

Beter Benutten



Connecting  
Mobility

# Legal Aspects of Cooperative Driving

**Wouter van Haften**  
Chair of round tabel for Legal issues



Cooperating and Sharing Knowledge to  
Accelerate the Implementation of Smart  
Mobility on a Bigger Scale



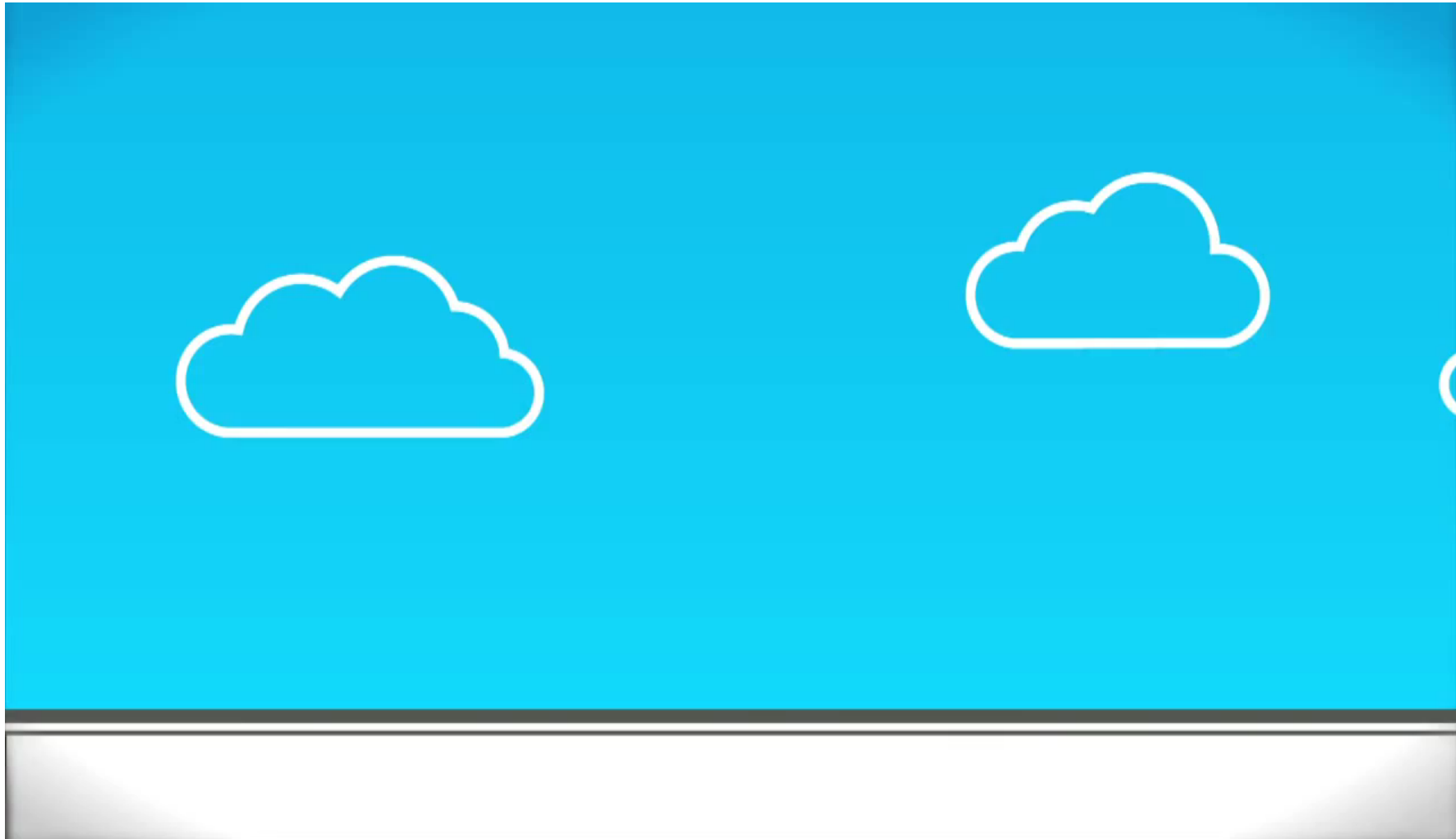
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# Cooperative Driving

## Back from the future

- Automated vehicles driving cooperatively
- Cooperative driving assist
- Cooperative driving services
- A58 shockwave traffic jam project

# Shockwave Traffic Jams

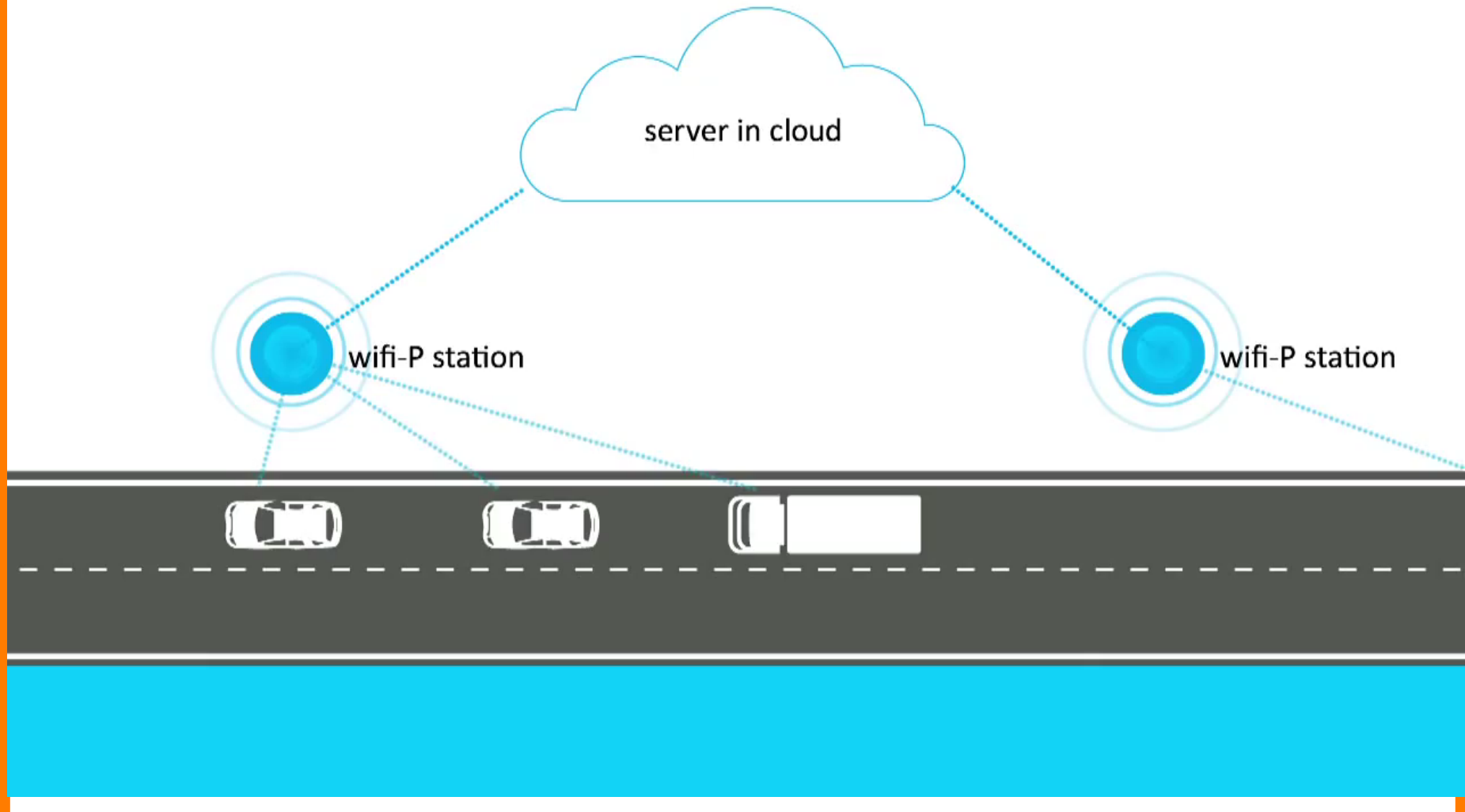


# Shockwave Traffic Jams

Shockwave Traffic Jam Project:

- Public Private C-ITS project
- In-car speed advise via smartphone (conn.)  
or
- OBU using Wifi-P (cooperative)

# Shockwave Traffic Jams



# Legal aspects

Four legal areas;

- Public, vehicle- and road regulations
- Liability, Private, regulations, insurance
- Data Ownership, Private, no regulations
- Data Protection, fundamental, EU Law

# Vehicle and Road regulations

## Vehicle regulations

- Vienna treaty, 'Driver should have control over the vehicle'
- Vehicle requirements, Vehicle Safety

## Road regulations

- Road safety, traffic signs
- Road operation, traffic management

# Liability and Insurance

- Road users,
  - Using Cooperative services
- Manufacturers,
  - OEM
  - Aftermarket
- Service providers
  - Cooperative services
- Road operators
  - Using and facilitating cooperative services



# Data Ownership

Aspects of data ownership:

- Asset or Burden
- Reproducible without loss of quality
- Private, contract law
- Inequality between OEM and customer

Call for guidance, OEM/customer or TTP?

# Data Protection

Privacy is a fundamental human right:  
European Convention on Human Rights  
Legislation:

- EU Directives
- General Data Protection Regulation

Legislation prevails over other regulations!

# Data Protection 2

Basic notions data protection:

- Personal data, identified or identifiable
- Legal ground: Informed consent, legitimate interest SP
- Subject
- Controller
- Processor
- Security, state of the art, proportionality

Any Questions ???

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# Thank you for your attention

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