



Express Lanes Program

Personally Identifiable Information Protection Protocol

Background

The Alameda County Transportation Commission (“Alameda CTC”) operates two express lane systems: the I-580 Express Lanes and the I-680 Sunol Express Lanes. Alameda CTC operates the I-680 Sunol Express Lanes on behalf of the Sunol Smart Carpool Lane Joint Powers Authority (“Sunol JPA”). The express lanes are FasTrak® toll facilities that utilize All Electronic Toll (AET) collection methods to collect tolls. The Alameda CTC express Lane Electronic Tolling Systems (ETs) utilize FasTrak toll tags (transponders) and/or license plates to identify vehicles for purposes of assessing tolls. Pursuant to the Commission-adopted “Ordinance for Administration of Tolls and Enforcement of Toll Violations for the I-580 Express Lanes,” if a vehicle uses the I-580 Express Lanes without a valid FasTrak toll tag then the license plate read by the ETs is used to either assess a toll either by means of an existing FasTrak account to which the license plate is registered or by issuing a notice of toll evasion violation to the registered vehicle owner.

Both Alameda CTC and the Sunol JPA have cooperative agreements with the Bay Area Toll Authority (BATA) for toll collection and customer services necessary to operate the corresponding express lane facility. Toll collection relies on electronic transfer of files between the Alameda CTC toll systems and the FasTrak Regional Customer Service Center (RCSC), implemented by BATA’s consultant, to match toll tags and/or license plates with FasTrak accounts. The RCSC also obtains owner information from the Department of Motor Vehicles as needed to issue violation notices to motorists who used the express lanes without a valid FasTrak account and provides owner account information to Alameda CTC as needed for toll dispute escalation review.

The ETs requires collection and sharing of personally identifiable information (PII) in connection with toll collection activities. PII is any information that is collected or maintained by the RCSC or Alameda CTC that identifies or describes a person or can be directly linked to a specific individual. Examples of PII include, but are not limited to, name, address, phone or fax number, signature, FasTrak account number, credit card information, toll tag number, license plate number, and travel pattern data. Specific categories of PII subject to this protocol are identified under section entitled “Data Collection and Use.” Alameda CTC may revise this protocol to include additional categories in compliance with state law or other applicable rules.

Purpose of Protocol

In order to administer the Express Lanes Program, it is necessary for Alameda CTC staff and their consultant team to collect, store, share and use PII that is protected under the California Information Practices Act (Civil Code sections 1798 *et seq.*) and the California Streets and Highways Code (SHC) Section 31490, and all applicable statutes, rules, regulations and orders of the United States, and the State of California relating to the handling and confidentiality of PII. Alameda County CTC will implement and maintain reasonable security procedures and practices to protect the information from unauthorized access, destruction, use, modification, or disclosure.

Alameda CTC recognizes that protective data governance is necessary to ensure confidentiality, integrity, accessibility, availability, and quality of data. The procedures outlined in this protocol protect individual's PII while allowing for timely and accurate tolling of express lane users. Aggregate data that has been stripped of all PII is not subject to this protocol.

This protocol shall become effective on January 11, 2018, and supersedes all prior practices, guidelines and policies that are inconsistent with the rules and provisions stated herein. This protocol shall remain in effect unless otherwise modified, revoked or superseded as determined by Alameda CTC.

This protocol shall be posted on Alameda CTC's website and be made physically available to any interested party upon request to Alameda CTC.

Data Collection and Use

Express lane user data will be collected by the ETS and used by Alameda CTC, BATA, and their respective consultant teams for toll collection and evaluation of express lane performance. Additional data collected by the RCSC may be shared with Alameda CTC staff and consultants for toll dispute review purposes. Per SHC Section 23302, a driver must have a transponder or other electronic toll payment device associated with a valid Automatic Vehicle Identification account with a balance sufficient to pay those tolls in order to use an AET facility. For the express lanes, this equates to having either a properly mounted FasTrak toll tag or visible license plate registered to a valid FasTrak account. Data collected or shared for the purpose of operating the express lanes includes:

- **FasTrak toll tag number**
- **Vehicle license plate number and state**
- **FasTrak Account Number**
- **Customer name**
- **Record of customer activity in the express lane (travel pattern data)**
- Vehicle images (photographs)
- Toll tag occupancy setting

- Toll tag status (e.g., valid, low balance, no balance, lost, stolen, non-revenue)
- Express Lane facility
- Express Lane trip date
- Express Lane trip entry point time, location, lane
- Express lane trip exit time, location, lane
- Express lane fare amount
- Vehicle speed

The data in **BOLD** is considered PII for purposes of this protocol; the remaining data that is linked to the toll tag or license plate by the ETS and is deemed to be necessary to implement the Express Lane Program. The data from the list that is not in bold is not considered PII if it is used in an anonymous and aggregate format.

Security of PII

The PII obtained through the ETS is transmitted through secured communications lines from the tolling equipment in the field to the Alameda CTC Toll Data Center (TDC), which houses secured servers separate from the Alameda CTC agency servers. CTC staff and consultants access the TDC data through secured communications. Though most data pulled from the TDC is already aggregated, spreadsheets of individual vehicle trip transactions are created for toll dispute reviews and express lane performance analysis.

The other entities that will get express lane PII are BATA and the RCSC for the purpose of FasTrak account maintenance, toll collection, and toll dispute review. Information associated with FasTrak customer accounts is protected the FasTrak Privacy Policy (included as Attachment A and incorporated herein).

PII collected or shared in association with the Express Lanes Program is subject to the following communication guidelines:

- PII shall be stored on computer servers that are located in secure controlled facilities meeting industry-accepted security standard.
- Servers used to store PII shall be designed with software and hardware that incorporates physical security measures to prevent unauthorized access.
- Applicable security patches, upgrades, and anti-virus updates shall be applied to secure PII as appropriate.
- Industry-accepted encryption mechanisms shall be applied to protect PII stored on portable media including, but not limited to, laptops, thumb-drives, disks, and tapes. Unencrypted PII shall not be stored on portable media.
- PII access for Alameda CTC Staff and Alameda CTC consultant staff will be limited to specific employees who have approved access based on their

specific work responsibilities, with the exception of Alameda CTC's Toll System Integrators (TSIs), who shall have the ability to access and maintain PII pursuant to a service agreement with Alameda CTC and subject to special conditions regarding the protection of PII. All employees with approved access will be required to attend annual training on this protocol and other data privacy protection measures as appropriate, and are required to annually sign a Confidentiality Agreement/Non-disclosure form (included as Attachment B and incorporated herein). Due to the number of employees for each TSI that may interact with ETS data, each TSI under contract with Alameda CTC will be required to execute a confidentiality agreement for PII (included as Attachment C and incorporated herein).

- Electronic PII will be retained for no longer than the time frames specified in subsections (c) and (d) of SHC Section 31490 ("Retention Period"). At the conclusion of the Retention Period, Alameda CTC and its consultants will use Department of Defense approved methods to permanent remove PII from any files and sanitize storage media. Discarded PII will be unavailable and unrecoverable following the purge on any storage media including, but not limited to, magnetic disk, optical disk, and memory chips ("Storage Media"). Hard-copy documents containing PII shall be destroyed by means of a cross-cut shredding machine.

Compliance Monitoring

Alameda CTC will regularly perform security checks to ensure compliance with this protocol. Security checks may include the following actions:

- Distribution of this privacy protocol to all participating organizations and staff
- Regular monitoring of access to TDC and Alameda CTC server files associated with the Express Lanes program
- Regular contact with program partners to ensure that security protocols are in effect
- Regular monitoring of electronic device security protections at each participating organization
- Regular updates to file transfer security platforms to ensure high level of security is maintained to data protection standards

Alameda CTC's agreement with BATA also allows for auditing of BATA and RCSC security policies and protocols to ensure compliance with these requirements.

If Alameda CTC believes there may have been a breach in security which has or may have resulted in compromise to PII, Alameda CTC shall immediately inform BATA and

the RCSC.

Public Data Requests

An Express Lane FasTrak account user may submit a request in writing to Alameda CTC to review any of his or her PII. Alameda CTC will not accept or process any user requests to modify or update any portion of the user's PII. All other public requests for access to PII data will be processed in accordance with the California Public Records Act and all other applicable laws. Alameda CTC will object to the release of any PII on the basis of the user's right to privacy which is protected under the California Information Practices Act (Civil Code sections 1798 *et seq.*) and SHC section 31490, and all applicable statutes, rules, regulations and orders of the United States, and the State of California relating to the handling and confidentiality of PII.



Express Lanes Program Personally Identifiable Information Protection Protocol ATTACHMENT A

FASTRAK® PRIVACY POLICY

The effective date of this Privacy Policy is
December 15, 2010 Last Updated March 2, 2017

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 and date and time constitute 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 travel on Bay Area Express Lanes, Travel Pattern Data consists of a FasTrak® customer's toll tag number or license plate number (for those customers with License Plate or One-Time Payment Accounts) as applicable, along with date, time and location, which are collected at the entry and exit points of an Express Lane. 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, driving in an Express Lane as a Solo Driver or exiting the SFO Parking Garage, 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, or driving in a Bay Area Express Lane as a Solo Driver, 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.

Bay Area Express Lanes: The Bay Area Express Lanes are comprised of I-680 southbound from Pleasanton to Milpitas, I-580 between Dublin and Livermore, both operated by the Alameda County Transportation Commission ("ACTC"), SR-237 between Milpitas and San Jose, operated by the Santa Clara Valley Transportation Authority ("VTA") and (commencing mid-year 2017) I-680 between Walnut Creek and San Ramon, operated by the Bay Area Infrastructure Financing Authority ("BAIFA"). Each Bay Area Express Lane is individually referred to as an "Express Lane."

Solo Driver: A FasTrak® Customer who uses one of the Bay Area Express Lanes and does not indicate through proper transponder use that he or she meets the occupancy requirements to qualify for free tolls as a carpool.

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 or the entrance and exit gantry to an Express Lane, if a Solo Driver, 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 obtains the identity of the vehicle's registered owner and address for purposes of mailing an invoice to collect the toll. For those customers who participate in the SFO Parking Program, BATA collects Travel Pattern Data when the customer enters and exits the SFO Parking Garage through a FasTrak® equipped entry and exit lane.

How BATA uses Personally Identifiable Information

BATA uses the PII provided in order to 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") and other state departments of motor vehicles, 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. For travel on the Golden Gate Bridge, BATA obtains a customer's Travel Pattern Data from the Golden Gate Bridge Highway and Transportation District (GGBHTD). For travel on the Bay Area Express Lanes, BATA obtains a customer's Travel Pattern Data from the respective agencies that operate them. 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 GGBHTD, ACTC, VTA, and BAIFA 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 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.

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.

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 customer databases is monitored, and records of access to PII are maintained.
- Electronic communications containing PII are transmitted via encrypted channels.

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, 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, 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 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.bayareafastrak.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. **Customers may change their browser security settings to accept or reject 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. In addition, third-party websites may exist that reference the FasTrak® website. 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 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/vector/account/home/accountLogin.do>. 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
375 Beale Street, San Francisco,
CA 94105 Or e-mail:
privacyofficer@mtc.ca.gov
Or call: (415) 778-6700

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
May 23, 2016	Revisions to address Bay Area Express Lanes and make other clarifications
March 2, 2017	Revisions to address Bay Area Express Lanes and make other clarifications



Express Lanes Program Personally Identifiable Information Protection Protocol ATTACHMENT B

ALAMEDA CTC

SUBJECT: EXPRESS LANES PROGRAM

**CONFIDENTIALITY POLICY AND PROCEDURES—Employee Acknowledgement
/Nondisclosure Form**

Background

The Alameda County Transportation Commission (“Alameda CTC”) operates two express lane systems: the I-580 Express Lanes and the I-680 Sunol Express Lanes. The express lanes are FasTrak® toll facilities that utilize All Electronic Toll (AET) collection methods to collect tolls. Alameda CTC express Lane Electronic Tolling Systems (ETs) utilize FasTrak toll tags (transponders) and/or license plates to identify vehicles for purposes of assessing tolls. Alameda CTC partners the Bay Area Toll Authority (BATA) for toll collection and toll account management that requires sharing of personally identifiable information by Alameda CTC and BATA for toll collection and express lane performance evaluation purposes.

Toll collection relies on electronic transfer of files between the Alameda CTC toll systems and the FasTrak Regional Customer Service Center (RCSC), implemented by BATA’s consultant, to match toll tags and/or license plates with FasTrak accounts. The RCSC also obtains owner information from the Department of Motor Vehicles as needed to issue violation notices to motorists who used the express lanes without a valid FasTrak account and provides owner account information to Alameda CTC as needed for toll dispute escalation review.

Confidential Information

During the course of your employment or consultant agreement, you may have access

to and learn confidential or private information including but not limited to customer names, FasTrak account numbers, FasTrak toll tag numbers, license plate numbers and state of registration, or travel pattern data (collectively referred to as Customer Data, Personally Identifiable Information, or "PII").

State and federal laws strictly regulate collection, storing, and sharing of PII. It is Alameda CTC's policy to protect Customer Data which requires extreme care and sensitivity in handling.

Limitations on Express Lane Customer Data Access

Alameda CTC has identified certain employees, as well as individual employees of consultant firms who have a contract with Alameda CTC, who will be permitted access to Customer Data and PII in order to perform those duties assigned to implement the Express Lanes Program ("Authorized Personnel"). Access to the Customer Data is at the discretion and authorization of the Alameda CTC Executive Director or the Alameda CTC Director of Express Lanes Implementation and Operations.

Customer Data obtained through the Electronic Tolling System is stored on servers at the Alameda CTC Toll Data Center (TDC). Access to that data is provided via secure login credentials. Data on those servers may be converted into spreadsheets or other electronic formats for storage on Alameda CTC's internal servers. Additional Customer Data may be provided by BATA and the RCSC.

Authorization to access the secured internal folders and provision of login credentials for the TDC servers shall require:

- Execution of this Employee Acknowledgement Form
- Completion of Training on security protocols related to Customer Data and PII
- Completion of Training on TDC software to generate required reports

Authorized personnel are prohibited from disclosing Customer Data to anyone other than Alameda CTC-authorized personnel or BATA and RCSC personnel directly involved in toll collection and dispute resolution.

All Customer Data stored on Alameda CTC's internal servers shall only be deposited within the approved, secured folders

Authorized personnel are prohibited from storing Customer Data on laptops, thumb-drives, or any other form of portable media.

Authorized personnel may only transmit Customer Data to BATA or the RCSC for toll collection or toll dispute purposes via secured email communications.

Any requests from outside third parties must be directed to the Director of Express Lanes Implementation and Operations.

Employee Responsibility

All Alameda CTC employees and consultants must ensure the proper protection of Customer Data, whether in paper or electronic form. No one is allowed to take Customer Data home nor leave it unprotected in the open, such as on a desk or on an unlocked computer screen, where it can be accessed. No one is allowed to transmit Customer Data in electronic format unprotected through email or over the internet.

Violations of Policy

Violations of this policy may result in disciplinary action, up to and including dismissal of the employee or consultant violating this policy. In cases of termination, the employee or consultant will be dismissed for just cause.

Violations of certain portions of this policy may also be violations of state and/or federal law. Failure of Alameda CTC employees and consultants to comply with these policies may result in the employee or consultant being personally sued for violation of privacy rights or be subject to prosecution by a governmental entity enforcing those rights.

Acknowledgement

By my signature, I acknowledge that I have read, understand, and agree to Alameda CTC's "Express Lanes Program Personally Identifiable Information (PII) Protection Protocol". I understand my responsibility to protect PII and confidential or private customer data that I may have access to and learn during the course of my employment with, or pursuant to a consultant agreement with, Alameda CTC involving the Express Lanes Program. I understand the limits of the permitted use of PII and customer data is to further the objectives of the Express Lanes Program.

Date: _____

Signature: _____

Print Name: _____



Express Lanes Program

Personally Identifiable Information Protection Protocol

ATTACHMENT C

ALAMEDA CTC

SUBJECT: EXPRESS LANES PROGRAM

CONFIDENTIALITY POLICY AND PROCEDURES – TOLL SYSTEM INTEGRATOR

The following shall be included in any Agreement between the Alameda CTC and a Toll System Integrator for development and installation of a new toll system or operations and maintenance of an existing toll system.

Appendix X: Special Conditions Relating to Personally Identifiable Information

CONSULTANT will have access to personally identifiable information (“PII”) in connection with the performance of the AGREEMENT. PII is any information that is collected or maintained by CONSULTANT that identifies or describes a person or can be directly linked to a specific individual. Examples of PII include, but are not limited to, name, address, phone or fax number, signature, FasTrak® account number, credit card information, tag number, license plate number, and travel pattern data. The following special conditions related to the confidentiality and use of PII apply to this AGREEMENT, but only with respect to PII related in any way to FasTrak® or Express Lanes:

1. Right to Audit

CONSULTANT shall permit Alameda CTC and its authorized representatives to audit and inspect: (i) CONSULTANT’s facilities where I-580 Express Lane toll PII is stored or maintained; (ii) any computerized systems used to share, disseminate or otherwise exchange the PII; and (iii) CONSULTANT’s security practices and procedures, data protection, business continuity and recovery facilities, resources, plans and procedures. The audit and inspection rights hereunder shall be for the purpose of verifying CONSULTANT’s compliance with this AGREEMENT, and all applicable laws.

2. General Confidentiality of Data

All PII made available to or independently obtained by CONSULTANT in connection with this AGREEMENT shall be protected by CONSULTANT from unauthorized use and disclosure through the observance of the same or more effective procedural requirements as are applicable to ALAMEDA CTC. This includes, but is not limited to, the secure transport, transmission and storage of data used or acquired in the performance of this AGREEMENT.

CONSULTANT agrees to properly secure and maintain any computer systems (hardware and software applications) that it will use in the performance of this AGREEMENT. This includes ensuring all security patches, upgrades, and anti-virus updates are applied as appropriate to secure PII that may be used, transmitted, or stored on such systems in the performance of this AGREEMENT.

Consultant agrees to use an industry accepted encryption mechanism to protect PII stored on portable media including, but not limited to, laptops, thumb-drives, disks, and so forth. Consultant is prohibited from storing unencrypted PII on portable media.

Consultant agrees to use Department of Defense ("DoD") approved methods to permanently remove PII from removable hard drives that have been removed from service as soon as reasonably possible and prior to discarding. Discarded PII shall be unavailable and unrecoverable following removal from the removable hard drives. Upon completion of PII removal, Consultant shall submit a certification to the Alameda CTC Contact, identified in Section 4. Notice of Security Breach, as follows: "All PII whether in electronic or hard-copy format, has been destroyed in accordance with the requirements contained in Section 2. General Confidentiality of Data of Appendix X (Special Conditions Relating to Personally Identifiable Information)."

Consultant agrees to retain PII for no longer than four years. At the conclusion of this retention period, Consultant agrees to use Department of Defense ("DoD") approved methods to permanently remove PII from any files. Discarded PII will be unavailable and unrecoverable following the purge on any storage media including, but not limited to, magnetic disk, optical disk, and memory chips ("Storage Media"). CONSULTANT agrees to destroy hard-copy documents containing PII by means of a cross-cut shredding machine. CONSULTANT also agrees to use DoD approved methods to sanitize any Storage Media prior to discarding or when useful life has ended, whichever comes first. At the conclusion of the term of this AGREEMENT, CONSULTANT shall submit a certification to the ALAMEDA CTC Director of Express Lanes Implementation and Operations as follows: "All PII whether in electronic or hard-copy format, has been destroyed in accordance with the requirements contained in Section 2. General Confidentiality of Data of Appendix X, Special Conditions Relating to Personally Identifiable Information." These requirements shall survive termination or expiration of this AGREEMENT.

CONSULTANT shall guarantee the following:

CONSULTANT shall not, except as authorized by ALAMEDA CTC or required by its duties by law, reveal or divulge to any person or entity any PII which becomes known to it during the term of this AGREEMENT.

CONSULTANT shall keep all PII entrusted to it completely secret and shall not use or attempt to use any such information in any manner which may injure or cause loss, either directly or indirectly, to BATA or ALAMEDA CTC.

CONSULTANT shall comply, and shall cause its employees, representatives, agents and contractors to comply, with such directions as ALAMEDA CTC may make to ensure the safeguarding or confidentiality of all its resources.

If requested by BATA or ALAMEDA CTC, CONSULTANT shall sign an information security and confidentiality agreement provided by BATA or ALAMEDA CTC and attest that its employees, representatives, agents, and contractors involved in the performance of this AGREEMENT shall be bound by terms of a confidentiality agreement with Contractor similar in nature.

3. Compliance with Statutes and Regulations

CONSULTANT agrees to comply with all applicable information handling and confidentiality requirements outlined in the California Information Practices Act (Civil Code sections 1798 *et seq.*) and in Streets and Highways Code Section 31490. In addition, CONSULTANT warrants and certifies that in the performance of this AGREEMENT, it will comply with all applicable statutes, rules, regulations and orders of the United States, the State of California and ALAMEDA CTC relating to the handling and confidentiality of PII, including the terms and conditions contained in this Appendix X, Special Conditions Relating to Personally Identifiable Information and agrees to indemnify ALAMEDA CTC against any loss, cost, damage or liability by reason of CONSULTANT's violation of this provision.

4. Notice of Security Breach

Each party shall immediately notify the other party when it discovers that there may have been a breach in security which has or may have resulted in compromise to PII. For purposes of this section, immediately is defined as no later than within two hours of discovery. The parties' contacts for such notification are as follows:

ALAMEDA CTC Contact:
Director of Express Lanes Implementation and Operations

CONSULTANT Contact:
TBD