

## MERC Data Policy

Type of Test or Evaluation	Developer/Vendor Pre-Review of Final Report and Opportunity to Include Written Comments	Technology/Developer/Vendor Identified in Final Report?	Release of Data and Findings		
			Vendor	IL or Administration	Publically Available Upon Request
US Independent Laboratory-Affiliated	Subject to terms of IL	Yes	Yes Subject to terms of IL	Yes	a) With vendor permission; or b) After other public release; or c) After 2 years of report completion <sup>1</sup> , whichever comes first.
Non-US Type Approval Applications	Subject to terms of TA authority or Administration	Yes	Yes Subject to terms of TA authority or Administration	Yes	a) With vendor permission; or b) After other public release; or c) After 2 years of report completion <sup>2</sup> , whichever comes first
Non-Certification Status Testing or Demonstration (not intended for Approval or Certification)	Yes	Vendor Preference	Yes, including raw data	N/A	Yes <sup>3</sup>

<sup>1</sup> Vendor preference regarding whether or not the specific technology, developer or vendor identity is affiliated if it is the first release after the two year post test period.

<sup>2</sup> Vendor preference regarding whether or not technology, developer or vendor identity is affiliated if it is the first release after the two year post test period.

<sup>3</sup> Vendor preference regarding whether or not technology, developer or vendor identity is affiliated.



## **Information on BWMS Performance Testing Activity**

In general, MERC will routinely report to funders, and to the public via our websites, on the extent of testing activity, but MERC will affiliate a technology developer, vendor, or trade name / model number with the description of the type of test in this general activity reporting only with the written consent of the vendor and developer.

## **Findings from Specific Technology Performance Testing Activity**

### *US Independent Laboratory-Affiliated Testing for US Type Approval Applications*

MERC will treat as strictly confidential all MERC-produced findings from specifically IL-related testing activities at the request of the developer/vendor for a period of up to two years of MERC-produced final test report completion, or upon its entry into the public domain, prior to that period of two years, such as through federal agency release of the information in response to a FOIA request, whichever comes first. MERC will make these findings available upon request after that period only after notifying the developer/vendor. In either case, MERC will affiliate the developer/vendor identity or BWMS trade name only with written permission of the developer/vendor.

### *Testing for Non-US Type Approval Applications*

With respect to type approval testing for a foreign Administration (non-US), MERC will follow the same policy as above. MERC will treat as strictly confidential all MERC-produced findings from specifically certification testing activities at the request of the developer/vendor for a period of up to two years of MERC-produced final test report completion, or upon its entry into the public domain, prior to that period of two years, whichever comes first. MERC will make these findings available upon request after that period only after notifying the developer/vendor. In either case, MERC will affiliate the BWMS vendor identity or BWMS trade name only with written permission of the developer/vendor.

### *Non-Certification Status Testing or Demonstrations*

Prior to finalization of any MERC report on status testing or demonstrations of emerging or prototypes technologies, methodologies, instruments and other innovations, MERC will provide the developer/vendor the opportunity to suggest revisions, and to review the final version. MERC also will append a developer/vendor interpretation of results, up to one-page in length. MERC will affiliate the developer/vendor identity, trade name or model number in the report only with written permission of the developer/vendor. Following finalization, MERC will post the report on our public websites.