National Transport Commission
http://www.ntc.gov.au/submissions/

November 22, 2018

To Geoff Allan, A/Chief Executive, National Transport Commission

Regulating government access to C-ITS and automated vehicle data

We sincerely appreciate the opportunity the National Transport Commission has provided through this consultation for ITS Australia to make a submission on this important topic. Understanding the challenges and opportunities regarding access to the data from Cooperative Intelligent Transport Systems (C-ITS) and Automated Vehicles (AV) is of vital importance.

With more than 1,200 people dying and over 30,000 people being seriously injured each year on Australia's roads, the only long-term goal we can have is for zero fatal and serious injuries. To that end, we believe we will only achieve that vital and ambitious goal through C-ITS and automated vehicle technology.

Safety needs to be the foundation on which any deployment of C-ITS and development of Connected and Automated Vehicles (CAV) rests and we are optimistic about the innovation and expertise in our industry and the functionality that will be available to the wider community.

ITS Australia supports the advancement of C-ITS and connected and automated vehicle technology and see the appropriate deployment of the technology as a pathway to provide safer, more efficient and more sustainable transport.

There is of course though the need to balance the opportunities that C-ITS and automated vehicles technologies offer against the real and potential privacy and security challenges of generating and sharing the data required to enable the benefits cooperative and connected vehicles can offer.

It is critical that Governments establish very clear regulations which are performance based, to ensure that the deployment of CAV's is guided to improve the safety and quality of life of the community. Governments need to provide regulatory oversight to give the public confidence in CAV testing and deployment, as well as data sharing.

We appreciate that NTC is limiting its inquiry into this matter to focus on government access to the data, with the discussion paper paying particular attention to the potential new privacy challenges of government access to information generated by C-ITS and automated vehicle technology. Including whether Australia's information access framework is sufficient to address these new privacy challenges with some proposed options for reform if the current framework is not considered to be sufficient.

We also note with interest that the ISO - International Organization for Standardisation has undertaken to create a study group to explore an international standard for privacy preserving data sharing frameworks. A working group addressing this will be taking place in Australia in January 2019.

As the peak body for the ITS industry we are very cognisant of the fact that the next generation of vehicles will include increased levels of connectivity and automated driving capacity, with connectivity being the key component through which automation is enabled.

There is no connectivity without the sharing of data, both in C-ITS and automated vehicles. To that end we support this important undertaking to enable road safety and network efficiency improvements allowing government access to necessary data balanced with sufficient privacy protections for users.

There are other emerging transport innovations and technologies that are predicated on the application of data that also potentially raise concerns regarding the privacy and security of both customers and the transport network. These concerns of course necessitate serious consideration, but these investigations must balance the potential threat against the real potential for increased safety, network performance, and customer outcomes.

Governments and their agencies currently protect an enormous array of private information and they have strict laws that provide the parameters for what personal information may be collected and for what purpose. Industry also abide by guiding principles developed to protect data collected that support existing laws, notably the Privacy Act 1988 (Cwlth).

To enable the safety and efficiency benefits C-ITS and AV can offer it is important to distinguish between information and data. The connectivity of vehicles and infrastructure is essential to enable the safety and efficiency improvements anticipated, this connectivity is only achieved through the effective sharing of data. A general consensus of different types of data these technologies will require and the ownership of that data to enable this connectivity would be a positive undertaking.

Conclusion

The safety of our citizens is paramount and driver assistance technologies are saving lives on our roads now and emerging and future technologies will only be safer, the deployment of these technologies will require government consideration and oversight. Industry are keen to work with government to best deliver these life saving technologies and ITS Australia are well placed to facilitate those discussions.

In discussions with a number of our member organisations we have found there is also a range of views on the types of data and ownership models to be considered; allowing access to automated vehicle and C-ITS data having regard to achieving road safety and network efficiency outcomes, balanced with sufficient privacy protections for vehicle users.

With the range of activity underway in working to better understand the opportunities and implications of these emerging technologies it is timely to consider additional consultation to gain further insight into these complex and rapidly evolving technologies.

As a peak body that represents national and international organisations we also strongly support an approach that works towards harmonisation and cross-jurisdictional considerations and are keen to be involved in these ongoing discussions.

Yours sincerely,

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ITS Australia Background

ITS Australia is the peak group representing over 100 public and private organisations delivering on transport solutions and technology improving Australia's road and transport networks and promotes the development and deployment of advanced technologies to deliver safer, more efficient and sustainable transport across all public and private modes – air, sea, road and rail.

Established in 1992, ITS Australia is an independent not-for-profit incorporated membership organisation representing ITS suppliers, government authorities, academia and transport businesses and users. Affiliated with peak ITS organisations around the world, ITS Australia is a major contributor to the development of the industry.

As set out in the Strategic Plan 2018-2021 our vision is to shape future transport to be safe, efficient and environmentally sustainable through the implementation of Intelligent Transport Systems. Our mission is to:

•   Advocate for, and inform discussion about, ITS;

•   Facilitate collaboration and partnering amongst industry, government and researchers;

•   Support research, development and the deployment of ITS technologies;

•   Influence and guide the successful development of the ITS industry.

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