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**To the Ministry of Infrastructure**

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**Mobility Sweden's response to EUCOM's "Proposal for a regulation of the European Parliament and of the Council on harmonised rules on fair access and use of data (Data Act)", COM(2022) 68 final**

Mobility Sweden has been given the opportunity to submit comments to the Ministry of Infrastructure on the proposed Data Act.

**Mobility Sweden support ACEA's position paper (published May 2022)**

Mobility Sweden's members have contributed to, and support, ACEA's position paper regarding EUCOM's proposal for a Data Act (published May 2022), please see the attached document "[ACEA-position-paper-Proposal-for-a-Data-Act\\_May 2022.pdf](#)" in the email.

This document can also be downloaded from ACEA's website:

<https://www.acea.auto/publication/position-paper-proposal-for-a-data-act/>.

**Data Act Articles – change proposals and justifications**

Mobility Sweden refer to our members that will submit consultation responses including proposals regarding the Data Act Articles (Volvo Group, Volvo Cars and Scania), for detailed information about their change proposals and justifications.

**The Data Act need to be Technology neutral**

The technology development is very rapid, and the Data Act's ambition is to affect all sectors, thus it need be technology neutral.

**The Data Act need to be harmonised with UNECE**

The vehicle industry is global. The Swedish vehicle manufacturers, as well as the European vehicle manufacturers, export their vehicles both to EU countries and to countries outside the EU.

It is important that the Data Act does not create trade restrictions and/or reduce the competitiveness of European companies.

Mobility Sweden advocates that it is important that the Data Act is harmonised with the work carried out at UNECE level for vehicle regulation.

**The Data Act need to be reviewed in relation to existing and forthcoming EU-regulations, concerning fair access to and use of data, to avoid double regulation and ambiguities**

It appears that the Data Act might overlap and/or conflict with already existing frameworks and laws for data protection, product safety, competition and liability.

It also appears that the Data Act might overlap and/or conflict with forthcoming EU-regulations on data, e.g. ePrivacy and the ITS-Directive etc.

Mobility Sweden have not immersed into this in this consultation response but advocates that the Data Act need to be reviewed in relation to existing and forthcoming EU-regulations, concerning fair access to and use of data, to avoid double regulation and ambiguities.

After such review, if overlaps and/or conflicts still remain, the regulation-hierarchy need to be clear.

Mobility Sweden is pleased to be available for further discussions or any clarifications.

Maria Backlund

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