



**COLLISION INDUSTRY**  
CONFERENCE

# Data Access, Privacy, and Security

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PRESENTED BY: DATA ACCESS, PRIVACY, AND SECURITY COMMITTEE

DAN RISLEY

CCCIS

FRANK TERLEP

ASTECH

PATRICK MCGUIRE

# Data Privacy & Security Committee

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**Mission:** TBD

**Committee Members:**



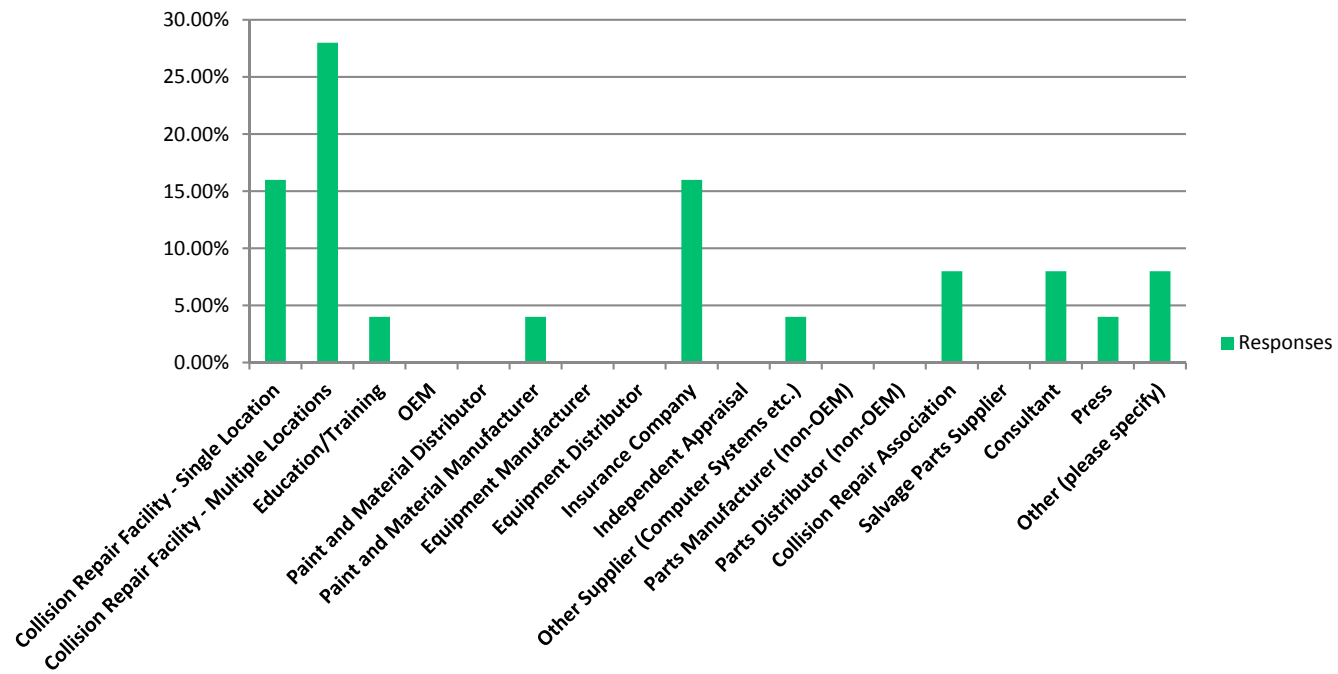
# Committee Survey

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1. What concerns does your company have for the security and/or sharing of the data that is collected and generated during the claims handling and collision repair process?
2. Does your company believe they own the data? Y or N
3. If no, who owns the data?
4. What measure(s) has your company taken to protect the data?

# Survey Results

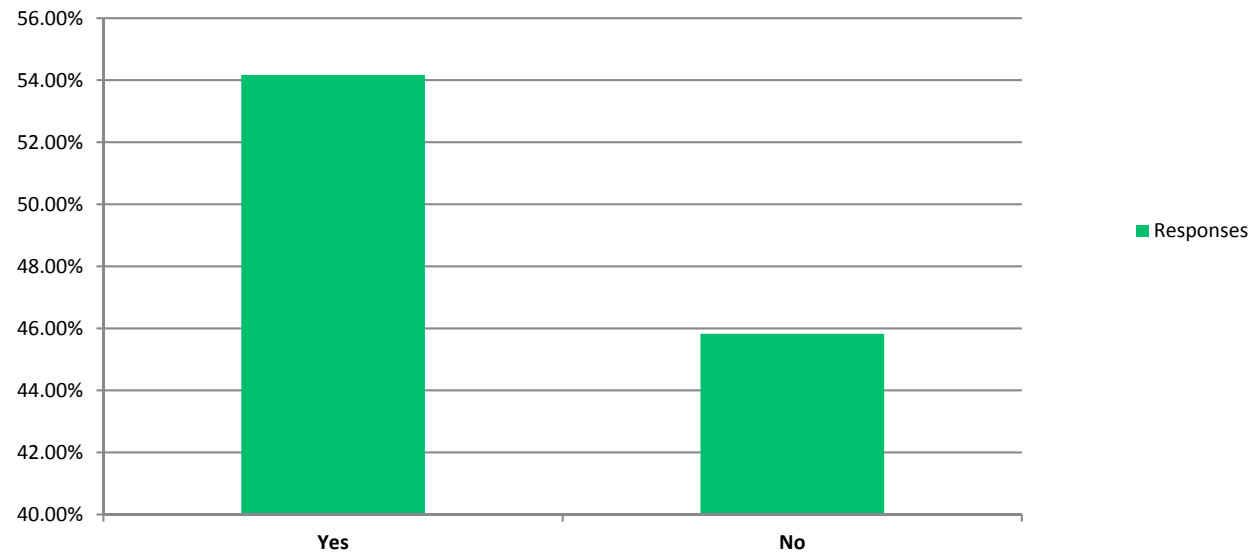
Please indicate your industry segment.



# Survey Results

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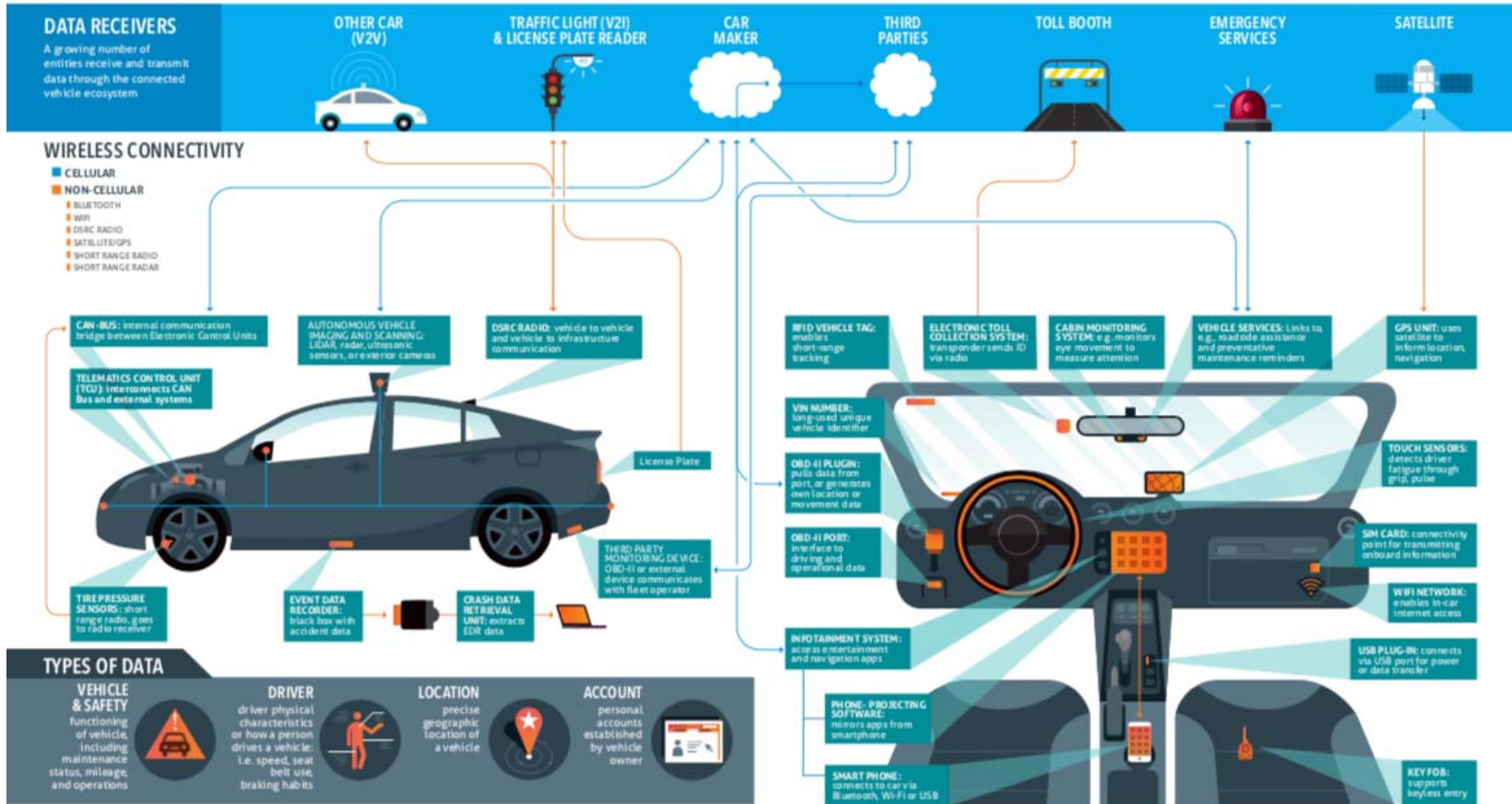
**Does your company believe they own the data?**



# DATA and the CONNECTED CAR

Version 1.0

Today's connected technologies are making transportation safer and more convenient. Many new features are enabled by the collection and processing of data. Cars are becoming part of a trusted mobile ecosystem that ensures data flows between a network of carmakers, vendors and others to support individuals' safety, logistics, infotainment, and security needs. This visual represents devices that may be employed in today's connected cars; no single vehicle will have all of these features, but most new vehicles have some. Much connected car data is protected by technical controls, laws, self-regulatory commitments, privacy policies, and other emerging mechanisms or controls.



# Today's Vehicle and Data

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## Common Types of Data Being Collected Today

- Event Data Recorders
- OBD Diagnostic Data
- Location data
- External Data (Sensors)
- In Cabin Data (More Sensors, Microphones, Cameras, etc)
- User Recognition (Fingerprints, Facial Recognition, etc)
- Mobile Apps
- Other Data (Telematics, INOL, etc)

# Automotive Privacy Principles

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## OEM's committed to Automotive Privacy Principles

- Transparency
  - *OEM's will provide clear/concise privacy policies*
- Affirmed Consent for Sensitive Data
  - *Consumer consent required prior to use or sharing*
    - Includes “geolocation”, “biometric” and “driver behavior”
- Limited Sharing with Government and Law Enforcement
  - OEM's will clearly state when, where they may share data

[www.automotiveprivacy.com](http://www.automotiveprivacy.com)



# Data Ownership (No easy answer)

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Consumers/Vehicle owners/operators may think of their vehicle data as “their data” but.....

Quite a few other stakeholders may also think they own the data because they:

- (1) own the vehicle, others because they
- (2) made it,
- (3) operate it,
- (4) manage it, or
- (5) drive it.

They all think of the vehicle as theirs and therefore the data as their data. Five candidates for data ownership right there makes it obvious that origin of or connection with the data does not automatically answer the question of “ownership.”

# Interview with Attorney Patrick McGuire

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Law Offices of Patrick J. McGuire, P.C.

119 S. Emerson Street, Suite 192

Mt. Prospect, IL 60056

Office: (312) 541-0500

# Data Sharing

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- Do you share data?
- Do you know who you are sharing data with?
- How do you know who you are sharing data with?
- Do you know how they are using your data?
- Do you know if they are selling or distributing your data to another 3<sup>rd</sup> party without your consent?
- Do all of your 3<sup>rd</sup> party partners have a data privacy agreement?

# Data Sharing

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- ASA Data Privacy Document

[www.asashop.org](http://www.asashop.org)

- Click on - Tools & Resources
- Click on - Free Industry Tools

***There are a limited number of copies in the back of the room***

# Data Liability, Exposure and Responsibility

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- What responsibility do you have to disclose the sharing of data with a 3<sup>rd</sup> party to your customer?
- What responsibility do you have if someone misuses the data?
- What responsibility do you have if you collect data and identify a safety related issue?
  - (1) Notify customer?
  - (2) Written disclaimer with acknowledgement?
  - (3) Written waiver of responsibility with acknowledgement?

# Data Liability, Exposure and Responsibility

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- AsTech Pre and Post Scan Authorization Document

[www.astech.com](http://www.astech.com)

- ASA Pre and Post Scan Authorization Document

[www.asashop.org](http://www.asashop.org)

- Click on - Tools & Resources
- Click on - Free Industry Tools

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# Automotive Privacy Government Intervention

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COMING TO A  
THEATER NEAR YOU!

**JANUARY 2020**

# Automotive Privacy Government Intervention

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# Automotive Privacy Government Intervention

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## CALIFORNIA ASSEMBLY BILL

# 375

# Next Steps January - April CIC

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- Identify committee members
- Develop mission statement
- Review Assembly Bill 375
- Discuss and present the potential impact of AB375