

PERSONAL DATA IN YOUR CAR

National Automobile Dealers Association
and the Future of Privacy Forum





YOUR CAR AND NEW TECHNOLOGIES

Today's vehicles come with a wide array of equipment and features that rely on the collection and use of data about you and/or your vehicle to support safety, efficient performance, convenience, and entertainment.

Depending on the make and model, and the options you select, these features may include technologies like navigation, blind spot detection, automatic emergency braking, parking assist, lane departure warnings, and many others. These features also include "infotainment" features, in-car "apps," telephone and text connectivity, and even in-vehicle internet connectivity.

Many of these features depend on collecting certain data about you, your vehicle, and your driving habits in order to perform effectively. Some of this data may be collected automatically, and some you may choose to provide in order to enable certain functions. For example, in order for you to benefit from navigation and traffic services, the location of your vehicle is generally needed. Similarly, to enable easy hands-free dialing, you may choose to sync your phone address book to the vehicle.

Franchised new-car dealers work hard to ensure that their customers fully understand not only the features of their new vehicles, but also the types of personal data that may be gathered or stored by or through their vehicles. Dealers are working with automobile manufacturers to ensure that consumers understand what information their vehicles collect, and how they can responsibly control that information. The list of features, and the data they utilize is changing rapidly. Check back with your manufacturer often, and for more information about many of the newer vehicle safety features visit mycardoeswhat.org.

This guide explains the kinds of information that may be collected by or through your car, the guidelines around how it is collected and used, and the options you may have. This guide provides a general overview; please consult your dealer and/or vehicle manufacturer for the full list of features and privacy policies integrated into your particular vehicle.

RULES OF THE ROAD FOR DATA

Your vehicle may collect and use different types of information about your driving activity for a wide range of purposes. Services that collect and share this information should be accompanied by a privacy policy that describes data collection and use. You may find these policies in your purchase agreement, your user manual, on the screen when signing up for services, or in the interface of any device or app that you connect.

It is important to review and understand the privacy policies of the company that manufactured your vehicle, as well as any third party with access to your vehicle data (through an OBD-II “dongle,” in-car “app,” or otherwise). These policies serve as the main legal mechanism regulating use of your data. You may have the right to “opt-out” or request that some information not be gathered, or if gathered, not be shared. However, opting out may limit the functionality of some of the features available to you.



COMMON TYPES OF COLLECTED DATA

An overview of the types of data that may be collected by your vehicle:

Collected by Most Vehicles

Certain technologies are in most vehicles today.

- **Event Data Recorders** – EDRs have been integrated into cars since the 1990s, and are currently installed in over 90% of vehicles. EDRs record technical information about a vehicle’s operation in the seconds before and after a crash. This information includes speed, accelerator and brake position, seat belt usage, and whether the airbags deployed. EDRs are intended to provide crucial information to crash investigators and others. Accessing EDR information requires physical access to the vehicle as well as a specific EDR reader tool, in addition to meeting any consent requirements for a given state. If equipped with an EDR, a vehicle’s systems must meet certain federal requirements, and additional laws governing ownership of EDR data vary state by state.
- **On-Board Diagnostic Information** – All vehicles manufactured after 1996 are legally required to have an On-Board Diagnostic port, or “OBD-II.” The OBD-II port is generally located underneath the driver’s side dashboard in your car, and the information it contains can be retrieved by physically inserting a compatible device into the port. This port enables access to information that can help service technicians measure emissions, diagnose performance issues, or repair your vehicle. Owners may also choose to plug in a third-party device (or “dongle”) into the OBD-II port in some vehicles to collect or share information about their vehicle with third parties of their choice (for example, with their insurance company in order to gain safe driving discounts). Accessible information may include driver behavioral information (how fast you drive, how aggressively you apply the brakes, etc.) as well as geolocation data (where you are, where you have traveled, and your speed).



New Technologies

Other newer technologies may be included or available as an option in your next car.

- **Location Information** – The location of your vehicle and your destination may be collected by your navigation and related systems in order to route you to your destination.
- **External Information** – Modern vehicles may contain cameras and sensors that are used to gather information about your car's immediate surroundings. These sensors can detect road or weather conditions, lane markings and obstacles, surrounding traffic, and more. Key technologies that rely on this external environmental information include blind spot detection, lane-departure warnings, assisted braking, and rear-parking detection.
- **In-Cabin Information** – Many of today's vehicles also contain sensors in the vehicle cabin. Microphones, cameras, and other devices may record information about vehicle occupants. These sensors may be required to communicate with emergency services or to utilize features such as hand-free telephone use.
- **User Recognition** – Some systems recognize users by physical characteristics such as a fingerprint or face, and therefore may have physical, or biometric, information about users. Biometric information can also be used to determine who is behind the wheel and adjust systems accordingly. For example, rather than requiring that you press a seat position button, the seat may adjust automatically after your face is recognized by a sensor located in the vehicle. These technologies can also track eye movement to detect a driver's attention in order to determine if a driver is falling asleep behind the wheel.
- **Apps** – Your vehicle may include interfaces with third-party systems like Apple CarPlay, Android Auto, or other services. Your vehicle may also allow an interface between the applications on your phone and your vehicle. Be aware that if you enable apps provided through these interfaces or use apps on your phone that interact with your car you may be exposing data from your car to those third party app providers. These providers have their own policies about what information they gather and what they do with that information. Consult their privacy policies for further information.
- **Other** – Vehicle manufacturers and their technology partners are constantly updating and improving your automobile. The sensors, features, and data gathered today are likely to be much different tomorrow. Make sure you work with your dealer to fully understand your car's features, and the data it gathers to provide them.



AUTOMOTIVE PRIVACY PRINCIPLES

Automakers are already responsible and trusted stewards of vehicle data. Nearly all automakers have committed to ensuring that your information remains private and secure by developing the Automotive Privacy Principles, which guide privacy practices in the automotive industry. These principles went into effect beginning with model year 2017 vehicles and for subscription services beginning on January 2, 2016.

The Privacy Principles affirm three important commitments:

- 1 Transparency** – manufacturers will provide you with clear and concise privacy policies.
- 2 Affirmative Consent For Sensitive Data** – your consent is required before certain sensitive information is used for marketing or shared with unaffiliated third parties for their own use. This includes three types of data: (1) "geolocation" (where you are); (2) "biometric" (physical or health information about you or your passengers), and (3) driver behavior data.
- 3 Limited sharing with government and law enforcement** – automakers will clearly state the limited circumstances where they may share your information with government authorities and law enforcement.

To learn more about the automobile privacy principles, go to: **[AutomotivePrivacy.com](https://www.automotiveprivacy.com)**

Keep in mind that these commitments regarding data collection and use by automobile manufacturers may not extend to other third parties that may access data in your car (through your phone, an "app," "dongle," or other in-vehicle device).

PRIVACY CHECKLIST

WHEN SELLING OR RENTING

Think of how you protect your privacy when using your smartphone or home computer. Similarly, you should also think of the sorts of information that may be stored by the services you enable in your vehicle, whether it is a car you have owned for years or a weekend rental.

What types of data would you want to remove before transferring the device to another person, and what subscription services would you want to cancel, such as mobile Wi-Fi hotspot or data services?

See below for general tips. Consult your owner's manual, and work with your dealer for details about resetting and removing your information from the system.

- Phone Contact/Address Book** – remember that your personal contact information can be downloaded when you “sync” your phone with a vehicle. Remember to delete this information when selling a car or returning a rental vehicle; also, be cautious when valeting or lending your car. Some vehicles are equipped with a valet function, which temporarily locks out access to this information, preventing unwanted access.
- Mobile Applications in the Car** – numerous personal mobile applications gather and store personal data, and when your phone is used with your vehicle, some or all of that data may be stored in the car as well. Reset/delete the car applications that contain personal information; also, delete applications that you may have purchased and should not be accessed by others.
- Vehicle Hard Drive Storage** – many of today's vehicles include built-in hard-drive storage (often for music or other “infotainment” features). Remember to delete the data on this hard drive when you selling or returning your vehicle.
- Home, Work, and Favorite Places on Navigation** – delete this information when selling a car or returning a rental vehicle; also, be cautious when valeting or lending your car. Some vehicles are equipped with a valet function, which temporarily locks out access to this information, preventing unwanted access.
- Garage Door Programing** – reset all garage door programing when selling a vehicle.
- Optional Plug-ins** – when selling a vehicle, remove any devices that you obtained for use in your vehicle, such as a dongle that may share car information with third parties. These devices are usually located under the steering wheel and are connected to a data port.

STAY UPDATED

As technologies develop, performance improvements, security improvements and other updates may be provided. Make sure your car stays up to date with any software updates for your vehicle. Contact your dealer for more information.

CONCLUSION

As vehicles become more connected, it will be important to keep up with new technologies and understand how your information is collected and shared.

For more information about the technology in your car, contact your local dealer and review your vehicle's owner's manual. For privacy information about new technologies of any sort, see fpf.org.

For more information about the safety features your car may contain, visit www.mycardoeswhat.org

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NADA is a national trade association representing franchised new-car dealers.



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FPF is a Washington, D.C., based non-profit that advances responsible data practices for emerging technologies.