

OVG Lüneburg rejects the complaint

Pilot operation of section control remains prohibited

Lower Saxony's State Commissioner for Data Protection, Barbara Thiel, welcomes today's decision by the Lower Saxony Higher Administrative Court (OVG) in Lüneburg, which rejects the complaint by the Hanover Police Department and thus confirms the decision of the Hanover Administrative Court. On March 12, 2019, the administrative court determined that the speed measurement system (Section Control) set up on the B 6 between Gleidingen and Laatzen should be switched off immediately. A lawyer who drives the route every day in his car had complained. He complained that his personal data (license plate number) was collected and stored without cause, because there was no legal basis for the operation of the section control system.

As long as the legislature does not create a legal basis, section control must be suspended

"The decision of the OVG Lüneburg once again confirms the sometimes careless handling of the police with the topic of data protection," says Barbara Thiel. In the complaints procedure, the Hanover police department was unable to explain to the OVG Lüneburg conclusively why the plaintiff lawyer had to accept the violations of fundamental rights associated with the registration of license plates in the overriding public interest. "So it remains the same: As long as the state parliament does not pass a sufficient legal basis for data processing by Section Control, the pilot operation of the system must be suspended."

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