

# PRIVACY POLICY

**The effective date of this Privacy Policy is December 15, 2010**

**Last Updated September 29, 2014**

## Overview

The Bay Area Toll Authority (BATA) is committed to ensuring customer privacy and security. Specifically: (1) BATA will not provide personally identifiable information ("PII") from FasTrak®, License Plate, or One-Time Payment Accounts (collectively referred to herein as "Accounts"), or, in the case of the Golden Gate Bridge, obtained as a result of a customer's use of post-paid license plate toll invoices to pay his or her tolls ("Invoices") to any third party without express customer consent, except as described in this Privacy Policy; (2) such PII will never be provided to advertisers for their use; and (3) BATA will maintain a secure environment for customer PII.

This Privacy Policy is intended to provide an understanding of how BATA handles PII collected by the FasTrak®, License Plate, or One-Time Payment Account programs or as a result of a customer's use of Invoices. Among other things, this policy explains the types of information collected from customers; the third parties with whom BATA may share this information; and the process by which customers are notified about material changes to this Policy.

BATA's contractor, Xerox State and Local Solutions, Inc. ("Xerox") operates the FasTrak® Customer Service Center ("CSC") on behalf of BATA. BATA oversees Xerox. FasTrak®'s [terms and conditions](#), License Plate Account [terms and conditions](#), and One-Time Payment Account [terms and conditions](#) notify customers that by enrolling in the FasTrak® Account, License Plate Account, or One-Time Payment Account programs and using the system, the customer is allowing BATA, its contractor, Xerox, and other third parties referenced herein, to process PII according to the provisions set forth in those documents and this Privacy Policy.

## Definitions

The following definitions apply:

**Personally Identifiable Information (PII):** PII identifies or describes a person or can be directly linked to a specific individual. Examples of PII include but are not limited to: a person's name, mailing address, business name, alternate contact information, e-mail address, fax number, toll tag number(s), Account number(s), license plate number(s) and state(s) of registration, vehicle make(s), model(s), year(s), telephone number(s), credit-card number(s), security code(s) and expiration date(s), and Travel Pattern Data.

**Travel Pattern Data:** A FasTrak® customer's toll tag number or License Plate or One-Time Payment Account customer's license plate number, as appropriate, is collected, in addition to the number of vehicle axles, as he or she drives through a toll booth to record the transaction and calculate the toll. The tag number, or license plate number, in conjunction with the toll booth

location constitutes a customer's Travel Pattern Data. For those customers using Invoices for payment, Travel Pattern Data is collected the same way as for License Plate or One-time Payment Accounts. For those FasTrak® customers who participate in the San Francisco International Airport (SFO) Parking Program, the dates and times when the customer enters and exits the SFO Parking Garage through a FasTrak® equipped entry and exit lane as well as the specific parking garage utilized also constitute Travel Pattern Data.

**Aggregate Data or Aggregate Information:** Aggregate data or information is statistical information that is derived from collective data that relates to a group or category of persons from which PII has been removed. Aggregate data reflects the characteristics of a large group of anonymous people. BATA may use aggregate data and provide aggregate data to others for such things as generating statistical reports for the purpose of managing program operations for Accounts and Invoices.

**FasTrak® Account:**

A FasTrak® Account is an account that uses toll tags for toll payment. Such accounts are established prior to trips and have a balance prepaid by credit card, check or cash. Upon crossing the toll plaza, the toll is deducted from the pre-paid balance.

**License Plate Account:**

A License Plate Account is an account for which tolls are paid based on the vehicle's license plate number. Such accounts are established prior to trips and are backed by a valid credit card or with a balance prepaid by check or cash. Upon crossing the toll plaza, the toll is charged to the credit card or deducted from the pre-paid balance.

**One-Time Payment Account:**

A One-Time Payment Account is similar to a License Plate Account, but is limited in duration and requires a minimum payment of one toll trip.

**Account or Accounts:**

Refers to FasTrak®, License Plate, and One-Time Payment Accounts together.

**Post-paid License Plate Toll Invoices ("Invoices"):**

For those patrons who do not pre-establish a FasTrak® Account, License Plate Account, or a One-Time Payment Account, a toll invoice will be sent to the vehicle's registered owner. Invoices, as a mechanism for paying tolls, are used on the Golden Gate Bridge only.

**Collection of Personally Identifiable Information**

BATA collects PII, including some or all of the following during the Account registration process: name, business name, mailing address(es), e-mail address, telephone number(s), fax

number, signature (electronic or hard copy), license plate number(s) and state(s) of registration, vehicle make(s), model(s), year(s), credit card number(s), expiration date(s), and security code(s). After registration and a FasTrak® toll tag has been assigned to a customer or a License Plate or One-time Payment Account has been associated with a license plate number, the toll tag or license plate number, as applicable, and Travel Pattern Data is collected as a customer drives through a toll booth to record the transaction. If a customer uses Invoices for payment (Golden Gate Bridge only), that customer's license plate number and Travel Pattern Data is collected as he or she drives through a toll booth to record the transaction. BATA then obtains the identity of the vehicle's registered owner and address for purposes of mailing an invoice to collect the toll.

### **How BATA uses Personally Identifiable Information**

BATA uses the PII provided in order to effectively and efficiently process enrollments, manage accounts, collect payments, respond to questions, send customer e-mails about Account and Invoices program updates, provide information regarding significant changes to this Privacy Policy, and otherwise communicate with customers.

BATA may also obtain information about a customer from other sources, such as the California Department of Motor Vehicles ("DMV"), to pursue unpaid amounts due or to send an invoice to a customer paying tolls through Invoices. In addition, where a credit card number is associated with a customer's FasTrak® Account, BATA, through its CSC Contractor, will attempt to update the expiration date before the credit card expires by obtaining such information from BATA's credit card processing contractor. Further, if you participate in the SFO Parking Program, BATA obtains the dates and times when the customer enters and exits the SFO Parking Garage through a FasTrak® equipped entry and exit lane as well as the specific parking garage utilized from SFO.

PII is only utilized as described in this Privacy Policy.

### **Third Parties with Whom BATA May Share Personally Identifiable Information**

BATA may share PII with the Golden Gate Bridge Highway and Transportation District for the purpose of managing FasTrak® and other electronic toll collection operations (i.e. License Plate Accounts, One-Time Payment Accounts and Invoices). BATA may also share PII with other toll agencies within the State of California for the purpose of managing FasTrak® operations. If you participate in the SFO Parking Program to pay parking fees, BATA will share your FasTrak® toll tag number with SFO for the purpose of operating the SFO Parking Program. In addition, BATA may share PII with SFO as necessary to resolve customer disputes.

In addition, BATA hires third-party service providers for the purpose of operating the FasTrak® and other electronic toll collection programs referenced above, such as managing Accounts, collecting revenues due, and providing remote walk-in locations at which FasTrak®, License Plate, Account, One-time Payment Account, and Invoices customers can pay tolls in cash. The CSC Contractor, Xerox, which may need to share PII with subcontractors to enable credit card processing and mailing services, is one such service provider. These contractors are provided only with the PII they need to deliver the services. BATA requires the service providers to

maintain the confidentiality of the information and to use it only as necessary to carry out their duties under the FasTrak® and other electronic toll collection programs mentioned in this Privacy Policy.

Besides these entities, PII will not be disclosed to any other third party without express customer consent, except as required to comply with laws or legal processes served on BATA.

### **Retention of Personally Identifiable Information**

BATA, through its CSC Contractor, Xerox, shall only store the PII of a customer that is necessary to perform account functions such as billing, account settlement, or enforcement activities. All other information shall be discarded no more than four years and six months after the closure date of the billing cycle and the bill has been paid, including resolution of all toll violations, if applicable. BATA, through its CSC Contractor, Xerox, will discard all account information, including PII, no later than four years and six months after the date an account is closed or terminated and all outstanding amounts due are paid, including resolution of all toll violations, if applicable.

### **Security of FasTrak® Personally Identifiable Information**

BATA is committed to the security of customer PII. BATA, together with its CSC Contractor, Xerox, stores the PII provided by customers on computer servers that are located in secure, controlled facilities. Servers are designed with software, hardware and physical security measures in place to prevent unauthorized access.

Access to PII is controlled through the following administrative, technical, and physical security measures. By contract, third parties with whom BATA shares PII are also required to implement adequate security measures to maintain the confidentiality of such information.

#### **Administrative:**

- Access to PII is limited only to certain operations and technical employees for limited, approved purposes based on their specific work responsibilities.
- Privacy and security training is required for employees with access to PII, upon hire. In addition, regular periodic refresher training is required for those employees.

#### **Technical:**

- FasTrak® network perimeters are protected with firewalls.
- FasTrak® databases are implemented to ensure PII is segregated from Aggregate Information.
- Storage of PII is encrypted.
- Electronic connections to and from the FasTrak® website is encrypted.
- Internal and external audits of perimeter and software code security are conducted.
- Employees' use of FasTrak® customer databases is monitored and records of access to PII are maintained.

- Electronic communications containing PII are transmitted via encrypted channels.

**Physical:**

- Physical access to Internal BATA servers is restricted to authorized technical personnel.
- Data center access to approved technical personnel is restricted via photo / passcode authentication, and other security protocols.

In addition to BATA's policies and procedures implementing PII security, the customer must also do such things as safeguard passwords, PINs, and other authentication information that may be used to access Accounts. Customers should not disclose authentication information to any third party and should notify BATA of any unauthorized use of their passwords. BATA cannot secure PII that is released by customers or PII that customers request BATA to release. In addition, there is a risk that unauthorized third parties may engage in illegal activity by such things as hacking into BATA's security system or the CSC Contractor, Xerox's, security system or by intercepting transmissions of personal information over the Internet. BATA is not responsible for any data obtained in an unauthorized manner.

Please note that the CSC Contractor, Xerox, will never ask customers to provide or confirm any information in connection with Accounts, such as credit card number, toll tag number, or other PII by email, unless the customer is logged into the secure FasTrak® customer website. If a customer ever has any doubt about the authenticity of an email regarding Accounts, the customer should open a new web browser, type in [www.bayareafastrak.org](http://www.bayareafastrak.org), click on "my Account," log into his or her account, and then perform the requested activity.

**Account Access and Controls**

Creating a FasTrak® Account, License Plate Account, or One-time Payment Account is at the customer's discretion. The account information consists of PII such as name, business name mailing address(es), email address, telephone number(s), fax number, signature, license plate number(s) and state(s) of registration, vehicle make(s), model(s), year(s), and credit card number(s), expiration date(s) and security code(s). Account creation forms indicate where information is optional.

Customers can review and update PII at any time. Customers are able to modify any required account information (other than name), as well as modify, add, or delete any optional account information by signing into their account or calling the CSC to edit the account profile. Account customers can also update their PII by electronically submitting a comment form found on the "Contact Us" page at [www.bayareafastrak.org](http://www.bayareafastrak.org) or by telephoning the CSC at (877) BAY-TOLL or 1-877-229-8655. PII can also be reviewed and edited online as discussed below under "Updating Personally Identifiable Information."

Customers can close their account at any time by submitting a completed [account closure form](#). All account information will be deleted no later than 4 years and 6 months after the account is closed or terminated and all outstanding amounts due are paid, including resolution of all toll violations, if applicable.

## **Aggregate Data**

BATA may combine the PII provided by customers in a non-identifiable format with other information to create Aggregate Data that may be disclosed to third parties. Aggregate Data is used by BATA for such things as improving the FasTrak® and other electronic toll collection programs referenced in this Privacy Policy and for the marketing of those programs. Aggregate Data does not contain any information that could be used to contact or identify individual customers or their accounts. For example, BATA may inform third parties regarding the number of FasTrak® accounts within a particular zip code. BATA requires third parties with whom Aggregate Information is shared to agree that they will not attempt to make information personally identifiable, such as by combining it with other databases.

## **Cookies**

The FasTrak® website (www.bayareafasttrak.org) stores "cookies" on the computer systems of users of the website. Cookies are small data elements that a website can store on a user's system. The cookies used by the FasTrak® web site facilitate a customer's use of the website (e.g. by remembering login names and passwords until a session has ended). The FasTrak® web site does not require that users of the website accept these cookies. Also, the FasTrak® web site does not store "third party" cookies on the computer systems of users of the website.

Once you leave the FasTrak® website, the privacy policy of other web sites you visit or link to from the FasTrak® website should also be reviewed to understand how these external sites utilize cookies and how the information that is collected through the use of cookies on these websites is utilized.

BATA does not knowingly engage in business with any company or vendor that uses Spyware or Malware. BATA does not market detailed information collected from web sessions that can be directly tied to personal information. Further, BATA does not provide customers with downloadable software that collects or utilizes any PII.

## **Externally-Linked Websites**

The FasTrak® website contains links to third-party websites operated by entities that are affiliated with FasTrak®. These web links may be referenced within content, or placed beside the names or logos of the other entities. BATA does not disclose PII to these third-party websites.

**WARNING: Once you enter external websites (whether through a service or content link), BATA is not responsible for the privacy practices of those other websites.** Please review all privacy policies of external websites you visit from links on the FasTrak® website, before using or providing any information to such other websites.

## **Updating Personally Identifiable Information**

PII can be reviewed and edited online at [https://www.bayareafastrak.org/en/routers/my\\_account.html](https://www.bayareafastrak.org/en/routers/my_account.html). The FasTrak® website uses functions that have the ability to collect and store self-reported data. These functions enable customers to revise, update or review information that has been previously submitted by going back to the applicable function, logging-in and making the desired changes. In addition to this method, FasTrak® Account and License Plate Account customers who have not registered online may update their PII by electronically submitting a comment form found under the “Contact Us” Bar of the FasTrak® website to the CSC or by telephoning the CSC at (877) BAY-TOLL or 1-877-229-8655.

Complaints or problems regarding updating personal information should be submitted via the comment form. The FasTrak® CSC will either resolve the issue or forward the complaint to an appropriate BATA staff member for a response or resolution. BATA strives to answer all queries within 48 business hours, but it may not always be feasible to do so.

If an adequate resolution is not received, please contact BATA's Privacy Officer at:

Bay Area Toll Authority  
Attn: Privacy Officer  
101 8th Street, Oakland, CA 94607  
Or e-mail: [privacyofficer@mtc.ca.gov](mailto:privacyofficer@mtc.ca.gov)  
Or call: 510-817-5700

### **Changes to this Privacy Policy**

**Material Changes** – BATA will inform customers if material changes are made to this Privacy Policy, in particular, changes that expand the permissible uses or disclosures of PII allowed by the prior version of the Privacy Policy. If BATA makes material changes to this Privacy Policy, BATA will notify customers by means of posting a conspicuous notice on the FasTrak® website that material changes have been made.

**Immaterial Changes** – BATA may also make non-substantive changes to the Privacy Policy, such as those that do not affect the permissible uses or disclosures of PII. In these instances, BATA may not post a special notice on the FasTrak® website.

If BATA decides to make any change to this Privacy Policy, material or immaterial, BATA will post the revised policy on the FasTrak® website, along with the date of any amendment.

BATA reserves the right to modify this Privacy Policy at any time, so the policy needs to be reviewed frequently by customers.

When BATA revises the Privacy Policy, the "last updated" date at the top of the Privacy Policy will reflect the date of the last change. We encourage customers to review this Privacy Policy periodically to stay informed about how BATA protects the security of PII collected for the FasTrak®, License Plate Account, One-Time Payment Account, and Invoices Programs.

Continued use of the Accounts or, for the Golden Gate Bridge only, use of Invoices to pay tolls, constitutes the customer's agreement to this Privacy Policy and any updates.

### **E-mails Sent to BATA**

This Privacy Policy only applies to PII that you send to the CSC, PII that you provide to the CSC in connection with creation and maintenance of a FasTrak® Account, a License Plate or One-Time Payment Account, or PII that BATA obtains in connection with a Golden Gate Bridge customer's use of Invoices to pay tolls. This Privacy Policy does not apply to other web-based content or personal information that is transmitted directly to BATA. Please do not send PII in an email directly to BATA, if you want to keep content or data private.

### **Contact information**

BATA welcomes your comments on this Privacy Policy. Also, if there are questions about this statement, please contact the BATA Privacy Officer at the address, e-mail or phone number listed above.

### **History of Changes to Privacy Policy**

March 3, 2004	Privacy Policy Established
July 28, 2004	Revisions to Privacy Policy
May 25, 2005	Revisions to Privacy Policy
September 24, 2008	Revisions to Privacy Policy
December 15, 2010	Revisions to Privacy Policy
January 06, 2011	Revisions to Privacy Policy
January 23, 2013	Revisions to address License Plate Accounts, One-Time Payment Accounts and use of Post-paid License Plate Toll Invoices, update name of CSC Contractor, and make other clarifications
May 21, 2014	Revisions to address obtaining updates to credit card expiration dates from BATA's credit card processing contractor for FasTrak® Accounts, to delete Other Uses of FasTrak® Account Toll Tag Data for 511 Driving Times Service as this use no longer exists, and to make other clarifications
September 29, 2014	Revisions to address SFO Parking Program