



Automated Vehicles:  
Data Sharing Principles

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We are a purpose-led organisation: Together, driving change to protect and build a thriving society. On behalf of our members, we work closely with the UK's governments, HM Treasury, regulators, consumer organisations and NGOs, to help ensure that our industry is trusted by customers, is invested in people and planet, and can drive growth and innovation through an effective market.

A productive and inclusive sector, our industry supports towns and cities across Britain in building a balanced and innovative economy, **employing over 300,000 individuals** in high-skilled, lifelong careers, two-thirds of whom are outside of London. Our members **manage investments of £1.5 trillion**, **pay over £17.2 billion in taxes** to the government and support communities and businesses across the UK.

## Introduction

The insurance industry is highly supportive of the introduction of the new technology available in automated vehicles (AVs) to enhance road safety. We have worked closely with relevant stakeholders to define requirements for automated driving and provide technical insights to the UK government and agencies, much of which is reflected in UNECE Regulation 157. Insurers have provided cover to automated vehicle trials across the UK and have supported the AV-Drive group by helping to define terminology to reduce consumer confusion and prevent misuse. Throughout, insurers have consistently engaged with stakeholders to discuss and identify areas that will need to be addressed, with regard to the legislative landscape, to allow insurers to handle claims involving AVs both efficiently and effectively. Now that the AV Act has received Royal Assent, stakeholders must establish mechanisms by which AVs can operate safely on UK roads. Of upmost importance is that victims of collisions and near-miss events caused by an AV that result in a claim are properly compensated.

This document seeks to explain the issues surrounding insurer access to relevant data, stemming from a claims event following a collision or near-miss involving an AV (hereto referred to as 'claims event'). It is designed to establish data sharing principles which underpin the contractual and legal obligations that insurers have when dealing with a claim involving an AV, under both the Automated and Electric Vehicles Act 2018 (AEVA) and the Automated Vehicles Act 2024 (AV Act). The requirements outlined are not exhaustive, and others may be needed as technology develops and regulation is refined. This document supplements, but does not replace, previous publications on related topics, including Defining Safe Automated Driving 2019 and Insurer Requirements for Automated Vehicles 2024.

The purpose of this document is to highlight the critical need for a minimum data set to be in place for insurers to fulfil their obligations in respect of a claims event. Insurers' access to such data should be free from any friction or financial barrier, which would be detrimental to ensuring that victims have access to compensation.



## Acronyms

AEVA 2018	Automated and Electric Vehicles Act 2018	OEM	Original Equipment Manufacturer
ALKS	Automated Lane Keeping System	NUIC	No User In Charge
ASDE	Authorised Self Driving Entity	NUICO	No User In Charge Operator
AV Act 2024	Automated Vehicles Act 2024	UNECE	United Nations Economic Commission for Europe
AV	Automated Vehicle	RTA 1988	Road Traffic Act 1988
CCAM	Cooperative, Connected and Automated Mobility	SRS	Supplemental Restraint System
DSSAD	Data Storage Systems for Automated Driving	UIC	User In Charge
NHTSA	National Highway Traffic Safety Administration	VM	Vehicle Manufacturer

## Data Sharing – relevant issues

Relevant Issues	Suggestions	Comments
(a) What should the legislative basis for data sharing look like?	<p>Section 14 of the AV Act 2024 states currently that the authorisation process <b>may</b> include requirements as to the collection and sharing of information by a regulated body, including authorised self-driving entities (ASDE) and no user in charge operators (NUICO).</p> <p>Section 88(2)(b) of the Act, which covers Permits for automated passenger services, also provides that Automated Passenger Service Providers’ permits may contain conditions around the sharing of information to private businesses, including insurers.</p>	For insurers to meet their obligations under the AV Act, data collection and sharing should be a <b>mandatory</b> feature provided for – either forming part of the GB approval scheme or via the authorisation process. Without collision data, confirming that the vehicle was in automated mode at the time of the incident, insurers will not know whether a claim will need to be dealt with under either the Road Traffic Act 1988 (RTA 1988) or AEVA 2018/AV Act 2024. This is particularly relevant for any potential claim from a user in charge (UIC) as this category of Claimant only arises under AEVA.

Relevant Issues	Suggestions	Comments
(b) What features of data sharing should the authorisation process consider?	<p>The authorisation process must be satisfied that the Original Equipment Manufacturers (OEM) can meet a minimum standard for the:</p> <ul style="list-style-type: none"> <li>- recording</li> <li>- storage</li> <li>- extraction</li> <li>- access</li> <li>- protection of the data</li> </ul>	<p>Motor insurers will need to determine whether a vehicle was operating in AV mode at the time of a collision/trigger event and will be wholly reliant on the ASDE/NUIC/OEM in the sharing of this data.</p> <p>Insurers will be unable to meet their obligations under Section 2(1) of AEVA without sufficient data sets.</p> <p>Aside from insurers requiring a minimum data to determine mode of operation at the time of the event other investigative bodies (police and collision investigation board) will need access to the vehicle data in order to determine the cause(s) of a collision or trigger event.</p>
(c) What features should the Data Storage System for Automated Systems have?	<p><u>Section 8 of UN Regulation 157 Automated Lane Keeping Systems (ALKS)</u>, dealing with DSSAD, is a good start point, as are <u>BSI PAS 1882 - Data for Automated Vehicle trials Incident Investigation and the CCAM Data Sharing Framework</u>.</p>	
(d) How should collision data be defined?	<p>Regulations should set out a series of events/occurrences as per <u>section 8 of ALKS</u> which would suggest the vehicle has been involved in an incident.</p>	<p>The regulations ought to align with definitions set at the UNECE level. The current suggestion of Supplemental Restraint System (SRS) deployment is not suitable as it is too high a threshold. It will likely result in many undetected collisions and fail to capture near-miss events.</p>
(e) Why should the regulations provide for data capture for a near-miss event?	<p>This will involve discussions with an ASDE as to what data sets might correlate/be suggestive of a near-miss event, ie a sudden unusual pattern of vehicle movement/braking but without accompanying impact damage. The actions of an</p>	<p>S2 of the Act – Vehicles will achieve a level of safety at least as safe as the competent human driver or higher. Near-miss events recorded by the AV may reveal an error in functionality, particularly if the near-miss event involves other vehicles where</p>

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	<p>AV may cause another vehicle(s) to become involved in an accident resulting in a third party damage claim and/or accompanying personal injury claims e.g. whiplash injuries may arise despite no contact with the AV but the AV caused excessive braking on the part of the third party vehicle, causing alleged personal injury to its occupants.</p>	<p>there has been a subsequent collision; for which the AV may have been causative but not directly involved in a collision e.g. not responding to temporary / change in road signs causing other vehicles to take evasive action resulting in a collision.</p> <p>The AV itself may take evasive manoeuvres either manually initiated by the UIC reacting to road conditions or in AV mode which could give rise to an insurance claim. Therefore, any unusual “activity” on the part of the vehicle (either in manual or automatic mode) should be captured.</p>
<p>(f) How should the data be stored?</p>	<p>Primary access to data should be through cloud services on an easily accessible portal. Local onboard vehicle storage should also be potentially available and accessible via a direct physical connection with the vehicle.</p> <p>Duration of data storage should be aligned to the limitation period for personal injury claims. Data should be stored for a minimum of 3 years and 4 months (3 years+); 3 years for the limitation period, and 4 months to ensure that claims can be processed, and victims of road traffic accidents can be properly compensated.</p>	<p>The drawback of relying exclusively upon onboard storage is that a vehicle could be damaged to such an extent that a download of onboard data is not possible. This will delay accessibility initially for both motor insurers and public bodies immediately involved in the investigation e.g. Police and accident investigators.</p> <p>The benefit of cloud access is that it provides a fallback position for data storage for those charged with investigating a trigger event / near-miss.</p> <p>The issues of both storage and accessibility of data should be a requirement of both an ASDE and a NUIC as part of the authorisation process.</p> <p>The limitation period for personal injury claims following a road traffic accident to be notified is currently 3 years (limitation functionality will be</p>

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		included in the Official Injury Claim (OIC) Portal from September 2024).
(g) When should data be made available post collision?	As soon as reasonably possible by the vehicle manufacturer (VM): suggest that once a request has been submitted by an insurer – same day/next day.	Insurers need this to determine whether AEVA is applicable in the first instance – was the vehicle operating in AV mode at the material time?
(h) Availability of GPS location data	VMs already collect this data and deploy in the use of the E call system – therefore there should be resistance to including GPS location data in any claim event.	<p>The provision of this data will assist insurers not just in validating the position of the AV but can also determine direction of travel; time of incident; date and location triangulation.</p> <p>Geofencing data may also be needed should disputes arise around a vehicle’s operational design domain (ODD).</p> <p>The provision of GPS location data is already a legal requirement in the German market.</p>
(i) How should the data be presented?	<p>Expectation would be for a standardised format which should be capable of being read/interpreted without the need to engage experts/specialists.</p> <p>Data presentation should adopt the FAIR principles presented in the CCAM Data Sharing Framework report, whereby data should be Findable, Accessible, Interoperable and Reusable, thereby making it accessible to machines and humans.</p>	The formatting of the data should remove the possibility /potentiality of Insurer and other public bodies <b>needing</b> to revert back to the ASDE for either interpretation / further narrative to understand the data sets for the purpose of determine the mode of operation of the AV.
(j) What time intervals of data should be captured?	Minimum of 30 seconds pre- accident and 15 seconds post is necessary to understand vehicle and driver interactions.	The suggested time span allows insurers to understand vehicle and driver interactions leading down to a collision.

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		<p>The request for data 30 seconds pre and 15 seconds post-accident already exists with regard to the collection of data from telematics.</p> <p>It is also a requirement of the National Highway Traffic Safety Administration (NHTSA) – Standing General Order 2021.</p>
(k) Disclosure of data not contravening Data protection legislation	<p>Disclosure must come from the ASDE/NUIC/OEM with the catalyst being a trigger event. It is unrealistic to expect the consumer to initiate the request process and therefore request their own data as it assumes:</p> <ul style="list-style-type: none"> <li>• a competency to follow the process;</li> <li>• that the UIC has capacity to apply e.g. consider fatally injured or catastrophically injured person;</li> <li>• that there is no potential conflict between insurer and Insured regarding the accident circumstances and possible fault; and</li> <li>• that the UIC will make the request e.g. agency HGV drier or an on-hire vehicle.</li> </ul>	<p>The regulations should provide/mandate the ASDE/NUIC/OEM to provide the minimum data set to an insurer of a vehicle for a specific trigger event in order to deal with the claims process - absent such a mandate it is foreseeable that the claims process will stall in circumstances where a UIC is either not willing (consider the uninsured UIC) and/or not able (on account of serious injury/a fatality) to provide consent to access the data.</p>
(l) Disclosure of data where insurers are dealing with an uninsured driver	<p>The regulations must provide for disclosure of collision data where it has not been possible to secure the consent / co-operation of an uninsured driver.</p>	



## **Additional Considerations**

The focus of this document is to illustrate the need for a mandated minimum data set to allow motor insurers to respond to claims. Without access to this minimum data set, it risks victims of collisions and near-miss events caused by an AV not being properly and quickly compensated. However, it is appreciated that some insurers may want to enter into bilateral data-sharing agreements with an ASDE or OEM, predominantly for underwriting purposes. This is a significant albeit separate issue, and should not diminish the importance of industry and government working together to establish a mandated minimum data set. Moreover, whilst this document reflects the current views of the motor insurance industry, the accessibility to relevant data from an AV will also be necessary for other claim types. This may include, but is not limited to:

- Public Liability Claims
- Employers Liability Claims
- Product Liability Claims
- Professional Indemnity Claims
- Directors and Officers Claims
- Cyber Claims

Insurers have a positive role to perform with regard to supporting the statutory requirement of in use monitoring of AV technology. Section 38 of the AV Act provides for effective and proportionate monitoring of AV implementation either via a neutral database of continuous performance data or an annual review of incident rates of approved models. Insurers will also actively assist with accident investigations by supplying data from their notified claims, and stand ready to cooperate with the in-use investigator and Road Safety Investigation Branch to arrive at positive outcomes for AV use.

Whilst the information contained in this document is our current understanding under the AV Act, the emergence of new technologies may mean we need to revisit the data requirements.

We look forward to engaging with government and other stakeholders as automated technologies develop.

## **Acknowledgements**

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