

Data Protection Information for Video, Image and Audio Recordings in the Context of Test Drives for FORVIA Developments

In the following, we inform data subjects about the protection of personal data during the collection, processing and storage of video, image and audio data in and from the public realm as well as - to the extent permitted by other legislation - on private factory, test and other premises. This data is collected by specially marked test vehicles of FORVIA SE (hereinafter referred to as "**FORVIA**") and its subsidiaries for research and development purposes and to enable dedicated tests to be carried out in the business divisions for driver assistance systems, automated driving and other vehicle-specific services and functions. This data processing primarily affects persons who are in the vicinity of one of the marked test vehicles during the aforementioned driving or testing operation.

The main purpose of the driving assistance systems and driving functions already used in vehicles today is to increase road safety, but they also serve to enhance comfort. Technical systems that enhance awareness of traffic and environmental situations and help manage these accordingly will in future enable future automated and autonomous vehicles to operate safely on public roads in accordance with the rules. The availability of additional services allows the means of transportation, traffic and transport systems to be made safer, more efficient and more convenient. To carry out research, development and testing of such systems, they must be used in test and trial vehicles under real environmental and traffic conditions - also on public roads - and this also involves the acquisition, processing and storage of video, image and audio recordings. These materials are used to research, develop and test technical systems that detect and classify road users, vehicles, infrastructure and other objects encountered in traffic and environmental situations.

FORVIA processes the incidental recordings of persons and other personal data (e.g. license plate numbers) exclusively in the context

explained above; an evaluation with regard to individual persons does not take place.

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1. Data processing context

FORVIA develops driver assistance, automated driving systems and intelligent cockpit. When these systems are under development, video recordings are made by test vehicles on public roads. The cameras and sensors in the test and trial vehicles record the road being travelled as well as buildings, road signs, traffic lights, other road users, pedestrians, etc. ("video and sensor data") in the vicinity of the test vehicles that are in visual range with the road as the focus. This data flows into the development of the systems and must reflect the actual situation as closely as possible to ensure their functionality.

To make the processing secure, suitable technical and organizational measures are already in place to protect the data in the test vehicles before it is transferred to the servers. The data can only be accessed by specific staff members who manage the data or require it for development purposes. On no account will FORVIA use the data to identify a natural person.

2. Name and contact details of the data controller

The party responsible for processing personal data as described below (unless another party is explicitly named as the controller), and for data protection questions and for exercising of your rights as the data subject is:

FORVIA SE, 23-27

rue des Champs Pierreux,

92000 Nanterre Cedex – France

You can get in touch with our data protection officer via the following contact details:

FORVIA SE

Data Protection Officer

23-27 rue des Champs Pierreux

92 000 Nanterre Cedex – France

Email: dpo@forvia.com

3. Purpose and legal basis of data processing

Within the scope of the aforementioned research, development and test drives, marked test vehicles travel in public traffic areas and - to the extent permitted by other legislation - on private factory, test and other premises.

The purpose of data processing is to develop driver assistance systems, automated driving systems and intelligent cockpit in order to improve general road safety and other services, including the documentation of these processes and fulfilment of other subsequent obligations.

The primary legal basis of the processing is the "safeguarding of legitimate interests" according to Art. 6 para. 1 p.1 lit. f GDPR. The legitimate interest of FORVIA in this case is to conduct research, development and testing of driving assistance systems, automated driving, driving functions and other services related to road vehicles.

The conflicting interests, fundamental rights and freedoms of the data subjects do not outweigh this, as identification by name or other personal identification of individual data subjects is neither necessary nor envisaged and on the whole is also not possible. Technical and organizational measures are also taken to ensure that the data collected is processed in accordance with data protection requirements.

a) VIDEO, IMAGE AND AUDIO RECORDS

The vehicles are equipped with camera systems with various recording directions, focal lengths and sensor technologies and also sometimes external microphones and additional sensor systems. These systems collect, process and store video, image and audio data from the vehicle environment for the purposes described in sections 3, 4 and 5 of this privacy notice.

This data may - depending on the individual case - also include the following personal information:

- Faces, other features and behavior and surroundings of road users and other persons in the vicinity of the test vehicles
- License plate number, other features and surroundings of test vehicles and other objects in the vicinity of the test vehicles
- Acoustic information from the vicinity of the test vehicles
- Additional data from other sensor systems (such as radar, LIDAR) as well as GPS position and time stamp of data acquisition

When processing data, persons, vehicles, other objects and audio information are analyzed only as "objects" in the context of traffic and environmental situations; for example, "pedestrian on the right-hand side of the road", "car at intersection", "sound of siren behind the vehicle". It is neither necessary nor envisaged, and normally it is also not possible to identify any persons recorded personally by name or by another means, or to allocate recorded vehicles or objects to persons identified in this way within the scope of processing. However, as the required raw data consists of video, image and audio material, it cannot be ruled out that persons are identifiable and will also be identified during the process.

The processing of any video, image and audio recordings is indispensable for the development and testing of in-vehicle driving safety systems. The data acquired must be as realistic as possible to ensure that the results obtained through processing in the development and test laboratory are as close as possible to the results obtained when actually driving on the road. This is necessary to ensure that no malfunctions occur, as deviations between simulation data and real data could otherwise lead to serious traffic accidents.

The video, image and audio recordings are processed for development purposes based on the legitimate interests of FORVIA pursuant to Art. 6 para. 1 p. 1 lit. f GDPR.

If external service providers are commissioned by FORVIA in connection with the recording of video, image and audio data, this shall only be done within the framework of a data processing agreement pursuant to Art. 28 GDPR. Under the terms of this data processing agreement, the service provider undertakes to process the data in accordance with the GDPR and to safeguard the rights of the data subject. The service provider is selected based on strict

criteria so that data security is always guaranteed in every respect.

b) LABELLING

The video and image recordings are reworked at FORVIA by so-called label teams. An automated decision in individual cases or a "fully automated decision" within the meaning of Art. 22 DSGVO is therefore not taken. FORVIA uses a procedure in which all relevant features in the videos, e.g. lanes, traffic lights, traffic signs, vehicles, pedestrians, obstacles, light sources, road conditions, weather conditions, etc. are marked ("labelled"). The purpose of labelling is to prepare the video and image recordings so that they can be used for the development and testing of the systems. This step is necessary to ensure that the systems recognize all relevant features and that no malfunctions that could lead to serious traffic accidents can otherwise occur.

If external service providers are commissioned with labelling, this is only done within the framework of a data processing agreement in accordance with Art. 28 GDPR. The service provider undertakes under the terms of this data processing agreement to process the data in accordance with the GDPR and to fully respect the rights of the data subject.

c) SOFTWARE DEVELOPMENT AND SOFTWARE TESTS

The labelled video and image recordings are used in software research and development projects whose purpose is to train the software of the described assistance systems with regard to the relevant traffic scenarios. This includes, for example, driving scenarios during the day or at night, in different weather conditions or the detection (recognition) of different road types as well as different road users e.g. other vehicles (e.g. cars, trucks, cyclists, etc.) and pedestrians and other obstacles (e.g. signs, kerbs, bollards, etc.).

The labelled video and image recordings are also used to test the

developed software systems and to verify the detection rates (the reliability of the system). This enables the functionality and safety of new hardware and software systems to be tested in the laboratory using existing video and image recordings in order to be able to shape the resulting road safety in public road traffic with a view to the future.

4. Data communication

The video recordings will not be passed on to third parties for any purposes other than those mentioned below:

a) TRANSFER IN THE FRAMEWORK OF PROJECTS

FORVIA is permitted to transfer video, image, audio recordings or example images to third parties in the context of commercial or public development projects. The purpose of sharing the video, image and audio recordings is to assist in research or development projects in accordance with this data protection information.

Categories of service providers (processors) used by FORVIA who receive data are:

- FORVIA Group companies that provide services as part of development projects,
- External cooperation partners of FORVIA within the scope of research and development projects,
- Service providers for data preparation/data evaluation and development service providers,
- Suppliers within the scope of research and development projects,
- Hosting and IT service providers.

If a data recipient has its registered office outside the EU and the data must therefore be transferred to a third country, this happens in

compliance with the requirements (existence of an adequacy decision, suitable guarantees) pursuant to Articles 44 to 50 of the GDPR.

b) FOR OTHER PURPOSES

Furthermore, we will only disclose video, image and audio recordings to third parties if it is necessary to transfer your data in order to fulfil a legal obligation pursuant to Art. 6 para. 1 point 1 lit. c GDPR.

5. Storage period

The storage period of the video, image and audio recordings is subject to strict purpose limitation and data minimization. The data collected will be deleted immediately if it is no longer required for the aforementioned purposes (see point 3).

It may be necessary to retain your data beyond the initial storage period after the market launch of the specified systems for quality assurance and troubleshooting purposes. If your data is required to assert or defend against legal claims, we will continue to store your data in these specific circumstances until the expiry of the applicable limitation periods at the latest.

6. Rights of the data subject

According to Art. 11 GDPR, this is a "processing operation for which the identification of the data subject is not necessary". FORVIA processes the incidental recordings of persons and other personal data (e.g. license plate numbers) exclusively in the context explained above; no evaluation is carried out with regard to individual persons and no additional identification features of the persons concerned are processed.

In order to exercise and fulfil data subject rights, further information on the data subject is therefore often required, in particular the place

and time at which he or she was in the vicinity of one of the trial vehicles and may therefore have been affected by the processing. This additional information may be necessary to determine whether a specific person is affected by the processing at all and to be able to actually uphold the following rights.

Your specific rights - if not already stated above - vis-a-vis FORVIA are as follows:

Right to information	Request information from FORVIA about the personal data stored about you.	Art. 15 GDPR
Right of rectification	Request the immediate correction of incorrect or incomplete details of your personal data stored by FORVIA.	Art. 16 GDPR
Right to erasure	Request the erasure of your personal data stored by FORVIA.	Art. 17 GDPR
Right to restrict processing	Restrict the processing of your personal data by FORVIA.	Art. 18 GDPR
Right to object	You have the right to object to the processing of your data at any time. In this case, we will no longer process your data, unless there are compelling reasons that are worthy of protection and outweigh your interests. If you wish to exercise your right to object, send your notification to the postal or e-mail address provided in section 2.	Art. 21 GDPR
Right of appeal to a supervisory authority	File a complaint with a supervisory authority. You can contact the supervisory authority at the registered office of FORVIA https://www.cnil.fr/en/contact-cnil	Art. 77 GDPR

All the above-mentioned facts and circumstances may be subject to special restrictions if the exercise and fulfilment of these rights in the specific case are likely to prevent or severely impair achievement of the research purpose, and the restriction is therefore necessary in order to fulfil the research purpose. This special restrictability and its requirements result in particular from Art. 89 GDPR in conjunction with Section 27 of the Federal Data Protection Act (BDSG), and also

from Article 17 GDPR.

7. Technical data protection and security

The processing of video, image and audio data is subject to a comprehensive and strict data protection concept that ensures the technical and organisational protection of the data at all times. These include the following measures, among others:

- encryption
- an access authorization concept for the video, image and audio recordings
- a concept for handling the video, image and audio recordings
- Measures to ensure the ongoing confidentiality and integrity of processing systems and services
- Erasure routines for video, image and audio recordings

8. Up-to-dateness of and changes to this data protection information

This data protection information is the latest version and was last amended in January 2024. Owing to further developments at FOVIA or changes to legal or official requirements, it may be necessary to amend this data protection information.

9. Information about data processing on our website

You can find more information on data processing when using the FORVIA website in the [Data protection information](#).