

Date: March 3, 2004
W.I.: 1253
Referred by: BATA Oversight
Revised: 07/28/04-BATA
05/25/05-BATA
09/24/08-BATA

ABSTRACT

BATA Resolution No. 45, Revised

This resolution establishes BATA's privacy policy with respect to the collection, use and protection of personal information.

This resolution was revised on July 28, 2004, May 25, 2005, and September 24, 2008 to provide clarification on how personal information of FasTrak[®] users is treated in support of MTC 511 Driving TimesSM service.

Further discussion of this resolution is contained in the Executive Director's memorandum dated February 25, 2004, July 7, 2004, May 4, 2005, and September 3, 2008.

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Re: BATA Privacy Policy

BAY AREA TOLL AUTHORITY
RESOLUTION No. 45

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”); and

WHEREAS, Streets and Highways Code §§ 30950 *et seq.* transfers to BATA certain duties and responsibilities of the California Transportation Commission (“CTC”) and California Department of Transportation (“Caltrans”) for the toll bridges owned and operated by Caltrans in the San Francisco Bay Area; and

WHEREAS, in accordance with Streets and Highways Code § 30950.2, BATA is responsible for programming, administering, and allocating all toll revenues, except revenues from the seismic retrofit surcharge, from state-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission; and

WHEREAS, Bay Area bridges are defined in Streets and Highways Code § 30910 to include the Antioch, Benicia-Martinez, Carquinez, Richmond-San Rafael, San Francisco-Oakland, San Mateo-Hayward, and Dumbarton Bridges, and

WHEREAS, the California Department of Transportation (Caltrans) implemented electronic toll collection on all Bay Area state-owned toll bridges on December 31, 2000, and

WHEREAS, under the provisions of the Cooperative Agreement dated June 30, 2003 Caltrans has delegated to BATA certain responsibilities related to electronic toll collection, including customer service and violation processing, and

WHEREAS, customer service and violation processing requires the collection and use of personal information; now, therefore, be it

RESOLVED, that BATA hereby adopts BATA Resolution No. 45, as set forth in Attachment A to this Resolution, and incorporated herein as though set forth at length, which

establishes BATA's privacy policy with respect to the collection, use and protection of personal information.

BAY AREA TOLL AUTHORITY

Steve Kinsey

The above resolution was first entered into by the Bay Area Toll Authority at a regular meeting of the Authority held in Oakland, California, on March 3, 2004.

Date: March 24, 2004
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Attachment A
BATA Resolution No. 45
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Bay Area Toll Authority **Privacy Policy**

This Privacy Policy describes the collection, use and security of the information obtained from users of the FasTrak[®] system for the efficient and effective operations of the program. This policy is consistent with Federal and State laws governing an individual's rights to privacy.

Personal Information Collected

BATA collects personal information to facilitate enrollment processing, account maintenance and to better serve FasTrak[®] accounts. Examples of personal information include a FasTrak[®] users name, address, telephone number, email address, credit card number and expiration date, license plate number or other information that personally identifies a FasTrak[®] user. BATA obtains this personal information from applications or other forms submitted to BATA. BATA may also obtain information about a FasTrak[®] user from other sources, such as the Department of Motor Vehicles (DMV), to ensure that records are correct and complete.

How Personal Information is Used

Personal information will only be used by BATA, the Golden Gate Bridge, Highway and Transportation District (GGBHTD), and the California Department of Transportation (Caltrans) for the purpose of administering a FasTrak[®] user's account and managing the FasTrak[®] operations. In the course of administering FasTrak[®] accounts, BATA may disclose personal information to third party service providers for the purpose of operating the FasTrak[®] program (e.g., DMV, municipal courts, account processors or collection agencies); otherwise, personal information will not be disclosed to third parties, except as required by law or ordered by a court of competent jurisdiction. Information about a FasTrak[®] user's use of the system, but which does not personally identify a user, may be disclosed to others to generate statistical reports for the purpose of managing the FasTrak[®] operation.

Other Uses of Toll Tag Data

The Metropolitan Transportation Commission (MTC)/511 operates a data collection system based on FasTrak[®] toll tags to provide better information about the transportation network to Bay Area travelers, transportation managers, and transportation planners through the 511 Driving TimesSM service. Encryption software is used to mask each toll tag identification number to ensure that toll tag information is treated anonymously in the data collection process. For more information on the 511 Driving TimesSM service and how customer data is protected, please refer to [MTC/511's Privacy Notice](#).

Security

BATA will take all reasonable steps to safeguard personal information through physical, electronic and procedural means. BATA will treat FasTrak[®] user information confidentially and require third party service providers to treat it in the same manner.

FasTrak[®] users retain the right to review and edit all of their personal information pertaining to their accounts, whether stored electronically or on paper. Personal information can be reviewed and edited online at www.bayareafastrak.org/accounts. Any inquiry or request to obtain information, in accordance with the above provisions, should be directed in writing to the FasTrak[®] Customer Service Center or to BATA. BATA may adopt procedures for review of such information, including but not limited to charging a fee for processing requests for access to personal information.

Effective Date

The effective date of this privacy policy is September 24, 2008. If BATA makes changes to this privacy policy, BATA will post the revised policy on its FasTrak[®] website, including the date of any amendments.