#### GDPR and connected vehicles

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Jennie Grön and Mattias Sandström Legal advisers

Swedish Data Protection Authority



# Right to privacy – a human right!

- European Convention on Human Rights
- Charter of Fundamental Rights of the European Union





## Protection of personal data

- General Data Protection Regulation
- National legislation





#### Personal data

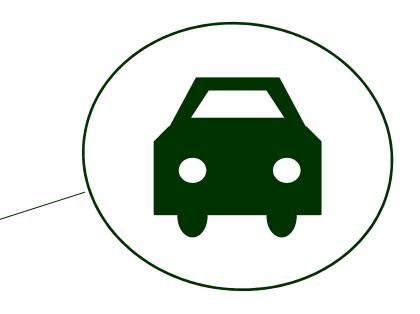
- Personal data only includes information relating to natural persons who:
  - can be identified or who are identifiable, directly from the information in question; or
  - who can be indirectly identified from that information in combination with other information.





## 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)



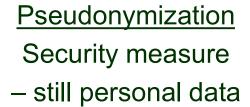
"Just a few points in a path are enough to single out an individual in a population with a high degree of precision."

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





# Z82bb52!w







# 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



