

# Collection of data for establishing an anonymous data pool to enable the development of the automated driving system (available depending on model and equipment)

## I. Controller

This Privacy Policy provides information on how personal data will be collected, processed and used by

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GERMANY  
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entered in the register of companies of Braunschweig district court under number HRB 100484 ("Volkswagen AG"), when data transmission is activated for the purpose of establishing an anonymous data pool for the research and development of an automated driving system.

## II. Data processing in detail

The upload function is used to collect measurement data captured by vehicle sensors. This measurement data is transferred to a data server (see above, A.VII.1. Data servers), immediately anonymised and used by Volkswagen and its cooperation partners for researching and developing the automated driving system.

The measurement data is made up of two groups of data:

### A. Data of relevance for reconstructing the influences on the vehicle:

- Vehicle position and time stamp:
  - Vehicle position
  - Time of measurement
  - Relative motion data (e.g. wheel rotations, steering wheel angle, vehicle speed and acceleration)
  - Drive data of relevance to vehicle motion (e.g. engine drive torque, rpm, braking interventions)
- Data capturing the immediate surroundings as recorded by the following sensors:
  - Camera sensors (e.g. signs, lanes, static and dynamic objects detected (but not image and video data))
  - Radar sensors (e.g. static reflections from objects, detected dynamic objects)
  - Ultrasonic sensors (e.g. lateral distance from objects in the surrounding area)
  - Climate, rain, light (e.g. temperature, rain levels, incidence of light)
- Traffic situations detected:
  - Traffic hazard alerts (e.g. end of a traffic jam, accidents, breakdowns)
  - Condition of roads (e.g. friction coefficient, course of the road)

## **b. Data of relevance for determining the control action desired by the driver:**

- Detected driver behaviour:
  - Control movements by the driver (e.g. steering movements, brake, accelerator)
  - Use of the vehicle systems that affect movement during travel (e.g. gear changes, operation of the driver assist systems, operation of safety systems)
  - Statuses of and interventions by assisted driving functions (e.g. interventions by the cruise control system, triggered emergency braking operations, park assist steering)

As part of this, the only data that will be collected is data required for researching and developing functions for partially and fully automated driving. The anonymised measurement data will also be made available to Volkswagen cooperation partners on the basis of contractual provisions that contain suitable safeguards for data processing. They will likewise use said data for researching and developing the automated driving system.

This data will be used as the basis for creating a simulation environment that will enable future autonomous driving functions to be tested under realistic conditions, in turn, enabling a comparison with the desired behaviour of real drivers. Given that several billion test kilometres will be required in order for autonomous driving to undergo final validation, this database has to be populated with real data. This is the only way of adequately capturing all types of traffic situation to ensure that future autonomous driving functions are safe and robust enough to take the right decisions every time and protect the safety of the vehicle occupants.

Once the data has been collected and transmitted to the data server, the data will be checked for quality and then immediately anonymised on the data server. The data will be stored there for a maximum of twenty-four (24) hours for the purposes of anonymisation and quality assurance. The original data from the vehicle will then be fully deleted. The anonymisation process is continually reviewed and enhanced with regard to its efficiency and effectiveness while taking account of the latest scientific findings and the current state of the art.

## **III. Legal basis and legitimate interest**

For the purpose of taking data from the vehicle, the legal basis for collecting the data is the weighing of interests (Article 6(1)(f) GDPR). The aforementioned objectives of researching, developing and validating autonomous driving functions can only be achieved by having a significant data pool that covers as many different traffic scenarios as possible based on real journeys. Conventional test drives in the form of endurance runs are no longer sufficient in this context. The data has to encompass as many different driving scenarios as possible, whereby the situation involving the traffic and surroundings can only be captured by the algorithms under real road traffic conditions. Nor is it sufficient to purchase the data from elsewhere in this context because the data is not available in the required quality and very quickly becomes outdated. For these reasons, Volkswagen has a legitimate interest in the processing of the data and the establishment of an anonymous database.

## **IV. Commencement and duration of data collection**

Data transmission is not activated when the vehicle leaves the factory and only commences when an active We Connect primary user logs in. The data upload process can be activated or deactivated directly by operating the "Development of automated driving" slider control in the privacy settings. Furthermore, data transmission is dependent on the privacy level setting. The upload process is only active at the levels "Use my position" and "Share my position". If the user changes from a user with the "Development of automated driving" function activated to a user

with this function deactivated while the vehicle is switched on, the VIN and Volkswagen user ID may be transmitted to Volkswagen once. The legal basis for this is the weighing of interests (Art. 6 (1)(f) GDPR). The transmitted data is not stored.

## **V. Data recipients**

### **1. Data servers**

The data is processed on servers of the following service providers only on our behalf and in accordance with our instructions:

CARIAD SE  
Berliner Ring 2  
38440 WOLFSBURG  
GERMANY

Audi AG  
Auto-Union-Straße 1  
85057 INGOLSTADT  
GERMANY

Microsoft Ireland Operations Limited  
One Microsoft Place  
South County Business Park  
Leopardstown  
Dublin 18  
D18 P521  
IRELAND

At Microsoft, data is encrypted in accordance with agreements concluded with us and processed exclusively on data servers located in the EU. As Microsoft has its head office in the United States, the possibility of (read) access to the data from the USA cannot be ruled out. Appropriate EU standard contractual clauses have been agreed to cover the transfer of personal data to processors in third countries to ensure that your personal data is sufficiently protected. The EU standard contractual clauses used can be accessed on the website of the European Commission under the URL <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32021D0914>.

### **2. IT support service providers**

We also use an IT service provider. This assists us with the maintenance of our IT systems and with technical support, for example. Insofar as the service provider has access to personal data, it will process this data only on our behalf and in accordance with our instructions.

Volkswagen Group Service  
Bunsenstraße 5  
85053 INGOLSTADT  
GERMANY

diconium digital solutions GmbH  
Rommelstraße 11  
70376 STUTTGART  
GERMANY

# VI. Your rights

You can exercise the following rights with respect to Volkswagen AG at any time and free of charge. This also applies in cases where we share joint responsibility for the data processing with other companies. More information on asserting your rights can be found at: <https://datenschutz.volkswagen.de/>.

## 1. Right to information

You have the right to request confirmation from us as to whether or not personal data concerning you is being processed and – if it is – to be informed what personal data concerning you is being processed, and also which third parties within and outside the EU have had your data forwarded to them. You also have the right to obtain a copy of the personal data concerning you that is being processed by us.

## 2. Right to rectification

You have the right to have incorrect or incomplete personal data concerning you rectified by us.

## 3. Right to erasure

You have the right to demand erasure of your data if the requirements stated in Article 17 GDPR are met. According to this, you can request, for example, that your data is erased if it is no longer necessary for the purposes for which it was collected. In addition, you can request erasure if we process your data on the basis of your consent and you withdraw this consent.

## 4. Right to restriction of processing

You have the right to request restricted processing of your data if the requirements stated in Article 18 GDPR are met. This is the case, for example, if you dispute the accuracy of your data. You can request restriction of processing for the period during which the accuracy of the data is being checked.

## 5. RIGHT TO OBJECT

**You have the right to object to the processing of your data in the following cases:**

- **If processing takes place for direct marketing purposes (including profiling for direct marketing purposes).**
- **If processing (including profiling) takes place on the following legal bases:**
  - **Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in us (Section 6(1)(e) GDPR).**
  - **Processing is necessary for the purposes of protecting our, or a third party's, legitimate interests (Article 6(1)(f) GDPR) and we are not able to demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms or processing is for the establishment, exercise or defence of legal claims. If you do raise any objection of this kind, we kindly request that you inform us of the reasons why you are objecting to data processing.**

## **6. Right to data portability**

If data processing is based on consent or contract performance and processing takes place using automated means, you have the right to obtain your data in a structured, commonly used and machine-readable format and to transmit this data to another controller. In addition, you have the right to have the personal data transmitted directly by us to another controller.

## **7. Right to withdraw consent**

Where data processing is based on consent, you have the right to withdraw your consent, free of charge, at any time with effect for the future by sending an email to [info-datenschutz@volkswagen.de](mailto:info-datenschutz@volkswagen.de) (Germany); [privacy@volkswagen.de](mailto:privacy@volkswagen.de) (outside of Germany), at our Volkswagen Privacy Portal <https://www.datenschutz.volkswagen.de> or through the contact details in the site notice.

## **8. Right to lodge a complaint**

You also have the right to lodge a complaint about our processing of your data with a supervisory authority (e.g. the State Commissioner for Data Protection in Lower Saxony or a supervisory authority responsible for your place of residence).

# **VII. Your contact persons**

## **1. Contact persons for exercising your rights**

The contact persons for exercising your rights and further information can be found at the following web page: <https://datenschutz.volkswagen.de/>.

## **2. Data protection officer**

Our data protection is available as your contact person for matters relating to data protection:

Data Protection Officer at Volkswagen AG  
Berliner Ring 2  
38440 WOLFSBURG  
GERMANY  
[dataprivacy@volkswagen.de](mailto:dataprivacy@volkswagen.de)