



FIELD OPERATIONAL TESTS NETWORKING & IMPLEMENTATION SEMINAR 1: Ethical and legal issues

Yvonne Barnard
University of Leeds



23/10/08, Brussels

Topics

- Briefing of test participants/Contractual agreements
- Administrative fines
- Data privacy
- Ethical principles

Other topics discussed in FESTA Handbook:

- Insurance
- Licensing requirements
- Special licences (eg. Road traffic law)



Briefing of test participants/Contractual agreements

- Letter of agreement or contract
- Information on safe use of system
- Information on limitations of system
- Information on possible malfunctions
- Information on data recording
- Agreements on cost allocation and liabilities (including insurance issues)

Briefing of test participants/Contractual agreements

Examples limitations:

- A lateral guidance system is based on the recognition of road markings. No assistance can therefore be provided in case road markings are missing, e.g. due to recent road works.
- A parking-assist system is capable of detecting the car behind but may not reliably detect rear objects such as children

Example data recording:

- Data on speed as well as location is recorded. It is possible to anonymise the data for scientific use. However, when logging the data in the car, it can be traced back to the driver

Administrative fines

Example:

The driver negligently misses a sign-posted speed limit of 50 km per hour at the road side. His car is equipped with a speed alert system so he checks the speed limit displayed there.

For some reason the information provided is, however, wrong; a speed limit of 70 km per hour is displayed. The driver relies on the information of his system and drives at 70 km per hour.

The driver is fined for speeding.

Data privacy, 1

- Europe: EU Directive 95/46/EG: minimum standard for data protection guaranteed through national law
- Regulations facilitate research activities
- Anonymisation and pseudonymisation
- Consent of test participants (in written form)
- Principle of purpose limitation: data processed and saved for the purpose it had been collected
- Data acquisition collected openly from the test participant
- Explicit consent in case of intimate and very private data

Data privacy, 2

- Technical and organisational measures:
 - Admission and entry control
 - Access control
 - Access protection
 - Transmission control
 - Input control
 - Availability control
 - Data acquired for different purposes processed separately
- Video recording in and outside the car
- Video recording of third parties and passengers

Accidents and crimes

- Obligations to release data
- Drivers are not obliged to cooperate actively in their own conviction

Ethical principles

- **Respect for the person[ality]** and his or her autonomy, dignity and self-determination
- **Beneficence:** a commitment to maximise potential benefit and minimise possible risks

