

Legal notices on data protection

BMW ConnectedDrive

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The high standard that you associate with the features of our products and services are the guideline we use in handling your data. In doing so, we seek to create and maintain an environment conducive to a trustworthy business relationship with our customers and interested parties. The confidentiality and integrity of your personally identifiable data is especially important to us.

Who is the authority responsible for data processing?

Data processing takes place together with the national sales company (BMW Japan Corp., Tokyo Shiodome Building, 1-9-1 Higashi Shimbashi, Minato-Ku Tokyo, 105-7308 Japan) (hereinafter "NSC") and Bayerische Motoren Werke Aktiengesellschaft, Petuelring 130, 80788 Munich, Germany, headquarters and court of registration: Munich HRB 42243 (hereinafter "BMW").

The NSC provides to the customer certain vehicle-based information and assistance services (hereinafter "services") under the designation "BMW ConnectedDrive " (hereinafter "ConnectedDrive Agreement") and is the contractual and operational point of contact for the customer.

BMW is responsible for technical provision of the services. Data is transmitted to BMW from the NSC to provide the services and support for the customer.

What data about you is processed and for what purpose?

Data collected in the course of concluding an agreement or rendering services is processed for the purposes listed below:

A. Conclusion of agreement

As part of concluding the agreement, the categories of data listed below are processed:

- Contact data (last name, first name, address, e-mail address, etc.)
- Account data (ConnectedDrive or myBMW login account, bank account, etc.)

BMW Group Login

To use the Service, you must register in the App / portal. When you register, you will receive an online customer account that gives you access to other BMW Group portals and offers. In order to provide you the BMW Group login service, your data is passed on to the BMW Group company that acts as a provider of the applications in use by you. Storage of the data from your customer account is handled by BMW AG and is separate from any other (even potentially identical) data about your person that may be available to BMW Group.

The agreement data is deleted automatically 1 year after the agreement expires; financial transactions are deleted after 10 years as stipulated by law.

B. Fulfillment of the contractual obligation for performance of the ConnectedDrive Agreement

For the purposes of fulfilling the ConnectedDrive Agreement concluded between you and the NSC, BMW renders a variety of services, such as BMW Intelligent eCall, Concierge Service, TeleServices, etc.

For performance of these services, the following—potentially personally identifiable—information from the vehicle is processed by BMW and commissioned service providers for such performance:

- Vehicle status information (mileage, battery voltage, door and hatch status, etc.)
- Position and movement data (time, position, speed, etc.)
- Vehicle service data (due date of next service visit, oil level, brake wear, etc.)

- Dynamic traffic information (traffic jams, obstacles, signs, parking spaces, etc.)
- Environmental information (temperature, rain, etc.)
- User profile (configured news, e-mail or audio provider, etc.)
- Sensor information (radar, ultrasonic devices, gestures, voice, etc.)

A complete list and detailed description of the services and the data used in each case can be found here: [service description list](#).

The provision of this data is not actually necessary for concluding the ConnectedDrive Agreement. Without your provision of such data and the processing of such data, BMW is, however, unable to provide the respective service for you.

The processed personal data is deleted automatically after 4 weeks if it is not needed longer for provision of the specific service.

C. Securing product quality and developing new products

Beyond mere performance of service, the data collected under B. is also processed for quality assurance in products and services offered by BMW Group and for developing new products and services by BMW. This processing is used for the legitimate interests of BMW to meet the high customer standard placed on existing products and services and to allow the company to fulfill the future requests of its customers through new products and services that have not yet been developed. In order to protect the privacy of our customers, data is processed solely in a manner that cannot be traced back to the customer/vehicle directly.

D. Fulfillment of the sales, service and administrative processes of BMW AG, the national sales company and authorized dealers

In order to optimize the customer experience and collaboration with BMW distributors continuously, we create evaluations and reports based on information from agreements and we share these evaluations and reports with the applicable BMW distributors. These evaluations are predominantly used for introducing appropriate measures (e.g. training courses for sales personnel) to improve the request and sales process. We will create the aforementioned reports only in an aggregated and anonymized form; this means that the recipients of the reports will be unable to draw any conclusions about you personally.

Portions of the vehicle-specific data collected under B. are used for performance of the service processes (e.g. repair, warranty, goodwill) of BMW AG, the national sales companies and authorized dealers. This processing is within the legitimate interests of BMW to provide our customers with the best possible service process. Processing sometimes also takes place in connection with legal requirements (e.g. repair and maintenance information due to the provisions of anti-trust regulations). Technical data is always processed in relation to the vehicle and without direct connection to the customer in order to protect the privacy of our customers.

The following data categories are used for this:

- Vehicle master data (vehicle type, color, equipment, etc.)
- Vehicle service data (due date of next service visit, oil level, brake wear, etc.)
- Vehicle status information (mileage, battery voltage, door and hatch status, etc.)

The technical vehicle data is deleted at the end of the vehicle life cycle.

The NSC is a company within BMW Group. In part, we process your data in order to make the administration of the various companies within BMW Group as efficient and successful as possible. One of the areas this affects is common group accounting in accordance with international accounting regulations for companies (such as the International Financial Reporting Standards (IFRS)).

E. Customer support

The NSCs and BMW partners use your personal data for communication as part of concluding contracts, see above (e.g. booking Digital services) or for the transaction of a request formulated by you (e.g. inquiries and complaints to BMW Customer Support). We contact you regarding all aspects of concluding a contract or processing a request without special permission e.g. in writing, by phone, by messenger services, by e-mail, depending on which contact data you have specified.

F. Marketing communications and market research due to consent

If you have given your consent to any further use of your personal data, your personal data may be used and, if necessary, passed on to third parties in accordance with the scope outlined in the consent form, such as for promotional purposes (e.g. for selected products and services of the BMW Group and promotional partners) and/or market research. The details in this regard can be found on the respective consent form, which may be withdrawn at any time.

G. Fulfillment of legal obligations of the NSC or BMW

BMW will also process personal data if it is necessary for compliance with a legal obligation or we have legitimate interest in processing personal data for the purpose of fulfilling legal requirements. This could be the case if we needed to contact you because your vehicle is subject to a recall or a Technical Campaign, for the purpose of money laundering checks when establishing a business relationship with you or to check relevant sanction lists or export control specifications that BMW Group must observe.

Collected data is also processed as part of safeguarding the operation of IT systems. Safeguarding in this context includes, but is not limited to, the following actions:

- Backup and restore of data processed in IT systems,
- Logging and monitoring transactions to check the specific functionality of IT systems,
- Detecting and protecting against unauthorized access to personal data to guarantee the integrity and security of IT systems,
- Incident and problem management for resolving faults in IT systems.

Collected data is also processed as part of internal compliance management at BMW Group, wherein we review aspects such as whether you have received adequate advice as part of concluding an agreement and whether the BMW Partner has complied with all legal requirements. We also have a legitimate interest in processing personal data to protect BMW Group's selective sales system, for example by identifying unauthorized resellers.

Within the framework of legal obligations, certain consumption data (known as OBFCM data, such as fuel consumption and mileage) is collected from your vehicle during workshop visits and directly transmitted to the EU Commission by the manufacturer (BMW AG). You can refuse to the collection and transmission of data for this purpose at authorized BMW workshops and BMW dealers.

BMW is subject to numerous additional legal obligations. In order to comply with these obligations, we process your data to the necessary extent and may potentially pass this data on to the responsible authorities upon their legitimate request or as part of legal reporting obligations. We may also process your data in the event of a legal dispute, providing the legal dispute requires the processing of your data.

How long do we store your data?

We save your personal data only for as long as the specific purpose requires. If the data is processed for several purposes, the data is deleted automatically or saved in a form that cannot be traced directly back to you once the last specified purpose has been met.

How is your data stored?

We store your data in accordance with the state of the art of technology. The following security measures serve as an example of the measures applied to protect your personal data from misuse or other unjustified processing:

- The availability of access to personal data is restricted to just a limited number of authorized persons for the specified purposes.
- Collected data is transferred only in encrypted form.
- Sensitive data is also saved only in encrypted form.
- The IT systems for processing the data are compartmentalized from other systems, e.g. to prevent hacking.
- In addition, access to these IT systems is monitored continuously in order to ward off and detect misuse early.

To whom is the data passed and how do we protect it along the way?

BMW is a global company. Personal data is processed by BMW employees, national sales companies, authorized dealers and by service providers we have commissioned, with preference given to those within the EU.

If data is processed in countries outside the EU, BMW uses EU standard agreements, including suitable technical and organizational measures, to ensure that your personal data is processed in accordance with the European level of data privacy. If you want to access the actual protections for data transfer to other countries, please contact us using the communications channels specified below.

The EU has already established a comparable data privacy level for some countries outside the EU, e.g. Canada and Switzerland. Due to the comparable data privacy level, data transfer to these countries does not require any special approval or agreement.

How can you view and modify your data privacy settings?

You can view and modify information related to data privacy at any time on the ConnectedDrive portal. These changes are synchronized automatically in your vehicle. Depending on your vehicle model, you may also have a corresponding data privacy menu in your vehicle where you can make changes to the settings as well.

Contact details, your rights as a data subject and your right to lodge complaints with a supervisory authority.

In the event of questions regarding our use of your personal data, please start by contacting BMW customer support, either by e-mail BMW_support@bmw.com or by phone at 0120-269-437 (daily 8:00 AM – 8:00 PM).

As persons affected by the processing of your data, you can assert certain rights in accordance with the GDPR and in accordance with other applicable data privacy provisions. The following section contains explanations regarding your rights.

Rights as a data subject

you specifically have the following rights as a data subject in relation to BMW:

Right of access by the data subject: At any time, you can request information about the data that we have about you. This information includes the data categories processed by us, the purposes for which we process it, the source of the data if we did not collect it from you directly and, where applicable, the recipients to which we have transferred your data. You can obtain from us one free copy of your data that is part of the agreement. If you are interested in additional copies, we reserve the right to charge you for any additional copies.

Right to rectification: You can request that we rectify your data. We will take appropriate measures to maintain, based on the latest information available to us, the correctness, completeness, timeliness and relevance of the data we have and continue to process regarding you.

Right to erasure or restriction of processing: You can request that we erase your data if the legal requirements exist for doing so. this could be the case if

- the personal data is no longer necessary in relation to the purposes for which it was collected or otherwise processed;
- you withdraw your consent on which the processing is based and where there is no other legal ground for the processing;
- you object to the processing of your data and there are no overriding legitimate grounds for the processing, or you object to data processing for direct marketing purposes;
- the personal data has been unlawfully processed

Periods for fulfillment of rights as a data subject

We always make an effort to comply with all requests within 30 days. This period, however, may be prolonged for any reason relating to the specific right of a data subject or the complexity of your request.

Information restriction for fulfillment of rights as a data subject

In certain situations, we may be unable to provide you with any information about any of your data due to legal requirements. If we are required to decline a request for information in such a case, we will promptly notify you of the reasons for the refusal.

Complaints to supervisory authorities

BMW AG takes your rights and concerns very seriously. If you feel that we have not duly addressed your complaint or concern, you have the right to lodge a complaint with a responsible data protection authority.