



Yukon
Information
and Privacy
Commissioner

3162 Third Avenue, Main Floor
Whitehorse, Yukon, Y1A 1G3
T: 867.667.8468
F: 867.667.8469
1-800-661-0408 ext. 8468
www.yukonombudsman.ca

DELIVERED BY EMAIL

October 21, 2024

The Honourable Nils Clarke
Minister responsible for The Department of Highways and Public Works
Government of Yukon

Tracy Allen
Deputy Minister
Highways and Public Works (HPW)
tracy.allen@yukon.ca

Dear Minister Clarke and Deputy Minister Allen:

Re: Bill No. 44 (Traffic Safety Act)

Thank you for the letter of October 17, 2024 from Deputy Minister Allen. I have looked at the proposed draft revisions to section 215 of Bill No. 44 and am pleased to see that HPW has meaningfully addressed my concerns.

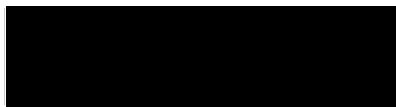
The revisions, in my view, properly limit the scope of the registrar's use of 'Facial Recognition Technology' (FRT) solely to the execution of their duties and functions under Bill No. 44, currently before the Legislature.

I am also pleased to note that the revisions now limit the use of FRT to the comparison of photos only contained within the registry. Importantly, the modifications to subsection 215(4) allow the registrar to make FRT available to 'issuers' as defined in section 210. This significantly reduces my concerns about the potential for such highly invasive technology to be implemented outside its intended purpose.

Together, I am of the opinion that these proposed draft revisions conform more closely with the limitation principles of the ATIPPA. As you know, public bodies can only collect, use, or disclose personal information that is reasonably necessary for carrying out a stated purpose.

I appreciate HPW's timely, detailed and thorough response to our comments and I look forward receiving and reviewing your Privacy Impact Assessment(s) prior to operationalizing section 215 and the use of FRT software.

Kind regards,



Jason Pedlar, BA, MA
Information and Privacy Commissioner

Cc: The Honourable Ranj Pillai, Premier
The Honourable Curry Dixon, Leader of the Official Opposition
The Honourable Kate White, leader of the Third Party

Enclosures

Bill No. 44 (Traffic Safety Act) Letter
Appendix – Letter IPC – Bill 44 amendments

