

GDPR and connected vehicles

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Protection of personal data

- General Data Protection Regulation
- National legislation



Personal data

- Personal data only includes information relating to natural persons who:
 - can be identified or who are identifiable, directly from the information in question; or
 - who can be indirectly identified from that information in combination with other information.



Maria

”...information
relating to...”



- The license plate of a car is personal data if it can be related to a person
- The license plate of a company car that is used by several employees is not personal data (could be personal data with additional information)



Maria



“Just a few points in a path are enough to single out an individual in a population with a high degree of precision.”

– Opinion 03/2017 on processing personal data in the context of C-ITS, WP252, Art 29 Working Party.



Z82bb52!w

Pseudonymization
Security measure
– still personal data



Special categories of personal data or criminal conviction and offences data

These are considered to be more sensitive and you may only process them in more limited circumstances

Examples:

- Special categories of personal data – biometric data
- Offence data - the instantaneous speed of a vehicle combined with precise geolocation data



Key principles

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality (security)
- Accountability

Lawful basis for processing

- Consent
- Processing i necessary for
 - contract
 - legal obligation
 - vital interests
 - exercise of official authority
 - public interest
 - legitimate interest

Accountability

You are the one to demonstrate that you comply with the GDPR

- One of the fundamental data protection principles
- Keep evidence of the steps you take to comply
- Data protection measures in place through the lifecycle of processing operations
- Contracts in place where others process data on your behalf

Integrate privacy through development

- Both **technical** and **organisational** measures to protect the rights of data subjects
- Integrity risks should be taken into account **from day one** during the design stage (see privacy by design and default)
- Measures **appropriate to the risks posed** – evaluate risks early!
- High risk? – data protection impact assessment (article 35)
 - Particularly when using new technologies

Examples: Restricted access to data, local processing of data, pseudonymisation, short retainment periods, encryption, privacy-friendly user settings by default.

Vehicles and GDPR

- If it is necessary for car manufacturer X to process personal data for the purpose of roadworthiness
- Lawfulness – purpose limitation
- Lawful basis
- Special categories of data
- Data minimisation
- Data protection impact assessments – security
- Transparency

Opinions and Guidelines

Article 29 Working Party

- Opinion 03/2017 on processing personal data in the context of Cooperative Intelligent Transport Systems (C-ITS)

European Data Protection Board 2019/2020:

- Guidelines on Connected Vehicles
- Guidelines on Data Protection by Design and by Default
- Guidelines on concepts of controller and processor

Opinions and Guidelines

European Data Protection Board (existing):

- Guidelines on consent
- Guidelines on processing personal data under Article 6(1)(b) – (processing is necessary for the performance of a contract)
- Guidelines on Data Protection Impact Assessment and determining whether processing is “likely to result in high risk”
- Guidelines on Transparency

