

## **NSPS Best Practices on Privacy of Geospatial Data**

As licensed professionals, NSPS members conduct their business in accordance with high ethical, moral and legal standards, efficiently, in good faith, and in the best interests of their clients, the general public, and other related stakeholders. NSPS members should maintain business practice standards that earn the respect of everyone with whom they conduct business.

Surveyors are a part of the broader geospatial profession that provides geospatial products and services to a broad range of markets. Geospatial information plays an important role in our society. Almost all human activities and decisions have a geospatial component; and, the value of personal information increases when it is connected to a location. Geospatial mapping forms the foundation of consumer financial data, healthcare data, and other consumer behavioral data. With the rapid technological development and wide uptake of smart mobile devices, a whole new category of location based services is approaching a new level of maturity and sweeping presence in societies worldwide.

The phrase “precise geolocation information” is becoming a part of many legislative actions. The word “precise” is itself imprecise and fails to define the type of “geolocation information” that government regulation seeks to control. This term, if left undefined, will become a regulatory morass and legal nightmare wreaking havoc in the geospatial profession. These unfortunate and unintended consequences will negatively impact citizen access to the best available geospatial data. A clear and concise definition is needed to protect the public health, welfare, and safety. The term “precise geolocation information” should be defined to accomplish the actual goals of such legislation and not result in unintended consequences that would thwart legitimate and desired business activities and consumer demand. The products, technologies, and services consumers are demanding are growing and expanding in the marketplace. Ostensibly, the stated purpose of such legislation is to protect personal and private information of individuals that have not given consent to the collection of some geolocation information. This guidance is intended to define the best practices for accomplishing the goals of protecting personal privacy when collecting geospatial data.

NSPS recognizes and supports the premise that every individual has the right to protect their personal data, including data that describes their “location”. Some personal geolocation information should only be gathered with the consent of the individual whose location is being described or recorded. Furthermore, persons or organizations which collect and manage this narrowly defined type of personal geolocation information should be obligated to protect it from misuse while respecting rights of the data owners.

Individuals regularly disclose personal information such as their names, photographs, telephone numbers, birth date, and address while engaged in a whole range of everyday activities. This

personal data may be collected and processed for a wide variety of legitimate purposes such as business transactions, joining clubs, applying for a job, and so on. When purchasing devices with GPS technology, such as smart phones, individuals typically agree to share their location while using that device. Sharing personal location can provide an enormous amount of information about an individual's habits and behavior.

NSPS endorses the following list of criteria to describe the types of geolocation information that should require prior consent of the individual of whom it describes.

## Privacy Best Practices Guideline

| Data Acquired   | Prior Notice to Citizen Recommended |
|---|-------------------------------------|
| Any information about the location and shape of, and the relationships among, geographic features, including remotely sensed and map data.  | No                                  |
| Any graphical or digital data depicting natural or manmade physical features, phenomena, or boundaries of the earth and any information related thereto, including surveys, maps, charts, remote sensing data, and images.  | No                                  |
| Collection, storage, retrieval, or dissemination of graphical or digital data to depict natural or manmade physical features, phenomena, or boundaries of the earth and any information related to such data, including any such data that comprises a survey, map, chart, geographic information system, remotely sensed image or data, or an aerial photograph by surveyors, photogrammetrists, hydrographers, geodesists, cartographers, or other such mapping and geospatial professionals. | No                                  |
| Data originating from commercial satellite systems licensed to operate by the U.S. government, global positioning systems, geographic information systems, and airborne or terrestrial mapping equipment.   | No                                  |
| Collection, storage, retrieval or aggregation of information about an individual that is publically available such as legal information found in deeds, property records, and property maps   | No                                  |
| Data depicting the physical locations of street addresses, without associated personal information  | No                                  |
| Personal information about an individual's real time geospatial location  | Yes                                 |
| Personal information that is protected under law such as health and employment information.   | Yes                                 |

Adopted by MAPPs, July 2015. Endorsed by NSGIC, September 2015, NSPS, March 2016.