

2 July 2020



Dr Gillian Miles
Chief Executive
National Transport Commission
Level 15/628 Bourke Street
Melbourne VIC 3000
Via NTC portal

GEA RESPONSE TO NTC DISCUSSION PAPER: GOVERNMENT ACCESS TO VEHICLE-GENERATED DATA - MAY 2020

Dear Dr Miles

Gas Energy Australia (GEA) appreciates the opportunity to respond to the National Transport Commission (NTC) Government Access to Vehicle Generated Data discussion paper released in May 2020.

In principle, GEA supports governments using vehicle generated data for developing good policy. But we have concerns about the embryonic nature of the paper's discussion and fear that without more detail, there is a danger of more data being harvested than consented and data being used for purposes other than what was intended, akin to the Facebook-Cambridge Analytica data breach.

GEA offers the following response to specific questions posed in the Issues Paper.

Question 1: *Do our problem and opportunity statements accurately define the key problems to be addressed, and do they capture the breadth of problems that would need to be addressed?*

Opportunity statement

There is an opportunity for stakeholder collaboration on exchange or sharing of vehicle data for road safety purposes to understand:

- what vehicle-generated data can be used to support road safety in Australia
- what an appropriate framework and forum might look like to support such an exchange.

Problem statements

1. Vehicle-generated data is currently not provided to transport agencies for purposes that may have publicly beneficial outcomes. This is due to current vehicle capabilities or a lack of incentive or reason for industry and road users to provide the data (the exception to this being heavy vehicles enrolled in a current regulatory access or compliance schemes).
2. There is a lack of a data access framework to provide the necessary trust, data exchange systems, data standards/definitions, understanding of data needs, and governance to establish data access and use (the exception to this being heavy vehicles enrolled in a current regulatory access or compliance schemes).
3. The level of uptake and penetration of connectivity across the Australian vehicle fleet may delay the benefits of vehicle-generated data, particularly related to safety-critical events.

GEA agrees now is the right time for stakeholder collaboration on exchange or sharing of vehicle data for road safety purposes and further, for good data to drive good policy outcomes for all road users.

In relation to problem statement 1, GEA notes that commercial issues impact significantly more in the provision or withholding of data for some sectors than others. In the gaseous fuels industry, there are a limited number of players and product quantities can become easily discernable from freight movement data. This reality is reflected

in the steps taken by the Department of Industry, Science, Energy and Resources to not disclose commercially sensitive data when it collects and reports on disaggregated LPG data as part of the mandatory reporting of petroleum statistics.

In relation to the problem statement 2, GEA suggests that this is the key to the problem. The embryonic state of the data structure does not lend itself to the development of a data access framework.

Without a clear understanding of what is being captured, let alone what it is being used for, the risk of an incident similar to the Facebook–Cambridge Analytica data scandal where what was actually captured went beyond the scope of the original data requirement, is created. The data access framework must be built on the building blocks of data standards/definitions and understanding of data needs, not the other way around. These building blocks must include accuracy, the suitability of the data for its harvested use as opposed to its on-vehicle task and the potential for fraud (manipulation of on-board systems to produce advantageous data outputs).

Key in the development of any data access framework is trust and GEA notes a model for trusted statistical data in Australia is the Australian Bureau of Statistics (ABS) framework. The ABS operates under the *Census and Statistics Act 1905* (the CSA) which provides the Australian Statistician with the authority to conduct statistical collections. Importantly, the CSA requires the ABS to publish and disseminate compilations and analyses of statistical information and to maintain the confidentiality of information collected under the Act.

In relation to problem statement 3, connectivity is a means of extracting data and information from the Australian vehicle fleet. There are multiple methods including regular downloads or access during service periods. GEA is concerned that connectivity has been confused with data access and the benefits of vehicle-generated data, particularly related to safety-critical events is not well understood or defined.

GEA supports the stakeholder collaboration on exchange or sharing of vehicle data for road safety purposes and considers good data should drive good policy outcomes for all road users. GEA contends the key issue is the development of trust through data standards/definitions and an understanding of data needs rather than grabbing at information that may be useful.

Question 6: *Is there value in establishing a national data aggregator or trust broker? Could good data definitions, practices and cooperation between entities achieve the same outcome?*

GEA recommends the adoption of a model aligned with the ABS framework mentioned above, which is already trusted in Australia. Importantly as noted above, the CSA requires the ABS to maintain the **confidentiality of information collected** under the Act.

Question 18: *Does the NTC's preferred approach (option 2) best address the problems we have identified? If not, what approach would better address these problems?*

Key points

- This discussion paper presents several policy proposals to address the opportunities and problems discussed.
- We propose the following opportunity statement: For future development on government access to vehicle-generated data, road safety is the priority for exchanging vehicle-generated data between industry and government. Industry and government should collaborate on identifying opportunities for exchanging road safety data and adopt a principle of non-commercial sharing or exchange.
- For problem 1 and 2 we put forward the following options:
 - Option 1: Rely on existing arrangements between government and industry, with no changes to existing legislation or frameworks.

- Option 2: Establish a data exchange partnership between industry and government that will identify opportunities for exchanging vehicle-generated data as well as develop standards and consider proof of concept.
- Option 3: Introduce new legislation requiring industry to collect, store and retain vehicle-generated data while providing access to government.
- For problem 3 we propose that the Commonwealth government and the Australasian New Car Assessment Program undertake further work to progress the introduction of an eCall or automated emergency crash notification type service in Australia.
- At this stage, the NTC considers that option 2 provides the best opportunity for government access to vehicle-generated data.

As outlined above, GEA supports a partnership between industry and government to identify opportunities for exchanging vehicle-generated data and develop a data access framework. This partnership should focus on the development of internationally recognised data standards and definitions and a fuller understanding of data needs to assist policy development and ultimately help deliver good outcomes for all road users.

For consideration.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Griffiths', with a horizontal line drawn through it.

John Griffiths
CEO
Gas Energy Australia