

DOITS

Working Group Meeting Sheraton Schiphol Amsterdam 2022.06.28

Attendees

Company	Name
AddSecure	Cornelius Rabsch
Astrata	Jeroen Kors
Haldex	Jim Crawley
Krone	Martin Borker
Microlise	Alex Opacic
Microlise	Paul Ponder
Scania	Niklas Olsson
TIP	Theo de Vries
TIP	Yves Giroud
Trimble	Giovanni Cacciola
Volvo	Henrik Liske
Wabco ZF	Arie van der Jagt
Webfleet	Paul Verhejen
Webfleet	Robin Fellows
Moderator	Jan Unander

Data Act

*Federico Milani – Deputy Head of Unit DG CONNECT (CNECT) G1 Data Policy and Innovation
(See enclosed presentation)*

While the Data Governance Act, presented in November 2020 and agreed by co-legislators in November 2021, creates the processes and structures to facilitate data sharing by companies, individuals and the public sector and build the trust in sharing data, the Data Act clarifies who can create value from data and under which conditions.

The purpose of the Data Act is to simplify data sharing.

Through stronger and more structured rules, the Data Act is expected to reduce friction in discussions on what is accepted or not as regards access to data. One goal is to support SMEs so they can develop useful solutions or services and that is connected also to support intermediates to access data.

A prerequisite to achieve this is that organisations are willing to share data.

The process is when users are open with 3:rd parties to share data the supplier of the data make an agreement with relevant party including compensation.

CNECT will also set standards for cloud services

Before the meeting on June 28:th, DOITS collected questions from the working group to structure the dialogue with CNECT. The following questions were asked.

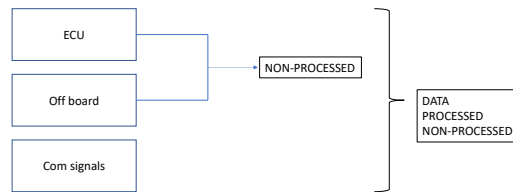
1. How is the Data Act applied on UK companies that deliver to EU?

Any company International, including the in the UK, have to obey with the EU-rules. Smart devices manufacturers have to make devices accessible.

What will happen to data transfer from EU to UK is not clear but data transfer from UK has to assure that the GDPR is respected.

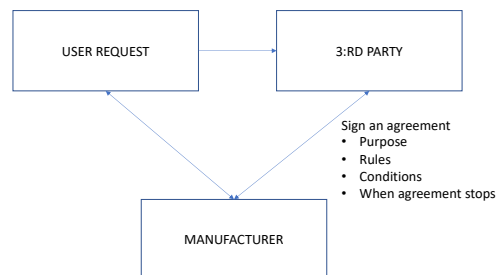
2. What data are in the scope of the Data Act – sensors, aggregated ?

Not data that have been processed that includes any IP or calculations. Example from the truck and trailer industry:



The user cannot require all data so there has to be an agreement if to share or not share processed data. An example on non-processed data that could be shared are geographical coordinates.

The model for setting the scene includes the commercial agreement



Mr Milani pointed out that companies often charge too much for the data.

Comment from the DOITS working group confirmed this and sometimes aftermarket Fleet Management Service providers get quotes for data access from manufacturers that totally block the commercial justification to use that data.

The remark was made that “some of the start-ups can never survive due to the pricing of data”.

Another issue is that many Tier1 companies provide truck and trailer manufacturers with components/ parts and how is the Data Act taking this into account in the implementation of the Data Act?

The meeting also discussed if a manufacturer or third-party service supplier should only charge for the transmission of the data and the conclusion was that it is not applicable as data has different value and it is a risk of conflicts.

A question raised was “how to address the difference between a function and data?” To create a function, data has to be processed and if access is given to data that aggregate a function the investment in developing the function and the competitive value can be lost.

ACTION: As a request from CNECT, DOITS will address this question about function vs data to be brought up in the definition of the Data Act and its consequences.

3. Definition of "derived or inferred" data?

These definitions in the Data Act is not clear.

ACTION: DOITS will forward this request for a clearer definition from CNECT.

4. How to ensure the legitimacy, contract, “consent” to share personal data e.g. all data connected to a specific Vehicle Identification Number is classified as personal data?

A vehicle VIN number is, by definition, considered as personal data and clashes with the GDPR regulation.

This question was not further elaborated and the perceived conclusion was that one must fully understand GDPR to make own decisions.

5. How will “reasonable compensation” be applied in between eg. after market Fleet Management Solutions providers and truck OEMs?

What is a reasonable price is to the market to decide. (see point 2 above).

The risk is that pricing can be used to avoid sharing data. Is the Data Act applicable?

6. What is a clear definition of “User” and “Data Holder”?

The Data holder is the party that has the legal right to make available the data but at the same time also the one with responsibility to control that the GDPR is obeyed.

A discussion was around, how can a Data holder ensure that the 3:rd parties follow the GDPR regulations when using the data. It can always be included formally in a contract that the responsibility is delegated but what does the Data Act stipulate.

ACTION: DOITS will forward the question of Data Holder GDPR responsibility of CNECT for their response.

7. Do you see the possibility, with a sectorial legislation on access to data, to solve the above shortcomings?

This is a very relevant question as the transport sector is already talking to the Parliament about this as well as other sectors that are also looking for sectorial legislations on how to share data.

There is a DG Group that are looking into the legislative aspects of this.

Conclusion Data Act

The Data Act is without question an aspect that all parties in DOITS working group are concerned of and must be able to fully understand. One reason is that some critical definitions and interpretations are not clear enough and will cause friction and hold back the speed of implementation of the Data Act as well as cause confusion for the truck and trailer manufacturers as well as the aftermarket Service providers. This affects product and service development as well as commercial relations with business partners as well as customers.

Data Act can be a positive factor as it structures and make some decisions for commercial parties more clear but that process would gain from pragmatically sectorial adapted interpretations.

A consequence of blurred definitions and regulations on how to share data could well end up in more legal processes than before and a common goal should be to avoid as much of these as possible.

DOITS focus is on the data generated and delivered to and from trucks and trailers. We believe that a dialogue with the DG group responsible for the Data Act in the transport sector and DOITS working group, would lead to that all parties using data from trucks and trailers quicker and with less friction, would find a writing of the Data Act that works for all parties including CNECT.

ACTION: DOITS working group will start the dialogue with CNECT and provide examples where the Data Act is unclear and can be improved. This includes data On-Board as well as Off-board.

Examples of consequences if/ if not clarifications/ changes are made will also be explained.

DCSA – Smart Containers

Hanane Becha – DCSA, Innovation Standards Advisor, Smart Containers, Smart Ports, IoT, UN/CEFACT Transport & Logistics Vice Chair

Digital Container Shipping Association, DCSA, was founded in 2019 with the ambition to work towards alignment of digitalization and open-source standardization that is free for everyone to use.

The founders of DCSA are the largest shipping companies that together move 70% of all containers in the world.

The standard DCSA aim for address:

- Electronic documentation for international trade
- Cargo visibility
- Predictability of shipping and port operations

A key factor is to ensure cyber security and governance to protect digital data exchange.

The reason DCSA was invited is to find out if the DOITS working group members will see an advantage if the container can identify itself when loaded on a trailer and if/ what additional benefits would the users of the information get.

During the presentation the following technical points were brought up:

- Range
- Allocation of sensor on the container

DCSA have decided to use RFID as technology to send the ID of the container. As the main purpose is to keep control over the container when it arrives into a port and when it enters, the readers would be fixed solutions at suitable positions.

During the transport the ship is always positioned, and the information will be delivered. In the ports DCSA's solution will in the future keep control over the container.

HOWEVER, WHEN THE CONTAINER IS TOWED AWAY BY A TRUCK NO POSITIONING DATA IS AVAILABLE IF NOT AN ADVANCED TRANSMITTER IS FITTED ON THE CONTAINER.

Can a trailer or truck be used as a transmission hub?

The range of an RFID tag is heavily depending on what material that is in between the sender and the receiver.

Other solutions that deliver a GPS position of the container during transport are used already but roughly one RFID tag cost approx €1 and a GPS based device €150-200.

In proportion to the cost of a container only certain containers justify a GPS solution.

As the number of containers are in the region 20 million the thought of a less expensive solution is obvious.

Fitting of the RFID tag will decide if a trailer can pick up the container ID. The example showed with the tag on the side of the container was directly doomed as non-functional if the trailer is to pick up the ID. The position must be either on a short end or in the bottom of the container.

Hanane Becha pointed out that the position showed on the slide was more of an example and the tag can be moved, as long it is protected from damage.

Conclusion smart containers

DOITS working group found the opportunity to capture the container ID as interesting.

It was decided that DCSA and DOITS together should initially look from the user perspectives to identify the use cases if the trailer and/or truck can pick up the container ID.

If there are end user values, the next step is to discuss the technical requirements for picking up a RFID signal and how the data can be interpreted.

Trailer and Truck VIN exchange over CAN

Since 2017 DOITS working group have discussed the possibilities to create a handshake of VIN characters between trailers and trucks.

The result of the discussion at this meeting should be a guidance if and how DOITS would proceed with the ambition to continue the process of making the handshake of VIN between the trailer and the truck possible.

An update of the situation was presented:

- rFMS 4,0 is now standardised to deliver trailer VIN.
- trailer EBS systems from 2015 and later are sending VIN-data in message RGE23.
- Tests made by Scania, Volvo to collect trailer VIN over EBS CAN has proved possible?
- Many trucks are today prepared for installing the necessary function to capture the trailer VIN?
- Data in trailer VIN field is unreliable as owner of the trailer is responsible for the VIN-information and can make changes.
- How to create a data field that contain the full trailer VIN and cannot be manipulated by outside sources?
- Trailer manufacturers can insert the full trailer VIN if a field is allocated.
- Members in the DOITS working group have the potential to upgrade a large volume of trailer VINs in the aftermarket service and maintenance process.
- What are the consequences of the movement towards an Ethernet based solution instead of CAN.

One issue that have caused some disagreement is the value of that the correct 17-character VIN number is inserted in the EBS system and afterwards cannot be changed. Does the EBS system need a locked data field that cannot be changed?

Buyers of trailers can and do change the VIN number in the EBS system to make information of their trailers easier to use in day-to-day work. How many trailers that have a blank field or customer adapted information in the VIN data field is not analysed but in Germany the regulations demand this but in the UK the tradition seems quite often be to alter the information. In other countries it probably varies.

Tests made by Scania and feedback from Daimler indicate that there are quite a few trailers that do not deliver the VIN even if the characters were inserted when the trailer was delivered new from the trailer manufacturers.

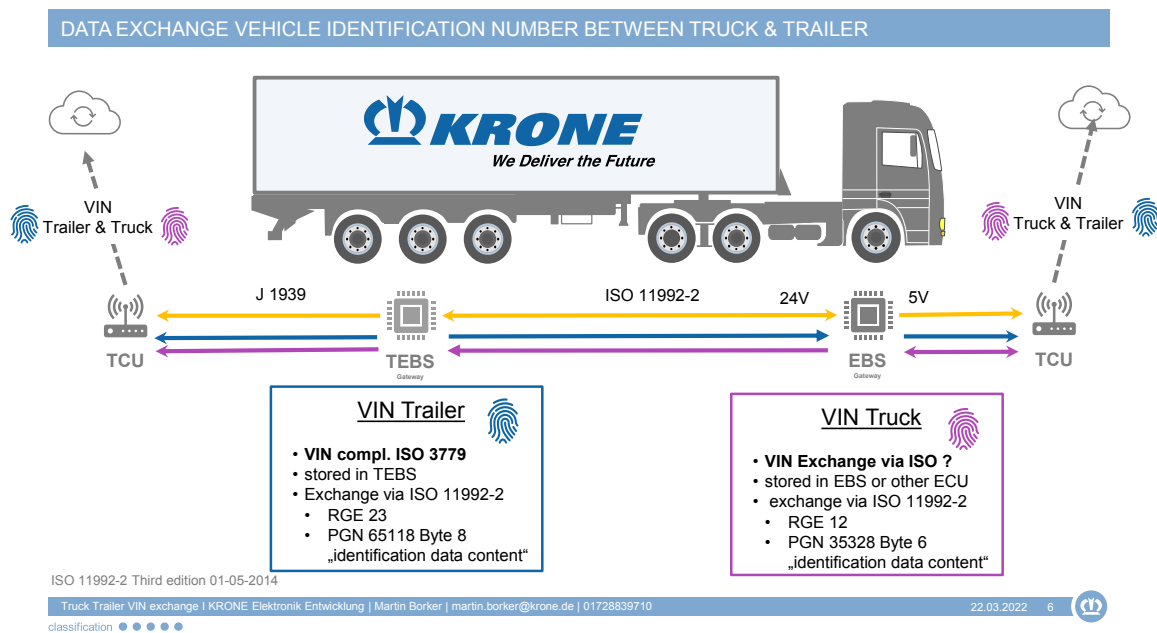
So, the question was raised; Shall we continue to influence so that the trailer and truck exchange VIN? If so how?

Conclusion Trailer and Truck VIN exchange over CAN.

A discussion was around how important it is to guarantee that the end user of the trailer has a secure data field for the trailer VIN. Based on partly the expected penetration of trailers with wrong VIN is lower an anticipated and the challenge to standardise and implement a third data field the decision was to not make more effort into this direction.

Instead, there DOITS working group agreed on to evaluate a proposition to use the channels and standards that already are in place and should be possible to use to test the exchange of VIN in both directions i.e. trailer VIN from the trailer to the truck and Truck VIN to the trailer.

Both truck OEMs participating will bring back this proposition and investigate how a test can be organised.



As regards to understand the proportion of trailers with wrong or no VIN in the EBS system, a proposal was made that trailer manufactures in DOITS working group should try to find a way to analyse this ratio. Feedback was given that there should be a way to find this proportion from available maintenance and service statistics.

Finally, we were informed that Krone do now always insert the full VIN number in all trailers they deliver.

A long term mission is to create a change in mindsets of trailer owners/ users so that trailers keep the correct VIN in the EBS system and trailer owners/ users use their Fleet Management System or other exchange means to convert and rename their trailers without changing the VIN in the EBS system.

This long term mission could be complemented with a routine at trailer manufacturers and other maintenance/ service suppliers to insert the correct VIN number. Quite often the trailer owners/ users have their own systems to keep control over their trailer fleet and if in every maintenance/ service occasion the VIN was corrected it would ultimately lead to a higher penetration of correct traceability

Next DOITS Working group meeting

The date for the next DOITS meeting was set to Tuesday November 29:th, at Schiphol and the format is a one day meeting from 10.00 – 17.00.

Proposed subjects to bring up were:

- Follow up on Data Act
- Follow up on Smart Container
- Follow up on tests trailer/ truck VIN

Besides this also the following topics were proposed to be addressed within DOITS;

- TPMS – Invite a representative from the EU to explain the TPMS standard and enable an Q&A similar to Data Act.
 - It was agreed that you members shall provide Jan U with your questions around TPMS for me to be able to approach the correct DG in the EU and organise a session on November 29:th.
 - Also, an invitation to a tyre manufacturer would enhance the understanding of the standardisation status. Webfleet indicated that they can support.
- Cybersecurity – Presentation and discussion with EU representative.
- Electric trucks – general discussion on opportunities and challenges including regulations.
- GDPR – get a better understanding – Provide Jan U with question you might have, and we will start the process.
- Invite a player looking at the transport market from a different angle to a meeting – Project 44 was proposed.

It was clear that there are too many subjects for a one day meeting and a priority will be made.

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