

IN tIME Express Logistik GmbH (hereinafter referred to as “we” or the “controller”) takes the protection of personal data seriously and complies with relevant data protection stipulations, and in particular the provisions of the EU General Data Protection Regulation (GDPR). Below, in particular we would like to inform you of which data we process, and when, in the context of usage of our IN tIME DriverApp.

### I. Controller, contact person for data protection

The controller, pursuant to the GDPR and other national data protection laws of EU member states as well as other data protection provisions, is:

IN tIME Express Logistik GmbH  
Am Kirchhorster See 1  
30916 Isernhagen

Tel.: +49 5136 9757-697  
Fax: +49 5136 9757-902  
E-mail: [intime@intime.de](mailto:intime@intime.de)

The contact details of the controller’s data protection officer are:  
[dataprotection@intime.de](mailto:dataprotection@intime.de)

### II. Processing of personal data

#### 1. Description of data processing

##### 1.1 Registration and login

To register in our app, users receive a personalised SMS with a user name and a link for the login. The link allows a personal password to be entered.

The following data are collected during login:

- Date and time of the access of each login / last login procedure
- User name
- Language used

The login data are saved in order to support the administration of the user account and help us to ensure the functionality of the app.

Login data are automatically erased after three months.

##### 1.2 Performance of transport

As part of the performance of transport, the app transfers the following information to us:

- Location data
- “Transferred” time stamp for specified actions
- “Transferred” / “read” time stamp for order details
- Images / photos (order-related images or optional images)
- Entries / selection / clicks for specified actions

Users can notify us of breaks and incidents during the performance of transport. They can add optional information to the notifications in text form. In the context of notifications of breaks and incidents, users can transmit the following information to us:

- Mandatory information: Duration of break / nature of incident
- Optional information: Free text

During the performance of transport, users also have the opportunity to transmit to us news and images via a transport-related chatroom that is integrated into the app. Users can transmit the following information to us via the chat:

- Chat news
- Photos and images of documents
- “Read” time stamp of chat news sent to users

The processing of the above data takes place in order to support and monitor the performance of the transport. In addition, swift redirection of order-related data to our customers is ensured.

We discard the location data of users by 15 minutes before the order begins, and do not save them. Location data are not transmitted without an order (or empty signal, see 1.4).

The location data, chat news and notifications of breaks and incidents are saved for a period of three months after completion of the transport order and then erased. If, during this time, problems (claims, complaints or grievances) should arise, these data may be stored for longer, if necessary. After the final clarification of the problem, the data will be immediately erased.

### 1.3 Support

In the event of necessary support, the following information will be transmitted to us via the app:

- GPS on/off
- Mobile data on/off
- WLAN on/off
- OS Version
- Device name
- Battery charging status
- App running in background or not
- Version of app
- Build no. (Version)
- Notification sounds on/off
- Time of response / device time
- Device ID

The personal data are processed for the swift analysis and rectification of errors and in order to actively support users when they have problems using the app.

The data are erased at the latest by two days after transmission.

### 1.4 Empty signal

Users have the opportunity to signal their vehicle, or their company’s vehicle, is empty. An empty signal is only possible if users have no active driving order. During an active empty signal, the user’s location data are transmitted to us.

- Location data
- Mandatory fields: Available from, Remaining driving time, Identifier of the vehicle to be signalled as empty
- Optional information: Free text

The data are used exclusively for purposes of processing the empty signal and are automatically erased after completion of the empty signal.

### 2. Purposes and legal bases for the data processing

The transport sector in Europe is regulated by multiple national and international laws, and as a result we are also obliged to process certain personal data in connection with the performance of transport.

The legal basis for the processing of the personal data described above is article 6 paragraph 1 lit. f GDPR.

Our legitimate interest stems from the purposes of processing listed below:

- Support and monitoring of the performance of transport, including handling of accounting and processing of claims and complaints in connection to the transport order
- Ensuring the functionality of the app
- Support for users in cases of app errors and problems

### 3. Transfer of personal data

If we transfer personal data, we do so in the main to service companies which support us in fulfilling the purposes described above. As so-called commissioned data processors these companies may only use your personal data to complete their tasks on behalf of us and are obliged to observe the relevant data protection provisions. The data processors we use are companies affiliated to IN tIME Express Logistik GmbH. You can find a list of these companies here: <https://www.intime.de/gdpr>

During performance of transport, users' current position will moreover be made available to the respective customers. The current position will only be connected to the identifier of the vehicle.

Finally, we may also be obliged by legal or official regulations to make your personal data available to the authorities and other governmental organisations.

### 4. Place of data processing

Your saved personal data are processed in member states of the European Economic Area.

## III. Data subject rights

If your personal data are processed, pursuant to the GDPR you are a data subject and have the following rights vis-à-vis the controller:

#### 1. Right to information

You have the right to request information on whether personal data concerning you are being processed; if this is the case, you have the right to information on these personal data and the information listed specifically in article 15 GDPR.

#### 2. Right to rectification

You have the right to obtain without undue delay the rectification of inaccurate personal data concerning you, and if applicable to have incomplete personal data completed (article 16 GDPR).

#### 3. Right to restriction of processing

You have the right to obtain the restriction of processing, if one of the prerequisites listed in article 18 GDPR applies, e.g. if you have objected to processing, pending the verification of whether the objection can be sustained.

#### **4. Right to erasure**

You have the right to request that the personal data concerning you be erased without undue delay, if one of the grounds listed in article 17 GDPR applies, e.g. if the data are no longer necessary in relation to the purposes for which they were collected and the legal retention periods for erasure do not enter into conflict with this.

#### **5. Right to data portability**

In accordance with article 20 GDPR you have the right to receive the personal data concerning you which you have provided to us in a structured, commonly used and machine-readable format, so that you may transmit those data yourself or, where technically feasible, have them transmitted by us, to a third party.

#### **6. Right to object**

**You have the right to object on grounds relating to your particular situation at any time to processing of personal data concerning you, in the context of the prerequisites of article 21 GDPR.**

#### **7. Right to withdraw declaration of consent related to data protection law**

You have the right at any time to withdraw a declaration of consent concerning data privacy given to us. Withdrawal of the consent shall not affect the lawfulness of the processing which has taken place based on the consent before the withdrawal.

#### **8. Rights in cases of automated decision-making**

If, by way of an exception, we use automated decision-making – including profiling -, in accordance with legal provisions we are obliged to implement measures to enable you to influence the decision (article 22 GDPR).

#### **9. Right to lodge a complaint with a supervisory authority**

Notwithstanding any other administrative or legal proceedings, you have the right to lodge a complaint with a supervisory authority, in particular in the member state of your habitual residence, place of work or the place of the alleged infringement, if you consider that the processing of the personal data relating to you infringes data protection regulations.

The supervisory authority competent for the registered office of our company is the data protection officer for Lower Saxony, Prinzenstraße 5, 30159 Hannover ([www.lfd.niedersachsen.de](http://www.lfd.niedersachsen.de)).

#### **10. Miscellaneous**

We would like to point out that the preceding data subject rights may be restricted by EU law or applicable national law.

### **IV. Changes to this data protection statement**

The constant development of our app and changes in applicable legal regulations make it necessary to make adjustments to our data protection statement from time to time. We will inform you of relevant novelties here.

**July 2018**