

## **DESCRIPTION FOR THE GENERAL PUBLIC**

The digital revolution is a phenomenon that relates to many aspects of human life. The use of modern technologies involving creation and transmission of data allows to improve travel, especially road communication. As part of the activities of the European Union, emphasis is placed on machine-generated data, which are generated, inter alia, on-board a car, and are used to build an intelligent ecosystem in which both vehicles and road infrastructure will communicate with each other. Achieving such a state would make it possible to increase travel safety, improve its comfort and reduce the negative impact on the environment. So-called "smart mobility" would enable the introduction of autonomous cars in road traffic, and the creation of many new services related to this mode of travel. However, to achieve this goal, a legal framework must be created for the broadest possible exchange of on-board data from sensors, controllers and microcomputers connected to the telecommunications networks of vehicles, the exchange of which is necessary to achieve smart mobility.

Preliminary research shows that the legal framework for the exchange of in-vehicle data, which is predominantly non-personal data, is very fragmented and does not regulate the issue coherently. It should also be pointed out that the data circulating in the digital bloodstream of a car is mainly available to the car manufacturer. Due to the communication protocols and interfaces used, only a small amount of such data is available to third parties (e.g. diagnostic data for car mechanics). There is a controversy as to whether such data can be the subject of exclusive rights - i.e. whether it can be protected under copyright, database protection or trade secret law. Arguments are also raised that restricting access to data may be detrimental to market competition. This is because data may be necessary for businesses to enter the market and offer data-driven services. The issues concerning the law on the protection of personal data are equally important - data relating to a natural person is subject to specific legal regulations. Apart from the problems related to the unique nature of data, being an intangible object, there are also problems of a technical nature. Cooperation between the various entities in the field of transport must take place by agreeing on common communication standards that allow for the achievement of compatibility of all devices that are to exchange data with each other. In the above-mentioned areas, some legislative action has already been taken, both at the level of some Member States (e.g. France) and at the level of EU law.

Bearing in mind the problems highlighted above, this project aims to organize the existing research by determining the scope of the rules applicable to on-board data and their interrelationship, and thus contributing to the development of the legal framework for the management of machine-generated data in the European Union. The proposed research will consist, in particular, of the analysis of fragmented regulations in the Member States and in EU law and the examination of their relationship with intellectual property rights, competition rules and the rules of the Digital Single Market. Data sharing practices in the road traffic environment will be placed in the identified legal context, allowing conclusions to be drawn regarding the further regulation of in-vehicle data exchange. This will contribute to reducing legal uncertainty, the risk of divergence in the regulatory approach in the EU, and will allow building a coherent legal system consistent with the values of the Digital Single Market, and supporting the emergence of "smart mobility".