

(English version)

**Question for written answer E-003024/26
to the Commission
Stanisław Tyszką (ESN)
(16 July 2026)**

Subject: Driver monitoring systems and the risk of privacy protections being circumvented

From 7 July 2026, most new cars, buses and lorries sold in the EU must be fitted with a driver distraction warning system. This system typically uses a camera to monitor the driver's face and gaze.

Article 6(3) of Regulation (EU) 2019/2144 requires that the data used for the warning function must remain within the vehicle, must not be transferred to other entities and must be deleted without delay. However, the Commission has clarified that this protection applies only to the warning function. The same camera may be used for other functions, provided they comply with the GDPR (Q&A on ADDW, document 64714).

1. Can a manufacturer circumvent these safeguards by using the same data for another function, and does the Commission intend to close this loophole?
2. Before a new model is authorised for sale, checks are carried out to ensure that the system correctly alerts the driver. Who checks, and how, that the images and other data from the camera are not recorded or transmitted to the manufacturer or other parties?
3. Does the legislation require a further independent inspection in the event that the manufacturer introduces new ways of using the camera or transmitting data via a remote update after the vehicle has been sold? If not, how does the Commission intend to protect drivers from changes to the rules after they have purchased a car?

Submitted: 16.7.2026

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission
(7 September 2026)**

Under Regulation (EU) 2023/2590 ⁽¹⁾, Advanced Driver Drowsiness and Warning systems may share hardware components with other vehicle functions.

However, the regulation prohibits using systems that would enable the unique identification of the driver or the processing of biometric data.

To prevent any circumvention of these safeguards, the system is required to operate as a closed-loop system. This means that data may be processed exclusively for the purpose of detecting driver drowsiness or inattention, must be deleted immediately thereafter, and must not be made accessible to manufacturers or other third parties.

National type-approval authorities and the technical services verify compliance with these privacy safeguards in the context of the type-approval process.

This assessment is based on a mandatory technical documentation package to be submitted by the manufacturer, which must describe the system architecture, the relevant inputs and the metrics used by the system.

The manufacturer is required to notify the approval authority of any significant change made after market introduction. Manufacturers must also comply with the requirements laid down in UN Regulation No 156 ⁽²⁾ on software updates.

Continued compliance is monitored by market surveillance authorities, which may carry out checks and require corrective measures.

⁽¹⁾ Commission Delegated Regulation (EU) 2023/2590 of 13 July 2023 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the specific test procedures and technical requirements for the type-approval of certain motor vehicles with regard to their advanced driver distraction warning systems and amending that regulation https://eur-lex.europa.eu/eli/reg_del/2023/2590/oj/eng.

⁽²⁾ See Point 5 of Annex IV of Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC — <https://eur-lex.europa.eu/eli/reg/2018/858/oj/eng>; and UN Regulation No 156 — Uniform provisions concerning the approval of vehicles with regards to software update and software updates management system [2021/388] — <https://eur-lex.europa.eu/eli/reg/2021/388/oj/eng>.