Agenda Item No. 2d

METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Operations Committee

DATE: October 28, 2011

FR: Executive Director

W.I. 320-1221, 320-1223, 320-2700

RE: MTC Resolution No. 4040: Privacy Policies for Clipper® and 511

In April 2006, MTC's Operations Committee approved the TransLink® Privacy Policy and in November 2007, the Operations Committee approved the 511 Privacy Policy. These policies are currently posted on the applicable program websites, clippercard.com and 511.org. Subsequent to the approval of these policies, MTC established an agency-wide Privacy Policy pursuant to Executive Director's Management Memorandum ("EDMM") No. 323, effective January 31, 2011. EDMM No. 323 requires MTC to adopt updated privacy policies for MTC's operating programs, e.g. Clipper®, 511 and FasTrak®, that detail the type(s) of personally identifiable information ("PII") that the programs collect, the categories of third-party persons or entities with whom MTC may share PII, the process by which a customer will be notified of material changes to the privacy policy, the effective date of the privacy policy, and the process by which customers may review and request changes to their PII, and to post such policies on the applicable program websites.

The Bay Area Toll Authority ("BATA") previously approved BATA Resolution No. 96, which updated the FasTrak® Privacy Policy in a manner consistent with EDMM No. 323.

In accordance with EDMM No. 323, staff is proposing changes to the Clipper® and 511 privacy policies and recommending referral of MTC Resolution No. 4040 to the Commission for approval. Resolution No. 4040 includes both the updated Clipper® Program Privacy Policy and the updated 511 Privacy Policy. The updates to both program's policies better explain to customers how their personal data is used, stored and protected. The updates include more detail for customers concerning how Clipper® and 511 use customers' personal data and share such data with third parties, how long data is retained, the measures MTC uses to protect data, how customers can update their personal information, and the protection of customer information through the Clipper® and 511 websites. Once approved, the Clipper® and 511 Programs will provide the Privacy Policy to customers via their respective websites.

Recommendation

Staff recommends that the Committee refer MTC Resolution No. 4040, Clipper® and 511 Privacy Policies, to the Commission for approval.

Steve Heminger

SH:JA

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Date: November 16, 2011
W.I.: 1220
Referred by: Operations Committee

ABSTRACT

MTC Resolution No. 4040

This resolution updates and adopts MTC's privacy policies regarding the collection, use, and protection of personally identifiable information in connection with the Clipper® and 511 Programs.

Further discussion of this resolution is contained in the Executive Director's memorandum dated October 28, 2011.

Date: November 16, 2011
W.I.: 1220

Re: Approval of MTC's privacy policies regarding the collection, use, and protection of personally identifiable information in connection with the Clipper® and 511 Programs.

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 4040

WHEREAS, the Metropolitan Transportation Commission ("MTC") is the regional transportation planning agency for the San Francisco Bay Area pursuant to California Government Code section 66500 et seq.; and

WHEREAS, MTC is responsible for administering the Clipper® and 511 Programs under which agency staff and third party contractors may collect, maintain, and/or have access to the personally identifiable information ("PII") of the customers who use the programs; and

WHEREAS, in order to inform customers how their PII is collected, used, and protected, the MTC Operations Committee approved a Clipper® Privacy Policy in March 2006 and a 511 Privacy Policy in November 2007, both of which are posted on their respective websites; and

WHEREAS, MTC has since established an agency-wide Privacy Policy pursuant to Executive Director's Management Memorandum ("EDMM") No. 323, effective January 31, 2011; and

WHEREAS, EDMM No. 323 calls for the MTC Agencies (MTC, MTC SAFE, and BATA) to adopt privacy policies for operating programs that utilize customer PII, such as Clipper®, 511, and FasTrak®. Such privacy policies shall detail the type of PII that is collected, the categories of third-party persons or entities with whom MTC may share PII, the process by which a customer will be notified of any material changes to the privacy policy, the effective date of the privacy policy, and the process by which customers may review and request changes to their PII, and be posted on the applicable program websites; and

WHEREAS, pursuant to BATA Resolution No. 96, BATA has updated and adopted its privacy policy for the FasTrak® Program, consistent with EDMM No. 323; and

WHEREAS, MTC now wishes to update and adopt MTC's privacy policies for the Clipper® and 511 Programs so that they are compliant with EDMM No. 323 as well as substantially consistent in content; now, therefore, be it

RESOLVED, that MTC hereby adopts MTC Resolution No. 4040, which establishes MTC's privacy policies with respect to the collection, use and protection of PII relevant to the Clipper® and 511 Programs, as set forth in Attachments A and B to this Resolution, respectively; and be it further

RESOLVED, that the Executive Director may revise Attachments A and B as may be required from time to time due to changes in law, regulation or procedures relating to the Clipper® and/or 511 Program.

METROPOLITAN TRANSPORTATION COMMISSION

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Adrienne J. Tissier, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on November 16, 2011.

Metropolitan Transportation Commission
Clipper® Program Privacy Policy
The effective date of this Privacy Policy is November 16, 2011
Last updated November 16, 2011

Overview:

The Metropolitan Transportation Commission (MTC) is committed to ensuring Clipper® customer privacy and security. Specifically: (1) MTC will not provide personally identifiable information ("PII") from Clipper accounts to any third party without express customer consent, except as described in the Privacy Policy; (2) PII from Clipper® accounts will never be provided to advertisers for their use; and (3) MTC will maintain a secure environment for customer personal information.

This Privacy Policy is intended to provide an understanding of how MTC handles PII collected by the Clipper® Fare Payment System (FPS) program. Among other things, this policy explains the types of information collected from Clipper® customers; the third parties with whom MTC may share this information; and the process by which Clipper® customers are notified about material changes to this Policy.

MTC's contractor, Cubic Transportation Systems, ("CSC Contractor") is the primary operator of the Clipper® Customer Service Center ("CSC") on behalf of MTC. MTC oversees CSC Contractor. Clipper®'s Terms and Conditions (https://www.clippercard.com/ClipperWeb/agreement.do) notify customers that by enrolling in the Clipper® program and using the system, the customer is allowing MTC, the CSC Contractor, and other third parties referenced herein, to process personal information according to the provisions set forth in the Clipper Cardholder License Agreement 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 (if given), e-mail address, fax numbers, Clipper® card serial number, telephone number, e-mail address, credit card number, security code and expiration date.

Aggregate Data or Aggregate Information: Aggregate Data or Aggregate 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. MTC may use Aggregate Data and provide Aggregate Data to others to generate statistical reports for the purpose of managing the Clipper® program operations.

Collection of Personally Identifiable Information
A Clipper® card may either be registered or unregistered. MTC, through its Clipper® Customer Service Center (CSC), collects personal information in order to register Clipper® cards with the Clipper FPS. Examples of personal information include a Clipper® cardholder's name, address, telephone number, email address, credit card number and expiration date, or other information that personally identifies a Clipper® cardholder. MTC obtains this personal information from applications and other forms submitted by Clipper® cardholders to the Clipper® Customer Service Center by telephone, mail, facsimile transmission or by electronic submission through the Clipper® website. Data developed as a byproduct of the use of the Clipper® FPS (e.g., a registered user's travel routes and times traveled) is also considered personal information if a card is registered.

How MTC uses Personally Identifiable Information

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

PII is only utilized as described in this Privacy Policy.

Third Parties with Whom MTC May Share Personally Identifiable Information

MTC may share PII with the Alameda-Contra Costa Transit District (AC Transit), the Golden Gate Bridge, Highway and Transportation District (Golden Gate Transit), the Peninsula Corridor Joint Powers Board (Caltrain), the San Francisco Bay Area Rapid Transit District (BART), the San Francisco Municipal Transportation Agency (Muni), the San Mateo County Transit District (SamTrans), the Santa Clara Valley Transportation Authority (VTA), and the Water Emergency Transit Agency (WETA) (collectively referred to herein as Clipper® Participating Transit Agencies) for the purpose of operating and managing the Clipper® FPS. In addition, MTC and the Clipper® Participating Transit Agencies may disclose personal information to third-party service providers for the purpose of operating and maintaining the Clipper® FPS, such as managing patron accounts and revenue collection. These contractors are provided only with the PII they need to deliver the service. MTC requires its service providers to maintain the confidentiality of the information and to use it only as necessary to carry out their duties under the Clipper® Program.

The CSC Contractor may share PII with the California Department of Justice and the Better Business Bureau when necessary to respond to consumer complaints.

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 MTC or the CSC Contractor.

Retention of Personally Identifiable Information

MTC, through the CSC Contractor, shall only store the PII of a Clipper® customer that is necessary to perform account functions such as billing, account settlement, or enforcement activities. All PII shall be discarded no later than seven years after the account is closed or terminated.

Security of Clipper® Personally Identifiable Information

MTC is committed to the security of customer PII. MTC, together with its CSC Contractor, stores the PII provided by Clipper® 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 MTC 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:

- Clipper® network perimeters are protected with firewalls.
- Electronic storage of PII is encrypted.
- Electronic connections to and from the Clipper® website are encrypted.
- Vulnerability and penetration tests are conducted on the Clipper® system.
- Employees' use of Clipper® customer databases is monitored.

Physical:

- Physical access to MTC and CSC Contractor servers is restricted to authorized technical personnel.

- Data center access to approved technical personnel is restricted via passcode authentication, and other security protocols.

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

Please note that the CSC Contractor will never ask Clipper® customers to provide or confirm any information in connection with Clipper® such as credit card numbers, Clipper® card serial numbers, or other PII, unless the customer is logged into the secure Clipper® customer website. If a customer ever has any doubt about the authenticity of an e-mail regarding Clipper®, the customer should open a new web browser, type in https://www.clippercard.com/ClipperWeb/index.do, log into the customer's Clipper® account, and then perform the requested activity.

Account access and controls

Creating an account with Clipper® is in the customer's discretion. The required account information consists of PII such as name, business name, mailing address(es), e-mail address, telephone number, fax number, signature, and credit card number, expiration date and security code. MTC may request other optional information, such as alternate contact information, but, in such instances, clearly indicates that such information is optional.

Customers can review and update personal account information at any time. Customers are also able to modify, add, or delete any optional account information by signing into their Clipper® account and editing the account profile. PII can also be reviewed and edited online as discussed below under "Updating Personally Identifiable Information." Clipper® customers can close their account at any time by submitting a completed Clipper® Card Refund Request form (available at https://www.clippercard.com/ClipperWeb/download.do). All account information will be deleted no later than 7 years after the account is closed or terminated.

Aggregate Data

MTC may also combine the PII provided by Clipper® 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 MTC to improve the Clipper® program and for the marketing of Clipper®. Aggregate Data does not contain any information that could be used to contact or identify

individual Clipper® customers or their accounts. For example, MTC may inform third parties regarding the number of Clipper® accounts within a particular zip code. MTC requires third parties with whom Aggregate Data is shared to agree that they will not attempt to make information personally identifiable, such as by combining it with other databases.

Cookies

The Clipper® website (www.clippercard.com) 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 Clipper® web site facilitate customer's use of the web site (e.g. remember login names and passwords until the session has ended). The Clipper® web site does not require that users of the website accept these cookies. Also, the Clipper® web site does not store "third party" cookies on the computer systems of users of the website.

Once a patron leaves the Clipper® website, the privacy policy of other web sites visited or linked-to from the Clipper® web site 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.

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

Third-Party Websites and Applications

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

WARNING: Once a patron enters external websites or applications (whether through a service or content link), MTC is not responsible for the privacy practices of external websites or applications. Please review all privacy policies of external websites or applications before providing any information to external websites or applications.

Updating Personally Identifiable Information

PII can be reviewed and edited online at https://www.clippercard.com. The Clipper® website uses functions that have the ability to collect and store self-reported data. These functions enable Clipper® 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, customers may update their PII by telephoning the Clipper® Customer Service Center at (877) 878-8883.

Complaints or problems regarding updating personal information should be submitted via the website. The Clipper® Customer Service Center will either resolve the issue or forward the complaint to an appropriate MTC staff member for a response or resolution. MTC 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 MTC's Privacy Officer at:
Metropolitan Transportation Commission
Attn: Privacy Officer
101 Eighth Street, Oakland, CA 94607
Or e-mail: privacy officer@mtc.ca.gov
Or call: 510-817-5700

Changes to this Privacy Policy

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

Immaterial Changes - MTC 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, MTC may not post a special notice on the Clipper® website.

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

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

When MTC 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 Clipper® customers to review this Privacy Policy periodically to stay informed about how MTC protects the security of PII collected for the Clipper® Program. Continued use of the Clipper® Program constitutes the customer's agreement to this Privacy Policy and any updates.

E-mails Sent to MTC

This Privacy Policy does not apply to the content of e-mails transmitted directly to MTC. Please do not send PII in an email directly to MTC in order to keep content or data private.

Contact information

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

History of Changes to Privacy Policy

March 3, 2006	Privacy Policy Established
November 15, 2010	Revisions to Privacy Policy
November 16, 2011	Revisions to Privacy Policy

Metropolitan Transportation Commission
511 Privacy Policy
The effective date of this Privacy Policy is November 16, 2011
Last updated November 16, 2011

Overview:

The Metropolitan Transportation Commission (MTC) is committed to ensuring 511 user privacy and security. Specifically: (1) MTC will not provide personally identifiable information ("PII") from 511 users to any third party without express customer consent, except as described in the Privacy Policy; (2) PII from 511 users will never be provided to advertisers for their use; and (3) MTC will maintain a secure environment for customer personal information.

This Privacy Policy is intended to provide an understanding of how MTC handles PII collected by the 511 program. Among other things, this policy explains the types of information collected from 511 users; the third parties with whom MTC may share this information; and the process by which 511 users are notified about material changes to this Policy.

MTC contracts with Science Applications International Corporation ("SAIC"), PB Americas, Inc., and Civic Resource Group to operate and maintain 511. Collectively, these contractors are referred to in this 511 Privacy Policy as the "511 Contractors". MTC oversees the 511 Contractors. 511's Terms of Use http://www.511.org/terms.asp notify users that by using the 511 system, the user is allowing MTC, the 511 Contractors and other third parties referenced herein, to process personal information according to the provisions set forth in 511's Terms of Use 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 (if given), e-mail address, fax number, telephone number, and Travel Pattern Data.

Travel Pattern Data: Travel Pattern Data is information concerning a 511 user's trip start and end points, travel day(s) and time(s) of day, as well as details of when MY 511 alerts are requested.

Aggregate Data or Aggregate Information: Aggregate Data or Aggregate 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. MTC may use Aggregate Data to generate 511 Driving Times and statistical reports for the purpose of managing the 511 program. MTC may also provide Aggregate Data to third parties.

Collection of Personally Identifiable Information

MTC collects PII for the 511 and Regional Rideshare programs, which may include a person's name, business or workplace name, mailing address(es), e-mail address(es), telephone number(s), fax number(s), password, user name, and Travel Pattern Data.

How MTC uses Personally Identifiable Information

MTC uses the PII provided by customers to effectively and efficiently process enrollments, respond to questions, send customer-requested data via e-mails or text messages, and otherwise communicate with 511 users.

For the 511 RideMatch, SchoolPool and Bike Buddy services, MTC uses PII to provide database participants' first and last names, e-mail addresses, employer or school names, telephone numbers and the approximate geographic locations of trip start and end points to other members within the respective client database. This information is mailed via United States Postal Service on paper "matchlists," e-mailed, or provided online (during a registered user's account session) in response to a user's web- or phone-based request. Trip start and end points are provided as either the nearest cross streets or as points on a map showing the general location. Specific home or work addresses are not provided. PII is used only to facilitate carpool, vanpool or BikeBuddy matches and to provide information about products, services and campaigns that encourage the use of alternatives to driving alone. Additionally, database participants may receive e-mails or phone calls from 511 program administrators requesting participants to review and update their PII and/or to assist the formation of carpools, vanpools, or bike buddies.

Regarding MY 511, MTC uses PII to provide traveler information as customized by the MY 511 registrant. This may include, if set up by the registrant, automatic e-mailing or texting of driving times and transit departures at times of day or traffic-severity levels determined by the participant. Periodically, MTC may send e-mails to all MY 511 registrants providing general system information. If registrants have signed up for 511 news, MTC will periodically send e-mails that could include such things as 511 marketing of new features and invitations to participate in 511 surveys and/or focus groups.

PII is only utilized as described in this Privacy Policy.

Third Parties with Whom MTC May Share Personally Identifiable Information

MTC hires third party service providers (the 511 Contractors) for the purpose of operating the 511 Program. 511 Contractors are provided only with the PII they need to deliver the service. MTC requires 511 Contractors to maintain the confidentiality of the information and to use it only as necessary to carry out their duties under the 511 Program.

MTC also shares Rideshare PII (PII related to the RideMatch, SchoolPool and Bike Buddy programs) with other government-funded rideshare agencies, such as the Bay Area Air Quality Management District, 511 Contra Costa, the Peninsula Traffic Congestion Relief Alliance, the San Francisco Department of the Environment, Solano/Napa Commuter Information, the Transportation Agency of Monterey County, the Association of Monterey Bay Area Governments, the Council of San Benito County Governments, and the Santa Cruz County Regional Transportation Commission for ridesharing purposes only.

MTC may also share Rideshare PII with select employers. These select employers have been granted access to the Rideshare Matching database because they wish to take a more active role in facilitating carpools and/or vanpools among their employees. As such, employers with access to the Rideshare Matching database only have access to PII for their employees.

In addition, comments and inquiries, which usually contain some PII such as name and e-mail address, may be shared with third parties for review, comment and/or action in order to appropriately respond to the specific concern. For example, comments and inquiries received by 511 that are related to services provided by other public agencies (e.g., transit agencies) are forwarded to those agencies for their response. Likewise, a 511 Contractor may need to share the comment with a subcontractor, if necessary, to troubleshoot technical issues.

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 MTC.

Retention of Personally Identifiable Information

MTC, through the 511 Contractors, shall only store the PII of a 511 user that is necessary to provide the requested service. All Rideshare PII shall be discarded no more than seven years from the date a 511 registered user removes him/herself from the system, or is automatically (based on inactivity) or manually (at the registered user's request or other reason) removed from the system. All MY 511 PII is deleted from 511 databases no more than seven years from a user's removal of his/her account from MY 511 or upon Contractor's removal of an account at the registered user's request. PII incorporated in customer comments shall be deleted no more than seven years after the comment has been addressed.

Security of 511 Personally Identifiable Information

MTC is committed to the security of participants' PII. MTC, together with the 511 Contractors, stores the PII provided by 511 users 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 MTC 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 employees for limited, approved purposes based on their specific work responsibilities. Employees' use of 511 Rideshare customer databases is limited via authentication and authorization mechanisms.
- 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:

- 511 network perimeters are protected with firewalls.
- 511 systems are implemented to ensure PII is segregated from Aggregate Information.
- PII is stored in limited-access databases that require proper authentication and authorization for access. MY 511 user passwords are encrypted.
- Electronic connections containing PII between both the MY 511 and the 511 RideMatching System web applications and a users' browser are fully encrypted using SSL (secure sockets layer) technology. User sign-up of 511 Application Program Interfaces ("APIs") is not encrypted.
- Program administrators can not access user passwords; user passwords are one-way encrypted.

Physical:

- Physical access to MTC and 511 Contractors' 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 MTC's policies and procedures implementing PII security, the 511 user must also do such things as safeguard passwords, PINs, and other authentication information that may be used to access a 511 account. 511 users should not disclose authentication information to any third party and should notify MTC of any unauthorized use of their passwords. MTC cannot

secure PII that is released by 511 users or PII that customers request MTC to release. In addition, there is a risk that unauthorized third parties may engage in illegal activity by such things as hacking into MTC's security system or the 511 Contractors' security systems or by intercepting transmissions of personal information over the Internet.

Please note that the 511 Contractors will never ask 511 users to provide or confirm any information in connection with 511 including PII, unless the customer is a subscriber to 511 services. If a 511 user ever has any doubt about the authenticity of an e-mail regarding 511, the user should either (1) open a new web browser, log into the 511 user's account, and then perform the requested activity or (2) contact 511, by sending a message via the 511.org suggestion form (http://www.511.org/about-511-suggestions.asp) to verify the purpose and authenticity of the message.

Account access and controls

Creating an account with 511 is in the customer's discretion. The required account information consists of PII such as name, business or workplace name, mailing address(es), e-mail address, telephone number, user name, password, and trip start and end points. MTC may request other optional information, such as alternate contact information, but, in such instances, clearly indicates that such information is optional.

Customers can review and update personal account information at any time. PII can be reviewed and edited online as discussed below under "Updating Personally Identifiable Information." 511 users can close their MY 511 or Ridematch account at any time on line. In such case, all MY 511 account information will be deleted no more than seven years after the customer closes his/her account. All Rideshare account information will be deleted no later than seven years after the date a 511 registered user removes him/herself from the system, or is automatically (based on inactivity) or manually (at the registered user's request or other reason) removed from the system.

Uses of FasTrak® Toll Tag Data

The Metropolitan Transportation Commission (MTC) / 511.org operates a traffic 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 Times℠ service. Encryption software is used to mask each toll tag identification number to ensure that toll tag information is treated anonymously in the traffic data collection process. Only after encryption are the tag IDs stored. The encrypted tag IDs will be retained for no longer than twenty-four hours and then discarded. No historical database of the encrypted IDs will be maintained beyond that time period. No FasTrak® customer PII is shared by MTC, or its third-party contractors, with MTC for 511 Driving Times℠. Further, a customer has the option not to have his or her transponder read by the data collection system by placing the transponder in the mylar bag provided with the transponder. For more information on the 511 Driving Times℠ service, please refer to www.511.org.

Aggregate Data

MTC may also combine the PII provided by 511 users in a non-identifiable format with other information to create Aggregate Data that may be disclosed to third parties. Aggregate Data is used by MTC to improve the 511 program and for marketing 511. Aggregate Data does not contain any information that could be used to contact or identify individual 511 users or their accounts. For example, MTC may inform third parties regarding the number of 511 accounts within a particular zip code. MTC requires third parties with whom Aggregate Data is shared to agree that they will not attempt to make information personally identifiable, such as by combining it with other databases.

Cookies

The 511 websites (www.511.org) store "cookies" (small data elements) on users' computers. The 511 website uses cookies to facilitate customer website use (e.g. remember login names and passwords until the session ends). The 511 website does not require users to enable cookies in order to use the 511 website, nor does it store "third party" cookies on users' computers.

511 website users should review the privacy policies of websites they may visit or link to from 511.org to understand how these external sites utilize cookies and how the information is collected by these cookies.

MTC does not knowingly engage in business with any company or vendor that uses Spyware or Malware. MTC does not market detailed information collected from web sessions that can be directly tied to personal information. Further, MTC does not provide 511 users with downloadable software that collects or utilizes any PII.

Externally-Linked Websites

The 511 website contains links to third-party websites operated by entities that are affiliated with 511. These web links may be referenced within content, or placed beside the names or logos of the other entities. MTC does not disclose PII to these third-party websites.

WARNING: Once you enter external websites (whether through a service or content link), MTC is not responsible for the privacy practices of those other websites. Please review all privacy policies of external websites you may link to through our website, before providing any information to such other websites.

Updating Personally Identifiable Information

PII can be reviewed and edited online. The 511 website uses functions that have the ability to collect and store self-reported data. These functions enable 511 users to revise, update or review previously submitted information by going back to the applicable function, logging-in and making the desired changes.

Complaints or problems regarding updating personal information should be submitted via the Comment Form. The 511 Contractors will either resolve the issue or forward the complaint to an appropriate MTC staff member for response or resolution. MTC strives to answer all queries within five business days, but it may not always be feasible to do so.

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

Metropolitan Transportation Commission
Attn: Privacy Officer
101 8th Street, Oakland, CA 94607
Or e-mail: privacyofficer@mtc.ca.gov
Or call: 510-817-5700

Changes to this Privacy Policy

Material Changes – If MTC makes material changes to the 511 Privacy Policy, MTC will notify 511 customers by means of posting a conspicuous notice on the 511 website that material changes have been made.

Immaterial Changes - MTC 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, MTC may not post a special notice on the 511 website.

If MTC decides to make any change to the 511 Privacy Policy, material or immaterial, MTC will post the revised policy on the 511 website, along with the date of any amendment.

MTC reserves the right to modify this Privacy Policy at any time, so the policy needs to be reviewed frequently by 511 users.

When MTC 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 511 users to review this Privacy Policy periodically to stay informed about how MTC protects the security of PII collected for the 511 Program. Continued use of the 511 Program constitutes the customer's agreement to this Privacy Policy and any updates.

E-mails Sent to MTC

This Privacy Policy does not apply to the content of e-mails transmitted directly to MTC. Please do not send PII in an email directly to MTC, if you want to keep content or data private.

Contact information

MTC welcomes your comments on the 511 Privacy Policy. For questions about this statement, please contact the MTC Privacy Officer at the address, e-mail or phone number listed above.

History of Changes to Privacy Policy

November 2, 2007	Privacy Policy Established
November 16, 2011	Revisions to Privacy Policy