Geotab Submission to **"Mandatory scheme for the sharing of motor vehicle service and repair information"** as requested

About Geotab:

Geotab is advancing security, connecting vehicles to the internet and providing web-based analytics to help customers better manage their fleets. Geotab's open platform and Marketplace (marketplace.geotab.com), offering hundreds of third-party solution options, allows both small and large businesses to automate operations by integrating vehicle data with their other data assets. As an IoT hub, the in-vehicle device provides additional functionality through IOX Add-Ons. Processing billions of data points a day, Geotab leverages data analytics and machine learning to help customers improve productivity, optimize fleets through the reduction of fuel consumption, enhance driver safety, and achieve strong compliance to regulatory changes. Geotab's products are represented and sold worldwide through Authorized Geotab Resellers.

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Section 5. Questions for consultation (excerpt from Consultation Paper Feb. 2019)

5.1.Treasury is interested in stakeholders' views on whether the possible elements of a mandatory code of conduct and a Service and Repair Information Sharing Advisory Committee set out in this paper:

a. are appropriate as a starting point for developing and consulting on detailed provisions;

Geotab agrees that the elements set out in the February 2019 Consultation paper form an appropriate starting point for developing and consulting on detailed provisions for a mandatory scheme for the access to motor vehicle service and repair information and the establishment of a Service and Repair Information Sharing Advisory Committee.

Mirroring the trend toward digital transformation that is happening in other industries, vehicle diagnostics and repair are moving from the service garage to the cloud. Predictive diagnostic maintenance is already being done and is only possible when a continuous rich stream of vehicle data is available, for example, to aftermarket fleet management applications such as Geotab.

There is a persistent evolution of vehicle ownership towards fleets, and fleets participating in the sharing economy, e.g. rideshare programs. Vehicle manufacturers themselves are competitors to conventional car rental and fleet leasing companies in the sharing economy. Therefore, we recommend the Code include requirements for vehicle manufacturers to provide direct access to in-vehicle data for third parties. We believe vehicle end users and the public are best served by expanded choice including third party innovative services that go well beyond vehicle diagnostics and maintenance. This future relies on access and use of all data generated by the vehicle today and any new vehicle data created in the future.

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Restricting third party access of vehicle data to only what OEM licensed service has access to, seriously impairs development of future services.

We also caution against too narrow a definition of "repairer" as many large commercial fleets rely on telematics service provider for predictive vehicle diagnostic and maintenance service — blurring the lines between conventional independent service garages, and virtual service garages where much of the vehicle diagnostics and some repair (OTA) are done.

b. would provide significant improvement on the current voluntary scheme;

We agree that the proposed mandatory scheme would provide significant improvement on the current voluntary scheme. Geotab recommends adding that some vehicle data and diagnostic tools may only be available from Tier suppliers to the OEMs. For example, calibration of cameras and other sensors in windshields and Lidar sensors can require calibration and diagnostics information directly available only from the Tier supplier.

and
c. are a suitable alternative to a legislated scheme, which would enable the creation of an industry-funded body to advise on the scheme but would be slower to implement and
Update.

Agree. We believe the legislation should highlight the need for non-discriminatory, direct data access to vehicle-generated data as a necessary underpinning for competition, innovation, and value creation. Implementation details can be left to an industry body provided all stakeholders are equally represented.

5.2. Treasury is also interested in feedback on the following possible elements of the Code in particular:
a. whether vehicles made available for sale in Australia prior to the Code taking effect
should be covered by the scheme, and if so, how;

Geotab recommends the spirit of the "Code" should apply always to all vehicles (new + legacy). New vehicles can be mandated to comply with the Code. Legacy vehicles should be covered to the extent the vehicle make and model exposes vehicle data on the OBD port, and collects data via OEM on-board telematics. Geotab has investigated the "richness" of OBD port data collected by vehicle make/model, year, and geography over time and is consolidating a report in the near future that could provide helpful insight related to the development of a mandatory code.

b. the principled definitions of:
    i. information manufacturers must make available under the scheme; and
    ii. SSE information;

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Consolidating vehicle data would be a difficult task due to the wide dispersion of means and quality of data that may or may not be available on various vehicles. Therefore, Geotab recommends that rather than spending time and effort trying to consolidate vehicle data that should be made available, effort should be focused instead of ensuring that vehicle data currently only accessible by the OEM (and related Tier suppliers) is also available to 3rd parties.)

SSE information -
a) "diagnostic service and repair information necessary to reset an immobiliser system or security related electronic modules"
b) "information that may result in non-compliance with relevant safety or environmental regulations or legislation

Geotab is cautious of recommending restrictions on OEM ability to provide access to vehicle data required for vehicle service, including reset of immobilizer. We also want to highlight a recent ruling under the exemption to Copyright protection ruling within the U.S. that permits defeating any technical measure used by OEMs to obfuscate vehicle data required for diagnosis and repair.

The Recommendation of the Acting Register of Copyrights (the "Recommendation") is the backdrop to the final rule. The Librarian of Congress considered and accepted the Recommendation to arrive at the Rule. With respect to telematics and diagnostic data, the Acting Register concluded that "proponents [of the exemption] have established that the current prohibition against accessing telematics and entertainment ECUs is or is likely to adversely impact noninfringing repair, maintenance, and lawful modification of vehicle functions." The Rule does not provide that individuals must have access to the data, and it also sets guardrails to protect against unauthorized access to expressive works through services unrelated to vehicle functioning.

OEMs should not cite security and safety as rationale for closing access to in-vehicle data whether the vehicle is in motion or not. Several OEMs have designed gateways and other features into their vehicles that permit safe access via the OBD port to aftermarket telematics providers, by following for example recommendations in SAE J3138 Diagnostic Link Connector Security. OEM's should embrace tolerant OBD port designs rather than expect to block access to vehicle data and cite security/safety as a rationale for restricting access to vehicle data.

Furthermore, according to Dr. Dan Massey's EU testimony [video link], open vehicle security systems can provide greater cybersecurity, as opposed to those that are closed, or rely on obfuscation for security.

c. what information should be included in more detailed lists of information included in these definitions (the Appendix below provides alternative starting points previously suggested by stakeholders);

We believe the premise that OEMs have the "richest" vehicle data set is incorrect. Third party aftermarket devices can provide a much richer, higher quality, and more efficient set of vehicle data. For example, the Geotab GO platform has been confirmed as superior to OEM provided data by some large fleets. Geotab is currently working

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through the W3C Auto group to share best practices to organize and lift vehicle data to the cloud. For example, Geotab's use of curve logic for GPS logging rather than time-based sampling can provide much more accurate, precise, and lower cost vehicle data that any time-based sampling methodology. As a result, we believe a detailed list of data the OEM provides is not the right approach — unobstructed access to in-vehicle data with the consent of the vehicle owner is.

d. the principles guiding access to SSE information;
e. factors to be considered relevant to fair and reasonable prices for information;

The most effective means we can suggest to ensure fair and reasonable prices for OEM-provided vehicle data is to also include the option for the vehicle owner to provide an aftermarket third party telematics device/system, and ensure the device has access to the same data stream the OEM telematics does (as is the case today in most vehicles).
and
f. the suitability of the dispute resolution and mediation process.

5.3.Treasury would also welcome feedback on the Committee, particularly on the suitability of the suggested membership and terms of reference.

We suggest opening membership to international relevant associations such as in Europe (Figiefa) and GAVDA (Global Access to Vehicle Data Association) in the U.S.

Reference:
Open Cars - Lothar Determann