

Information on Product Data for BMW Passenger Vehicles (the “Product”) according to Article 3 (2) Regulation (EU) 2023/2854 (“Data Act”)

The Product can generate the following data, depending in particular on settings, optional equipment, and country-specific specifications:

Data type

The vehicle is a set of complex systems and processes a large quantity of data (up to 25 GB per hour of data generated per vehicle / 4 TB of data generated for 8 hours per vehicle; the cameras alone generate 20 to 40 Mbps, and the radar sensors between 10 and 100 kbps). This data is transported within the vehicle between the different Electronic Controller Units (ECUs) to enable driving related vehicle functions as well as convenience or entertainment functions. This data is volatile and typically only available during use of the product. This data is not designed to be retrievable.

Data regarding maintenance requirements, component wear or technical errors, which may occur during normal operation of the vehicle, will be persistently stored in the vehicle ECUs and made available for vehicle diagnostics via the standardized On-Board Diagnostic (OBD) interface. This product-related data is designed to be retrievable and linked to the Vehicle Identification Number (VIN).

Data format

Product Data available via OBD is in a standardized format.

Estimated volume and frequency

- Depending on vehicle type and usage, the Product Data volume can vary. The Product is capable of generating certain Product Data continuously and in real-time or with appropriate frequency, as applicable.

Data storage and retention

- The Product is capable of persistently storing Product Data on-device and optionally on a remote server (see Related Service information).
 - Internal vehicle storage: In particular maintenance requirements, component wear, technical errors.
 - Backend: Parts of Product Data may also be stored in BMW IT backend systems.
 - The retention period of the data depends on the type of data and the type of service. Data stored in the vehicle will typically be deleted during a service visit at a dealership. Other Product Data, including data stored in the backend, will be retained from 30 days up to the lifetime of the product.

Data access and retrieval, terms of use

The customer can access and retrieve certain Product Data directly from the Product via OBD or indirectly from BMW backend systems by adhering to the General Terms and Conditions for Use of BMW CarData (https://www.bmw.co.uk/en-gb/mybmw/api/policy/download/CARDATA_TAC) and the following instructions:

- Depending on the type of service, data stored in the backend is linked to the VIN. BMW CarData can be used to access the Product Data once remotely available in the backend. BMW will provide a download link for archive data and an API solution for real-time data. A third party can request the data per VIN and the vehicle holder must then agree to this request. Personal data will only be shared upon authorization by the vehicle holder.
- The customer can also request personal data from BMW customer support, as per Regulation (EU) 2016/679 (General Data Protection Regulation).



Quality of service

BMW strives to provide access to Product Data stored in BMW backend systems at all times. Occasional downtimes may occur due to unavoidable events such as technical maintenance.

Information on Related Service Data for BMW ConnectedDrive (the “Related Service”) according to Article 3 (3) Regulation (EU) 2023/2854 (“Data Act”)

BMW can obtain Product Data and Related Service data as follows:

Nature of data

BMW offers certain connected features and services to the vehicle customer with BMW ConnectedDrive (for details see Terms and Conditions and Privacy Policy). This package includes services like driver assistance, safety and comfort as well as entertainment and infotainment features. Vehicle and customer functions may be extended by BMW functions (e.g. Repair and Maintenance Information, Quality Assurance) and legally required data collections. Data collected by vehicle and BMW functions is linked to the VIN, data collected by user functions such as the MyBMW App is linked to the BMW ID of the user. BMW differentiates between these datasets due to the interplay between Data Act and Regulation (EU) 2016/679 (General Data Protection Regulation).

BMW ConnectedDrive contract: Duration and termination

BMW ConnectedDrive is offered as an optional contract to the customer and covers all connected data processing of a Connected Vehicle.

The duration of the BMW ConnectedDrive contract between the customer and BMW is unlimited until termination.

- The customer can ordinarily terminate the contract at any time with a one-month notice period. In this case, all Services with indefinite duration end with the contract.
- BMW can ordinarily terminate the contract with a one-month notice period at the earliest 5 (five) years after its commencement. In case of an ordinary termination, the contract remains in force and effect for any ongoing Service with limited duration until the term of the respective Service has lapsed and/or for any Service with an indefinite duration until such can be terminated ordinarily.

Data format

Related Service Data is available via download as PDF, XML, JSON, CSV or API solution for real-time data.

Estimated volume

Depending on service and usage (based on the selected use cases), from 1 KByte to several MByte per hour. For details regarding a specific service see the service descriptions which are part of the BMW ConnectedDrive Terms and Conditions / Privacy Policy.

Collection frequency

Related Service Data is sent from the vehicle to a remote server (BMW backend) via secure mobile network connection. These transmissions can be event-based or continuous – even at higher frequencies – depending on the service used and settings in the Data Privacy Menu of the vehicle.

Data storage and retention

Readily available Related Service Data is stored in the backend. The retention period of the data varies and depends on the type of data. It can range from a minimum of 7 days up to 10 years. For details regarding a specific service see the service descriptions which are part of the BMW ConnectedDrive Terms and Conditions / Privacy Policy.

Data access, retrieval and deletion

Depending on the type of service, data stored in the backend is linked to the Vehicle Identification Number (VIN) or to the BMW ID of the Customer.

- BMW CarData can be used to access the VIN related Product Data as well as Related Service Data once remotely available in the backend. BMW will provide a download link for archive data and an API solution for real-time data. A third party can request the data per VIN and the vehicle holder must then agree to this request. Personal data will only be shared upon authorization by the vehicle holder.
- The customer can also request personal data linked to his BMW ID from BMW customer support (<https://www.bmw.co.uk/en/more-bmw/customer-support.html>), as per General Data Protection Regulation. Deletion of VIN or BMW ID related data can also be requested via BMW customer support.

Purposes of data use

BMW uses readily available data for

- a. performing any agreement with the customer or activities related to such agreement (e.g. issuing invoices, generating and providing reports or analyses, financial projections, impact assessments, calculating staff benefit);
- b. providing support, warranty, guarantee or similar services or to assess the customer's, BMW's or third parties' claims (e.g. regarding malfunctions of the Vehicle) related to the Vehicle or Services;
- c. monitoring and maintaining the functioning, safety and security of the Vehicle or Services and ensuring quality control;
- d. fulfilling sales, service and administrative processes;
- e. conducting marketing communications and market research;
- f. improving the functioning of any product or service offered by BMW;
- g. developing new products or services, including artificial intelligence (AI) solutions, by BMW, by third parties acting on behalf of BMW (i.e. where BMW decides which tasks will be entrusted to such parties and benefits therefrom), in collaboration with other parties or through special purpose companies (such as joint ventures);
- h. aggregating these Licensed data with other data or creating derived data, for any lawful purpose, including with the aim of selling or otherwise making available such aggregated or derived data to third parties, provided such data do not allow specific data transmitted to BMW from the Vehicle to be identified or allow a third party to derive those data from the dataset; and
- i. fulfilling legal obligations.

Data holder and means of communication

Prospective data holder: Bayerische Motoren Werke Aktiengesellschaft, Petuelring 130, 80788 Munich, Germany; court of registration: Munich HRB 42243 ("BMW"). The BMW ConnectedDrive customer hotline will be happy to answer customer questions. Contact details on the BMW ConnectedDrive customer portal for each country can be found at: (<https://www.bmw.co.uk/en/more-bmw/customer-support.html>).

Data Sharing with third parties

The customer can approve and end data sharing with a third party by means of BMW CarData. The third party can request the data via BMW CarData per VIN and the vehicle holder must then agree to this request. No personal data will be shared without authorization by the vehicle holder.

Complaints

Each EU Member State has designated one or more competent authorities to be responsible for application and enforcement of the Data Act. Without prejudice to any other administrative or judicial remedy, the customer has the right to lodge a complaint with the relevant competent authority in the Member State of its habitual residence, place of work or establishment if the customer considers that its rights under the Data Act have been infringed. Please note that the tasks and powers of the competent authorities may vary among Member States.

Trade Secrets

BMW is the holder of various trade secrets that may be contained in the Product Data or Related Service Data. As applicable, data protected as trade secrets as defined in the Trade Secrets Directive (EU) 2016/943 and the identity of the respective trade secret holder (incl. BMW's affiliates or third parties) are set out in the Telematics Data catalogue which can be found under <https://www.bmw.co.uk/en-gb/mybmw/public/cardata-telematic-catalogue>.