

Extensive Data Privacy Information

Österreich unterwegs

pursuant to Articles 13 and 14 of the Datenschutzgrundverordnung (DSGVO)
[General Data Protection Regulation (GDPR)]

This document contains information from the Bundesministerium für Innovation, Mobilität und Infrastruktur (Federal Ministry of Innovation, Mobility and Infrastructure, BMIMI) about how the data which you provide in the "Österreich unterwegs" (ÖU) ["Austria on the move"] mobility survey, or which we collect from other sources will be used. The data will be processed by the BMIMI jointly with Autobahnen- und Schnellstraßen-Finanzierungs-Aktiengesellschaft (ASFINAG) and ÖBB-Infrastruktur AG (ÖBB INFRA).

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I. Controller

The following parties are joint data controllers:

Bundesministerium für Innovation, Mobilität und Infrastruktur (BMIMI)
Radetzkystrasse 2
1030 Vienna

Autobahnen- und Schnellstraßen-Finanzierungs-Aktiengesellschaft (ASFINAG)
Austro Tower, Schnirchgasse 17
1030 Vienna

ÖBB Infrastructure Ltd. (ÖBB INFRA)
Praterstern 3
1020 Vienna

The point of contact for your concerns and enquiries is:

Bundesministerium für Innovation, Mobilität and Infrastruktur (BMIMI)
Radetzkystrasse 2
1030 Vienna
Telephone: +43 (0) 800 21 53 59
Email address: datenschutz@bmimi.gv.at

If the abovementioned controllers do not act as joint controllers, this will be indicated separately below.

II. Data processing

The "Österreich unterwegs" (ÖU) mobility survey collects and evaluates data on the mobility behaviour of Austrians (mobility data) using various survey methods. In general, the results are comprised of data without direct personal references. The data will predominantly be processed in such a way that it is no longer possible to identify the person by legally permissible means (this is called "anonymisation"). In some cases, direct identification features will be removed, but features with indirect references to persons (e.g. the geocode of the household address) will be retained (this is called "pseudonymisation"). Moreover, the joint controllers will use the pseudonymised data for a range of analyses. Such data are indispensable as a basis for transport, infrastructure and mobility planning, as well as for the development of research, innovation and technology policies so that it will be possible to make appropriate transport policy decisions and implement measures required in that context.

The pseudonymised data will also be used for transport modelling and mobility reporting. This serves the creation of a readily available pool of non-personal information on the mobility of Austrians for research purposes in the public interest. Data will either be provided by yourself or by a person you have authorised for this purpose ("proxy" or "representative") in the course of the survey, or retrieved from other sources, or collected automatically using a GPS data logger (via smartphone). In detail, such data will include:

1. **Registration data** of the contact person for a household, retrieved by the BMIMI from the Zentrales Melderegister (Central Register of Residents, ZMR) at the Bundesministerium für Inneres (Federal Ministry of the Interior, BMI). This retrieval has already been carried out by a service provider.
2. **Household data** - this refers to information about households (e.g. household income) which participants/respondents provide themselves during an interview or as part of an online survey.
3. **Personal data** of respondents in households (e.g. age, information about education).
4. **Mobility data** - information relating to the personal mobility behaviour of a person in a household on the reporting date (e.g. the purpose of a journey, means of transport chosen, etc.). Regular journeys related to work (commutes, business trips) will also be recorded as such (unless the data subject withdraws his/her consent), but this will only be done using unverified information about work-related journeys and without any reference to the work context. Such data will either be provided by the data

subject in an interview or the questionnaire, or it will be collected automatically using a GPS data logger.

The collection and processing of household data, personal data of respondents in a household and mobility data will be based on voluntary participation in the "Österreich unterwegs" (ÖU) mobility survey. If data subjects do not provide their data and do not authorise another person (a "proxy" or "representative") to do so, participation in the survey will not be possible. As participation is voluntary, this has no implications or consequences.

For individual questions, there will be an option for data subjects to not provide personal information by selecting the "I do not want to answer" or "I do not know" field. Questions about possible physical mobility restrictions are particularly sensitive data and do not have to be answered.

1. Legal basis

The data from the Central Register of Residents (ZMR) at the Federal Ministry of the Interior (BMI) are collected on the basis of legitimate interest pursuant to Art. 6(1)(f) DSGVO and stored until the end of the survey. The BMIMI has a legitimate interest in processing these data, as the Ministry takes targeted measures in connection with issues of public interest. These issues include matters relating to transport, transport safety and technological development. Furthermore, all tasks assigned to the BMIMI under the Bundesministeriengesetz (Federal Ministries Act, BMG) in general, and the promotion of related campaigns to raise awareness are comprised as well.

All the personal data relating to the household and the respondents in the household (household data, personal data of a person surveyed, mobility data) in a pseudonymised form (e.g. information on journeys made) will only be processed for ÖU with the express consent of the data subjects (Art. 6(1)(a) in conjunction with Art. 9(2)(a) GSDVO). Respondents have the right to withdraw their consent at any time (Art. 7(3) GSDVO).

Further processing of personal data in a pseudonymised form (see Ad 4) for purposes other than those covered by ÖU (Clause 2 of this Data Privacy Information) will also only be carried out if prior express consent has been obtained from the data subject(s) (Art. 6(4) DSGVO in conjunction with Art. 6(1)(a) DSGVO). This will apply if BMIMI, ASFINAG and ÖBB INFRA use data independently of one another. It concerns the respective data analyses and evaluations within the framework of jointly organised follow-up research. Whilst these are related to ÖU, they will also cover other matters associated with the individual controllers' relevant tasks.

Moreover, mobility data will be passed on to research institutions within the meaning of the Bundesgesetz über allgemeine Angelegenheiten gemäß Art. 89 DSGVO und die Forschungsorganisation (Forschungsorganisationsgesetz, FOG [Federal Act on General Matters pursuant to Art. 89 GDPR and the Research Organisation (Research Organisation Act, FOG)]) in a summarised form without reference to names and without any exact identification of destinations and routes travelled (in a de-facto anonymised form) with the consent of the data subjects (Art. 6(1)(a) DSGVO). This will be done using rough spatial references and aggregated socio-demographic and economic personal characteristics for data analysis and evaluation in the context of research projects and scientific questions on mobility and transport.

2. Purpose of processing

The ÖU mobility survey is required for the purpose of obtaining data for mobility policy development, planning and research. It provides important information about the mobility behaviour of the population, for example journeys and means of transport used. Such data will not only form the basis of targeted analyses for governmental organisations at all levels, from the federal government to local authorities, but also for companies whose business is the operation of transport infrastructure or the provision of mobility services.

The results obtained from ÖU will be used to estimate transport demand as part of transport route and destination network planning at the federal, state and municipal levels. This will enable an efficient use of public funds to develop transport infrastructure in a way which conserves resources and is as targeted as possible.

The survey consists of the following steps:

Ad 1) Address determination

1.1.) Creation of a random sample

The Central Register of Residents (ZMR), from which respondents are selected at random, is the basis of random sampling. The following registration data are retrieved from the ZMR:

1. **Address data** required for the purpose of contacting households by post. This is used to provide information about the upcoming survey and to invite participation in the survey.

The data required are: title, degree, first name, last name, street, building number with further address specifications, postcode, town/city.

2. Additional **socio-demographic characteristics** are also retrieved from the registration data. These serve as the basis of an internal quality assurance procedure. They are intended to ensure that random samples delivered from the ZMR actually do not contain any distortions in terms of representativeness beyond the spatial stratification. These are: sex, year of birth, nationality.

Such data are retrieved for all members of a household or for any one address.

Furthermore, contact information is enhanced by listed telephone numbers.

1.2.) Supplementing the random sample with substitute households

If nobody is available in the household included in the random sample, the survey service provider may visit a randomly selected neighbouring household and ask whether the occupants at that address are interested in participating in the ÖU mobility survey. If they agree to participate, the contact details obtained this way will be added to the random sample.

Ad 2) Data collection

Household data, the personal data of respondents and mobility data will be collected from respondents through a multi-stage face-to-face survey (CAPI – computer-assisted personal interviews) combined with the output of GPS data loggers (smartphones with tracking apps) for route recording. Depending on the contact information available (postal address only or telephone number as additional data), initial contact will be made and reminders about participation in the survey will be communicated in writing by post or verbally by telephone.

Carrying a GPS data logger on the reference date is voluntary for ÖU respondents. Anyone who does not accept a GPS data logger will be given a mobility sheet for manually recording the routes and legs of journeys on the reference date.

Ad 3) Data preparation

The mobility data collected by the GPS data loggers (referred to as "tracking data" here) will be processed automatically (post-processing) using algorithms to extract individual routes and legs of journeys from the raw data. Moreover, the routes and legs will be linked to purposes of travel and means of transport used and will be re-processed in a follow-up stage if necessary.

During the second stage of the CAPI interview, the data will be reviewed with respondents and corrected (validated) if necessary. Tracking data from regular work-related journeys (commutes, business trips) will not be validated.

Tracking data will also be linked to the following information at the level of legs of journeys: weather data; the three public transport stops closest to the household's address (public transport) and the nearest railway station, including distances; public transport quality classes at the household's address (as well as place of work or education, if applicable).

After data entry, the tracking data will be checked for plausibility, and data additions (imputations) with regard to the route information provided will be carried out using automated correction and supplementation algorithms.

Finally, the corrected and supplemented survey data will be weighted. Weighting is intended to compensate as much as possible for any temporal, spatial, socio-demographic and other mobility-related distortions in the sample.

Ad 4) Pseudonymisation of data

The personal data of respondents will first be pseudonymised for further use.

After the data have been processed, an ID (pseudonym) will be generated for each household and the persons in the household who participated in the survey. The names of the persons and ZMR contact information of the household will be separated from the household data, the personal data of the respondent(s) and the mobility data, stored under a separate, randomly generated ID and kept separately. Indirect identification features will remain in the pseudonymised data set (e.g. information on the legs of journeys or sections of routes travelled). The individual household data, personal data of the respondent(s) and mobility data can only be linked to the names and contact information using the identification key. The databases containing household data, personal data of the respondent(s) and mobility data will be subject to technical and organisational measures ensuring that these data cannot be traced back to a specific person without authorisation.

The pseudonymised data will be stored on behalf of the joint controllers by AustriaTech – Gesellschaft des Bundes für technologiepolitische Maßnahmen GmbH, Raimundgasse 1/6, 1020 Vienna, a governmental agency, as a service provider.

In order to enable subsequent processing of the pseudonymised data sets to protect the rights of data subjects to data erasure or rectification, AustriaTech will store the identification keys so that they can re-identify the data upon request by a data subject and match such data with the requesting data subject.

Ad 5) Data analysis

The following analyses fall within the scope of responsibility of the joint controllers of the pseudonymised data in the context of the two use cases of mobility reporting and traffic modelling.

A processor will be engaged for these data analyses.

The joint controllers will use the pseudonymised data independently of each other for their data analyses and evaluations within the framework of jointly organised follow-up research. Although these are related to ÖU, they will also address other issues of traffic modelling and mobility reporting. A service provider will be engaged for this purpose to

explore the research questions commissioned by the respective controller and transmit the results to the respective controller without reference to personal data.

Ad 6) Anonymisation

The pseudonymised data will be anonymised using randomisation and generalisation techniques. The personal and household data collected are aggregated by combining them into groups of persons, and the mobility data will be aggregated at a higher spatial level. First and foremost, the remaining indirect identifying features of data subjects, e.g. the addresses where their journeys start and their destinations, will be raised to or aggregated at such an abstract, higher (spatial) level that individual persons can no longer be identified retrospectively. This task will also be carried out by a service provider.

3. Duration of storage

Personal data will be stored until ÖU has been completed. After completion of the ÖU collection phase, registration data (name and contact details) will be erased by the BMIMI. The direct identification key used to match collected data and contact information will also be removed. It will be replaced by a second key. Attribution to the initial key will be stored with AustriaTech – Gesellschaft des Bundes für technologiepoltische Maßnahmen GmbH as a service provider so that it will still be possible to identify the data subject and the data to be erased in the event of a withdrawal of consent (see Clause III, sub-clause 7).

Personal data will be stored in a pseudonymised form with indirect identification features (e.g. geocodes of the residential address and route data as well as household characteristics) for a period of 15 years, or at least until new data from a comparable mobility survey are available. The de-facto anonymised data for FOG-authorized institutions will also be stored for 15 years.

4. Recipients of personal data and pseudonymised data

A survey service provider, which in turn commissions subcontractors, will be used for ÖU. The survey service provider and subcontractors only provide their services in accordance with the order and instructions of the BMIMI and may also have access to personal data in order to be able to provide the services they have been instructed to fulfil. This includes,

for example, contacting participants using ZMR contact details and, if necessary, telephone numbers obtained from related searches, having a survey team conduct interviews, or preparing the survey results.

These are

- infas Institut für angewandte Sozialwissenschaft GmbH, Kurt Schumacher-Strasse 24, D-53113 Bonn
- TRICONCONSULT Wirtschaftsanalytische Forschung Ges.m.b.H., Lange Gasse 30, 5th floor, A-1080 Vienna
- MOTIONTAG GmbH, Rudolf-Breitscheid-Strasse 162, D-14482 Potsdam
- infas 360 GmbH, Ollenhauerstraße 1, D-53113 Bonn
- HERRY Consult GmbH, Argentinierstrasse 21, A-1040 Vienna

The following companies will work as subcontractors

- Spectra Marktforschungsges.m.b.H., Brucknerstrasse 3-5/3, A-4020 Linz
- VENDO Kommunikation + Druck GmbH, Johannes Gutenbergstrasse 2, 4840 Vöcklabruck
- USECON – The Usability Consultants GmbH, Weyringergasse 34, 2nd floor, 1040 Vienna

The following recipients will receive pseudonymised data only

Service provider for external quality assurance, service provider for geodata processing, Verkehrsankunft Österreich (Austrian Traffic Information, VAO). The service provider for quality assurance is

Institut für Verkehrswesen, Universität für Bodenkultur Wien [Institute for Transport, University of Natural Resources and Life Sciences], Peter-Jordan Strasse 82, 1190 Vienna

A data processing agreement has also been concluded with each of these service providers although no access to personal data is foreseen and re-identification is not readily possible.

Transmission for further processing

The controllers reserve the right to use the pseudonymised data for further research purposes in jointly organised follow-up research. Each controller will also use the anonymised data sets (open data) for its own purposes. The pseudonymised data set may only be passed on and used for the respective controller's own follow-up research connected to the mobility survey with the consent of the data subjects (Art. 6(1)(a) in conjunction with Art. 6(4) DSGVO).

With the consent of the data subjects, the data will also be passed on in pseudonymised form to certain federal states which commissioned a consolidation of the sample for the mobility survey in a specific federal state as the relevant area of study.

Moreover, the de-facto anonymised data sets will only be passed on to the following third parties with the consent of the data subjects: authorised scientific institutions within the framework of the promotion of science and research in accordance with the provisions of the Research Organisation Act (FOG; Art. 6(1)(b) DSGVO).

The service provider commissioned to store the data and, if necessary, to pass on certain data sets to the recipients described above is

AustriaTech – Gesellschaft des Bundes für technologienpolitische Massnahmen GmbH,
Raimundgasse 1/6, 1020 Vienna, Austria

A data processing agreement has been concluded with this service provider.

5. Information about automated decision-making

We do not use automated decision-making, including profiling, as per Art. 22 (1) and (4) DSGVO.

III. Rights of data subjects

Persons participating in the survey have the following rights:

1. Right of access (Article 15 DSGVO)

Respondents have the right to obtain information about all data collected about him or her. This includes information about the purposes of processing and data users, criteria for determining the retention period, the right to erasure and rectification, as well as to restriction or objection, the right to lodge a complaint, the right to be informed about the data source and about automated decision-making, including the logic involved.

2. Right to rectification (Art. 16 DSGVO)

Respondents may request the rectification or completion of inaccurate or incomplete data.

3. Right to restriction of processing (Art. 18 DSGVO)

In the cases defined in this article, respondents have the right to request the restriction of the processing of their data. Restriction means that, whilst data will continue to be stored, we will not take any further processing steps with regard to such data.

4. Right to data portability (Art. 20 DSGVO)

Furthermore, respondents have the right to receive their data in a structured, commonly used and machine-readable format in accordance with Art. 20 DSGVO, provided that this is technically feasible.

5. Right to erasure (Art. 17 DSGVO)

There is a right to the erasure of data, for example if data subjects withdraw their consent or if the data are not processed in accordance with data protection requirements.

6. Right to object (Art. 21 DSGVO)

Respondents have the right to object on grounds relating to their particular situation. In this case, we will no longer process the personal data associated with respondents unless we can demonstrate compelling legitimate grounds for processing which override the interests of respondents, or unless processing serves to assert, exercise or defend legal claims.

7. Right to revoke the data protection consent form

Respondents have the right to revoke their declaration of consent under data protection law at any time. In the event of such revocation, the controller will erase all personal and pseudonymised data.

IV. Supervisory authority

Notwithstanding the option of bringing an action before the Landesgericht (Regional Court) pursuant to Section 29(2) of the Datenschutzgesetz (Data Protection Act, DSG) and any other legal remedies, respondents have the right to lodge a complaint with the competent national supervisory authority if there are reasons to suspect unlawful processing of personal data. In Austria, the Austrian Datenschutzbehörde (Data Protection Authority) in Vienna is in charge of such matters.

Drawn up by

Federal Ministry of Innovation, Mobility and Infrastructure
Radetzkystraße 2, 1030 Vienna

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