framework ensuring the safety of vehicles and automotive systems. CLEPA works with the co-legislators to ensure that AI-related technical requirements for automotive products be implemented into the existing vehicle type-approval framework, rather than duplicating certification, testing, and market surveillance.

In parallel, CLEPA is also active in the UNECE, where work has started to develop guidance on the definition of AI in relation to vehicles.



### ACTIVITIES



#### Intelligence

- Position Paper on Artificial Intelligence
- Social media campaign #saferdrivewithAI



## Automated vehicles: First European type-approval regulation for safety assessment

The European Commission's group on automated and connected vehicles is finalising the first type-approval regulation for the safety assessment of automated vehicles that will allow manufacturers to sell limited series of robot taxis, fully-automated shuttles, as well as urban-chauffeur services and automated valet parking.

Many of CLEPA's proposals on the safety assessment concept and verification methods have been included in the planned regulations and the aim is to adopt the new rules in mid 2022.

CLEPA has repeatedly highlighted, including in response to the recent public consultation, the need to allow more flexibility for the manufacturer in the validation of the acceptance criteria, the importance of different metrics and methods for demonstration of safety performances, the need for an option to use private test facilities, and the importance of respect for confidentiality and data security. CLEPA also calls for an increase of the limited series volumes.





## ADAS: New global type-approval regulation on advanced driving assistance systems

Separately, the United Nations working group on Automated and Connected Vehicles (GRVA) is developing a new international regulation for the type-approval of advanced driving assistance systems (ADAS) that would clearly differentiate them from the AD functions that are addressed under another UN regulation. These new rules aim to cover various use cases, function variations or combinations of functions by addressing them in a consistent approach, without prejudice to existing ADAS requirements like advanced emergency braking systems (AEBS).

The new regulation will provide a safety envelope of minimum requirements for any ADAS—especially the ones currently not regulated—and combinations of ADAS, while introducing a generic approach to the ADAS performance assessment. The aim of the group is to adopt the new regulation in early 2023.

## CLEPA involvement in Smart Mobility technical groups

### Technical-Political

- UN WP.29
- UN WP.29/GRVA
- UN WP.29/GRSG
- UN WP.29/GRE
- UN WP.29/ITS
- UN WP.1
- UN WP.1/GEAD
- EU HLM Ethicals AV
- EU MVWG

### AD

- UN GRVA FRAV
- UN GRVA VMAD
- UN GRVA VMAD SG1
- UN GRVA VMAD SG2
- UN GRVA VMAD SG3
- UN GRVA VMAD SG4
- EU MVWG ACV
- EU JRC Technical WG
- EU CCAM WG4
- OICA GEVA
- OICA CLUSTER 1
- OICA CLUSTER 3
- OICA ITS
- EuroNCAP AD \*

### Infrastructure

- EU CCAM WG3
- ACEA/CLEPA
- RadioRegulations WG

### ADAS

- UN GRVA AEBS M1/N1
- UN GRVA AEBS HCVS
- UN GRVA ALKS R157
- UN GRVA TF ADAS
- UN GRSG VRU-Proxi
- UN GRSG FVA
- EU TRL/GSR DDAM
- EU TRL/GSR ISA
- EU TRL/GSR AEB
- EU TRL/GSR ELK
- EU MVWG GSR/TRL
- EU MVWG ACV
- OICA GEVA ABS M1/N1
- OICA GEVA AEBS HDV
- OICA R79 strategy
- OICA/CLEPA B1 hands off
- OICA/CLEPA VRU-proxi
- EuroNCAP ADAS (AFB/AES, OSM, VTA) \*

### Data

- UN GRSG/GRVA
- DSSAD/EDR
- UN GRVA CS/SW
- UN GRSG virtual key
- EU MVWG TF cyber/ATD
- EU CCAM WG5
- EU CCAM WG6
- OICA CLUSTER 2
- OICA CLUSTER 4
- ACEA/CLEPA CS



## ITS: Updated regulation to speed up Intelligent Transport Systems services

Aiming to accelerate the deployment of Intelligent Transport Systems (ITS) services, the European Commission launched a proposal to revise the 2010 ITS Directive. In the strategy, the Commission identified the deployment of ITS as a key action in building a connected and automated multimodal mobility system, combining new developments such as Mobility as a Service (MaaS) and cooperative, connected, and automated mobility (CCAM).

CLEPA supports the Commission's intention to speed up the deployment of ITS services, but would welcome some improvements to the text, and is currently reaching out to the EU co-legislators with suggestions. In particular, CLEPA would like to guarantee that industry stakeholders are properly consulted during the drafting of delegated acts, as well as to ensure a coherent approach to the regulation of advanced driver-assistance systems and their specifications.

CLEPA is very supportive of the principles outlined by the proposal with regards to continuity of service, interoperability, and backward compatibility, which are of utmost importance because they provide legal certainty and ensure that safety-related applications can be operated over long lifecycles.

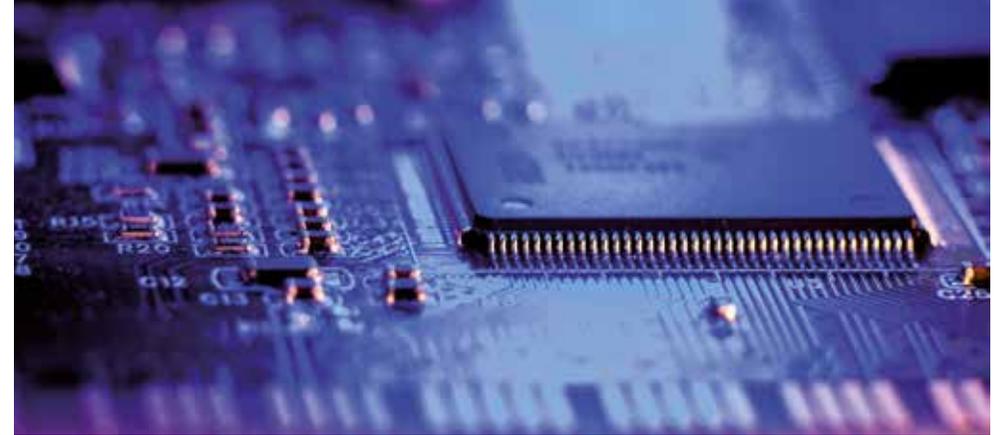


## Chips: The mobility transition needs a solid strategy on semiconductors

In 2021, the shortage of chips delayed the production of as many as 10 million vehicles globally. Chips play a crucial role in the performance of today's cars and a successful European industrial strategy recognises the strategic imperative for public investment in the semiconductor ecosystem. With an increased demand on chips from automotive, there is a need for an ecosystem approach that builds on the strengths and needs of the automotive industry. The European Commission published its proposal for an EU Chips Act in early 2022, providing a framework for public and private investment of up to €43 billion earmarked for R&D, chip design and semiconductor manufacturing as well as a supply chain intervention toolbox for possible future shortages.

The European Parliament and Member States have started the political review of the proposed EU Chips Act. Despite a common sense of urgency, adoption by the first quarter of 2023, which is the target, will be challenging. CLEPA supports the investment framework, but member states will need to follow up with investment commitments and the intervention toolbox needs revision.

CLEPA will continue advocating for a swift implementation of a robust EU strategy on semiconductors, while calling for a revision of the proposed far-reaching supply chain intervention powers. CLEPA agrees with the Commission proposal that public authorities could play a role in increasing supply chain transparency in a future crisis, but warns against public authorities playing a role in allocating production capacities to certain sectors.



### ACTIVITIES



#### Intelligence

- January 2022 - Policy guide for an EU Chips Act that strengthens supply chains and builds on automotive's global innovation leadership
- June 2021: Semiconductor manufacturing and supply chain resilience



#### Advocacy

- Meetings with European Commission (DG GROW)



## Liability rules to be updated to reflect new digital reality

Artificial intelligence (AI) and other new technologies pose challenges to existing pieces of EU legislation. In particular, liability rules need to be adapted to better reflect the new digital realities and ensure that consumers can properly be compensated for defective products. In the second part of 2022, the Commission is expected to propose a revision of the Product Liability Directive (PLD), which sets fundamental principles for national laws on liability and damages. In addition, the Commission is also considering proposing a specific strict liability regime for artificial intelligence.

While CLEPA welcomes the much-needed revision of the PLD to better take into account changes brought to products and services by digitalisation, it urges the Commission not to fundamentally change the basic principles underpinning the Directive, which remain sound and balanced. Existing product liability rules provide a framework that allows for a robust exchange of information and data that will be crucial to the development of an EU-wide market for autonomous vehicle technology. An updated PLD should broaden the definition of "product," which would allow for product liability claims related to traditional as well as new automotive products.

On the other hand, CLEPA believes that introducing a special liability regime for AI would have negative consequences for already-highly-regulated and well-functioning sectors like automotive. AI does not present any new unique and insurmountable problems for claimants in cases relating to automated or autonomous vehicles. Adding an AI strict liability regime would make litigation more time consuming and complicated than it needs to be, causing a significant burden on judicial resources, and unclear product responsibility.

### ACTIVITIES



#### Events

- February 2022 - Participation in a Workshop organised by the European Commission (DG GROW)
- January 2022 - Submission of the replies to EC public consultation



#### Advocacy

- Several meetings with the European Commission (DG GROW)



## Cybersecurity: Ensuring a comprehensive but coherent regulatory framework for the automotive industry

The first EU-wide law on cybersecurity, the Network Information Systems (NIS) Directive, came into force in 2016 and helped achieve a higher, and more even level of security of network and information systems across the European Union. The rapid digital transformation of society, intensified by the COVID-19 crisis, has now expanded the threat landscape. The Commission proposal for a revised Directive ("NIS 2") expands the scope of the current NIS Directive and strengthens security requirements for companies by imposing a well-defined risk management approach. It also introduces more precise provisions on the process of incident reporting. Furthermore, the Commission proposes that individual companies be required to address cybersecurity risks in supply chains and supplier relationships. The EU's co-legislators came to an agreement on this revision in May 2022, which includes automotive suppliers in its scope as "important entities" subject to certain obligations.

The Commission is also preparing a piece of horizontal legislation, the Cyber Resilience Act, to ensure a high level of cybersecurity for digital products and related services. CLEPA supports the Commission's objective and believes that promoting the cybersecurity of products will help to mitigate potential vendor losses and have a positive effect on the economy, provided the measures are appropriate, risk-based, and flexible enough not to hinder innovation. However, the new legislation will need to take into account existing legislation for the automotive sector to avoid duplication or conflicts. CLEPA is reaching out to the Commission to explain how automotive companies and products are already covered by requirements from the NIS 2 Directive, the Radio Equipment Directive, and UN regulations on cybersecurity and software updates.



### ACTIVITIES



#### Events

- June 2022 - Feedback to public consultation on a Cyber Resilience Act
- Joint ACEA/CLEPA group on Cybersecurity
- Participation in Motor Vehicle Working Group (MVWG)



#### Advocacy

- May 2022 - Priorities on NIS2 shared with relevant MEPs