

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

## I. Controller

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

Volkswagen AG  
Berliner Ring 2  
38440 Wolfsburg  
Germany  
[kundenbetreuung@volkswagen.de](mailto:kundenbetreuung@volkswagen.de)

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 automated driving.

## 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**

Consent to the transmission of data from the vehicle, balancing of interests (Article 6(1)(f) GDPR) for the storage of distributed data to the anonymisation.

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 actual 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**

The data transfer is not activated ex factory, instead, it starts with the registration of an active "We Connect" / "VW Connect" primary user in the vehicle, if the primary user has given consent to the transmission of data from the vehicle. The registered user can give and also withdraw this consent in the "MyVolkswagen" portal at a later time, if necessary. The personal data is processed for the purpose of subsequent anonymisation on the legal basis of the balancing of interests

(Article 6(1)(f) GDPR). The data collection is only active at the "Use my position" and "Share my position" levels. Depending on the equipment, the "Development automated driving" slider can be used to activate or deactivate the data upload in the vehicle in the area of the Privacy Settings; however, this does not withdraw the consent.

## **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  
Major-Hirst-Straße 7  
38442 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 various IT service providers. These assist us with the maintenance of our IT systems and with technical support, for example. Insofar as the service providers have access to personal data, they will process this data on our behalf and in accordance with our instructions only. IT support is provided by the following service providers:

Volkswagen Group Service  
Bunsenstraße 5  
85053 Ingolstadt  
Germany

diconium digital solutions GmbH  
Rommelstraße 11  
70376 Stuttgart  
Germany

Volkswagen Infotainment GmbH  
Rensingstraße 15  
44807 Bochum  
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 be 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 that processing is restricted 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 personal 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 (Article 6(1)(e) GDPR).**
- **Processing is necessary for the protection of our legitimate interests and those of a third party (Article 6(1)(f) GDPR). 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. If you object, we will no longer process your data unless we can prove compelling reasons for processing that outweigh your interests, rights and freedoms, or the processing serves the assertion, exercise or defence of legal claims.**

## **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.

Additionally, you can withdraw your consent at any time in your Volkswagen ID user account in "MyVolkswagen".

## **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. Who to contact**

## **1. Who to contact to exercise 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**

Please contact our data protection officer regarding matters related to data protection:

Datenschutzbeauftragter der Volkswagen AG  
Berliner Ring 2  
38440 Wolfsburg  
Germany  
[dataprivacy@volkswagen.de](mailto:dataprivacy@volkswagen.de)