Navigating the Data Privacy Landscape for Autonomous and Connected Vehicles: Documenting Collected Data

Article By

Adam J. Brody
John J. Rolecki
Jeffrey M. Stefan II
Andrea M. Gumushian
Justin M. Wolber

Varnum LLP
Advisory

Related Practices & Jurisdictions

- Utilities & Transport
- Consumer Protection
- Administrative & Regulatory
- All Federal

Thursday, May 5, 2022

This is the second part in a series of advisories on data privacy best practices for autonomous and connected vehicles. To read the first advisory, please visit Navigating the Data Privacy Landscape for Autonomous and Connected Vehicles: Best Practices.

Autonomous vehicles require a vast amount of data to operate safely, some of which could answer questions like:
Where is the car right now, and what direction is it heading?

What other vehicles, landmarks or pedestrians are nearby?

This data may be grouped by type (sensor, image) and category (location, driving).

Sensor and Image Data

- A myriad of sensors, cameras and radars collect external environment data ranging from traffic and road conditions to surrounding geographies and points of interest.

- While this type of data helps the autonomous vehicle stay safe relative to other cars, pedestrians and transportation users (like cyclists) on the road, the technology may also capture images of people or events that occurred outside the vehicle.

Location and Driving Data

- Knowing a vehicle’s location is crucial for the safe operation of an autonomous car and its passengers but could pose privacy concerns that vary depending on whether the autonomous vehicle is utilized in a transportation service or as an owned vehicle.

- Individual trips route information and other types of location information combined with elements such as time that may be personally sensitive to the driver.

These data sets, if not handled properly, may be used to identify riders from where they work to preferred places to shop and frequent places they visit. Moreover, whereas all this collected data reveals privacy considerations for riders and passengers, sensor and image data in particular may raise privacy concerns for individuals outside the vehicle.

Law enforcement may also seek access to this data in relation to investigating a civil or criminal matter, further complicating the desire for consumer privacy.

© 2022 Varnum LLP