



Charging Interface Initiative e.V. | Kurfürstendamm 11 | 10719 Berlin

CharIN e.V. contribution to European Commission public consultation on the revision of the Union legislation on vehicle type-approval (Regulation (EU) 2018/858) with regard to access to in-vehicle generated data for the purpose of providing vehicle-related and mobility services and on possible legislative measures to ensure fair and secure access to vehicle data, functions and resources.

CharIN is an umbrella, cross-industry organisation which represents stakeholders like automakers, charging station manufacturers, charging point operators, component suppliers, energy providers, payment service providers, and grid operators. Our main goal is to move towards interoperable charging, where vehicles, chargers, and software systems work together, and to make the EV user experience reliable, easy and smooth.

CharIN's holistic approach is not limited to passenger cars. Its international community is comprised of leading global companies representing every link to the e-mobility value chain and multiple experts, who have been working together as a team to drive the requirements of charging all kinds of electric vehicles. CharIN is, for example, active in the European Commission's Sustainable Transport Forum Sub-Group on Governance and Standards and is also working within the context of the EU-US Trade and Technology Council. Most recently, CharIN has been working on a Megawatt Charging System to be used to charge other heavy-duty vehicles commercial vehicles, like e-ferries, ships and planes.

CharIN, European Commission STF SG1, ISO15118 and Plug & Charge.

Within this context, CharIN welcomes the European Commission initiative on access to in-vehicle data, functions and resources, and believes that it is ideally placed to provide input into the consultation. Indeed, in light of this consultation, CharIN has initiated an open and extensive dialogue within its structures (i.e., working groups) whereby, the relevant stakeholders on questions of access to vehicle data are tackling the questions set out by the European Commission, as well as other applicable questions. To this end, CharIN as such would welcome the opportunity for an ongoing dialogue with the European Commission, to cover and further build questions in the consultation, and as such to provide additional information retrospectively which reflects the combined knowledge capacity of CharIN.

As mentioned, CharIN is member of the Sustainable Transport Forum Sub Group I – Governance and Standards, whereby the objective of the constellation is to gather recommendations on the preferred option for an EU standard/protocol for each of the main communication areas of the electromobility ecosystem. As CharIN, we support the ISO15118 standard for communication exchange between the Electric Vehicle and Electric Vehicle Supply Equipment. It is a standard which, as supported by the conclusions of the Activity I

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report titled “Mapping of the Discussion Concerning Standards and Protocol for Communication Exchange in the Electromobility Ecosystem”¹ and adopted by the STF Sub Group I on 21 February 2022, has found extensive market adoption and will see considerable market increase and further adoption in the EU within the next years.

The report also concludes that ISO15118 enables scheduled (smart) recharging (and V2G) activities for AC and DC charging, and provides the baseline for a Public Key Infrastructure (PKI) definition applicable for automatic authentication and authorisation for EV charging (Plug & Charge).

CharIN is currently developing a Plug & Charge system – i.e. the project “Plug and Charge Europe²” – PKI; a technology needed to enable secure authentication and authorization via Plug and Charge in accordance to ISO 15118, with CharIN as operator and provider of required services.

Currently, the STF SG I is focusing on an Activity II report whereby the aim is to reach a consensus between the members of the sub-group on the choice of a governance framework and PKI architecture for vehicle-to-grid communication, defining its ownership model as well as the roles and responsibilities of every type of market player.

Commission Consultation Questions & CharIN Responses

Within the setting highlighted above, and following extensive discussions within CharIN’s platforms and the STF SG I, we would like to provide input beyond the context of a “yes”, “no” and “I don’t know” approach provided by the public consultation, so as to avoid any ambiguity and as such provide information as accurately as possible.

QUESTIONS 8-11

With specific reference to question 8, there is general consensus at CharIN that there is a need for the current framework to be improved so as to create an ideal context for fair and non-discriminatory access to all market players. On the other hand, we believe that it is not as yet possible to ascertain whether an upcoming legal framework applicable to access in-vehicle generated data and resources would sufficiently do so. There are nonetheless concerns which have been raised as to what fair and non-discriminatory access entails when discussing all service providers. Indeed, the question groups vehicle manufacturers, independent service providers and public authorities which has raised some concerns regarding data protection, especially in light of the latter; also in light of excessive authority access and control over personal data.

This is also very relevant under the last question under question-set 10 within the merits of climate, environmental and road safety policies. In principle, CharIN is not against these essential elements for the public good and the role of public authorities, but believes that these should be perceived with a strong sense of proportionality.

¹ Not as yet publicly available.

² <https://www.charin.global/technology/plug-charge/>

Indeed, any rules on access to vehicle data, resources and functions need to ensure proper and real-world protections for all involved parties. The privacy of the EV holder and EV user needs to be safeguarded, not only in relation to personal data, but also data points that can be used to infer personal information.

Furthermore, with specific regard to question(s) 10, CharIN believes that accessing data should enhance/improve the charging process quality of functions and charging interoperability for the EV user, and that measures should be put in place to allow access to in-vehicle data, whereby it should only be granted where it is appropriate and relevant, subject to a test of a balance of interests of the relevant market players. The vehicle holder and user must have a right to deny direct access to in-vehicle data where significant security or safety vulnerabilities are at stake. It is of course important to guarantee that identified security and safety vulnerabilities are assessed proportionally within the question of hindering a level playing field.

There are various concerns that have been raised within CharIN pertaining to the question of regulatory intervention (question-set 10) due to the level of potential regulatory intervention foreseen. Whether access to in-vehicle data can be best handled by the market has also reached diversifying views, specifically in light of various experiences of CharIN members. Looking at the current technological availability, the market has provided and can provide technical solutions for access to in-vehicle data. Nonetheless, there is in some areas a need for adequate accessibility and governance structures to achieve a level playing field in the market for all market players.

Having said this, deciding on governance and market rules for access to in-vehicle data, functions, and resources in a specific regulation should help to increase transparency and clarity in the market across all actors involved. Access to in-vehicle data is likely to become essential for the development of fair competition and innovation with quality and reliability in the mobility industry. And, requirements to make such data available on fair, reasonable and non-discriminatory terms, while respecting EV holder and EV user's rights, will be key to foster competition and innovation in the market. As such, it is critical that:

- Any legislation is clear on definitions and implications as well as consistent with separate but adjacent proposals (such as the revision of the Renewable Energies Directive and the Data Act which also cover or potentially impact in-vehicle data or data sharing).
- The list of vehicle data, functions and resources accessible on a specific model or version of a vehicle are to be published or otherwise made available by the vehicle's manufacturers.
- Legislation ensures the availability for access of a minimum list of data, functions and resources which are critical to deliver the EV charging services and reliable and interoperable charging experiences that will benefit both the consumer and electricity grid.
- CharIN is currently developing a non-exhaustive list of data points to be assessed according to use-cases. Use cases could be those identified in the aforementioned Activity I document of the STF SG I; including Plug & Charge, Smart Recharging and Bi-directional Charging. However, use-cases are not limited to those identified within Activity I of STF SG I. The importance of access to in-vehicle data stretches to many more use-cases that provides the EV user with better quality and reliable charging experience and benefit the charging ecosystem on a larger scale (e.g., grid load management, and increase use of renewable energies, as well as added value

services for the EV users). Based on this, CharIN will provide the European Commission within the coming months, the list of data points in accordance with a consensus based on the cross-industrial membership that it brings together; with a focus on identifying what is necessary for the benefit of the vehicle holder and user experience, whilst providing the relevant recharging capacity.

QUESTION(S) 12

Members of CharIN have raised concerns as to the extent of access to “more, better quality in-vehicle generated data, functions and to vehicle resources”. Concerns pertain mostly to the extent of access to in-vehicle data. Although it is clear that third parties should be able to access in-vehicle data, it is paramount that a proportional view is taken on how the data is accessed, not least in light of cyber-security, safety and data protection, whilst allowing for fair and non-discriminatory access.

QUESTION 14

Publishing a catalogue on the existing in-vehicle data is positive for market development; enhances transparency between stakeholders, quality of charging functions and contributes to a level-playing field and market innovation.