



RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY

TOLL ACCOUNT AND TRANSACTION INFORMATION

POLICY AND PROCEDURE

It is the policy of the Rhode Island Turnpike and Bridge Authority (“RITBA”) to fully and properly protect the privacy information of customers as it relates to Toll Accounts used for E-ZPass or other approved electronic toll-payment purposes and transactional data related to billing for tolls or for collection of violation payments. These protections anticipate access to the records by the account holder and certain employees, agents or vendors of the Authority for the purpose of maintaining the accounts and collecting the tolls and/or fees, and for other purposes authorized by law.

RITBA is a member of the E-ZPass Group and is bound by Reciprocity Agreements with the other members that require protection and safeguarding of account information for account holders of the member organizations. Therefore these policies shall also apply to transactional information related to all E-ZPass transactions.

RITBA, either itself or through its agents, maintains credit card account information related to certain customers. It maintains this data in compliance with Payment Card Industry (“PCI”) regulations.

By reference, any modification to E-ZPass Reciprocity Agreements or PCI regulations which are stricter than the requirements outlined below shall also apply to all RITBA held information.

Basis for Policy

RITBA intends to follow all requirements of law with respect to personally identifying information obtained through E-ZPass transactions.

Application of Policy to Contractors

Unless this Policy otherwise specifies or RITBA otherwise authorizes in writing, RITBA’s tolling

contractors (“Tolling Contractors”) may only collect or create personal information that is necessary for the performance of the Tolling Contractor’s obligations under its agreements with RITBA. In no event shall any Tolling Contractors disclose any customer’s personally identifying information for any purpose, unless ordered to do so by a court of competent jurisdiction.

Unless this Policy otherwise specifies or RITBA otherwise authorizes in writing, the Tolling Contractors must collect personally identifying information directly from the individual the information concerns, or RITBA.

TOLL ACCOUNT INFORMATION

RITBA’s customers may establish prepaid toll accounts that can be used on any system accepting E-ZPass transactions in accordance with the E-ZPass Interoperability and Reciprocity Agreements. This information shall include each customer’s name, address, contact information, and credit card information (“Toll Account Information”). The customer shall be given an account number and shall establish a Personal Identification Number (“PIN”) at the time the account is set up. In addition, any transponders issued to the customer shall be associated with the account information. The information shall be maintained in related databases on servers of RITBA or its designated agent. The servers shall be adequately protected by firewalls consistent with the industry requirements.

ACCESS TO TOLL ACCOUNT INFORMATION

Toll Account Information shall be available on-line, via telephone or in person, to persons providing the valid account number, a valid government-issued identification, and associated PIN. It is the responsibility of the both RITBA and the account owner to properly safeguard this access information. This information shall be deemed private and not subject to public disclosure unless pursuant to a court order issued by a court of competent jurisdiction.

Persons requesting information, but unable to provide a valid account number or PIN, shall not have access to Toll Account Information. An accountholder who forgets either an account number or PIN may request that information be sent to the address of record upon presentation of the transponder number. The account number and PIN shall be sent by US Mail to the address of record by RITBA staff.

The PIN may also be given to a walk in customer at RITBA’s offices upon presentation of a valid government-issued ID acceptable to RITBA.

RITBA staff, its agents, or vendors may have access to Toll Account Information only for the purposes of account setup, account transaction or payment postings, account adjustments, license plate tolling transactions associated with the account, credit card transactions and replenishment, account troubleshooting, contacting account holders, providing information to the account holder who has provided proper identification, or for other lawful purposes and when authorized to do so by RITBA’s Executive Director. Any use of account information for any other purpose without written approval of the RITBA Executive Director or formal designee shall be a violation of this Policy. Such acts shall be subject to disciplinary and legal action, including, but not limited to, termination or loss of a contract to do work with RITBA.

RITBA's Customer Service Representatives are not permitted to release any Toll Account Information to anyone other than the account holder. Account holders are defined as the individual(s) whose name is on the account.

TRANSACTION INFORMATION

RITBA shall maintain information on all electronic toll transactions, both transponder based and license plate video-based, which shall be deemed private and not subject to the public disclosure unless authorized or required by law ("Toll Transaction Information").

Transponder-based transactions shall be associated with the appropriate account and maintained in a related database. The account owner shall be sent such information on a periodic basis. In addition, the account holder shall have access to this information on line, via telephone or in person upon presentation of the account number and associated PIN.

RITBA staff shall have access to transponder-based transaction information for the purpose of addressing customer questions. They may also address data for statistical, administrative or legal activities related purposes necessary to carry out the functions of toll collection. These activities may also be performed by agents or vendors of RITBA.

Video based transactions result when a vehicle travels through an electronic toll lane. Where the image is associated immediately with a transponder-based transaction, the image shall be stored until such time as the transaction has been completed and a reasonable time for challenging or appealing the transaction has expired. This data shall be accessed only for the purpose of addressing a question from the associated account holder or E-ZPass agency. Should the transaction be assigned to the wrong account, RITBA employees shall review the transaction image and any associated transaction information for the purpose of properly assigning the transaction.

A video based transaction that does not relate to a valid account shall be deemed to be a billed customer or a violation. In either case the information from the video image shall be used to identify the owner of the vehicle. That information shall be stored in a database with one or more photos of the transaction and the transaction information (date, time, location, anticipated toll and any associated fees). This file shall be considered private information and shall not be subject to the freedom of information requirements. The information will be sent to the E-ZPass account holder and/or owner of record for the vehicle identified in support of the payment request. Once full payment is received the transaction shall be closed. Failure to pay the associated toll and fees shall result in a violation that may be pursued.

For billed customers and violators, the license plate image shall be used for the purpose of obtaining the name and address of the owner of record. That information shall be used in accordance with the restrictions place by the issuing agency and protected as per those requirements. RITBA, its agents and vendors shall not use this information for any purpose other than the collection of tolls, fees, and associated costs.

SURVEILLANCE VIDEO IMAGES

The RITBA maintains surveillance cameras on its properties. These moving images are not read for the purpose of identifying a vehicle owner. RITBA, through approval by the Executive Director or Security Director, may release this information to law enforcement or those involved in an incident on the bridge or roadway if required by valid search warrant, subpoena, or court order. This information is not considered confidential information. These image files shall be maintained for sixty days and then the files will be purged.

ACCESS TO RECORDS

All Toll Account Information and Toll Transaction Information shall be considered private and not subject to the freedom of information requirements. Staff, RITBA agents, and RITBA vendors shall use the information in accordance with this Policy. The Executive Director may, with good cause and within his or her reasonable discretion, authorize additional lawful uses of the information to meet the toll collection needs of RITBA.

The public shall not have access to Toll Account Information or Toll Transaction Information except:

1. The account holder shall have access in accordance with the requirements specified above.
2. Persons authorized by the account holder (by providing the account number and PIN) shall have access to the information.
3. The executor of an estate shall have access to the information upon presentation of a death certificate and appropriate appointing documents.
4. Law enforcement personnel shall have access to the information upon presentation of a court order.
5. A person charged with a toll violation shall have access to their Toll Account Information or Toll Transaction Information in accordance with a violation notice issued by RITBA.

Court Orders and Subpoenas:

Chapter 153 of Title 42 of the General Laws of Rhode Island states:

42-153-4. Use of radio frequency identification devices for toll payment.

The personally identifiable information of persons who use radio frequency identification devices to facilitate the payment of tolls shall not be considered public information. Personally identifying information may be released to law enforcement agencies only for: (1) toll enforcement purposes; or (2) for other purposes if accompanied by a court order.

In accordance with R.I. Gen. Laws §42-153-4, RITBA will only release personally identifying information for toll enforcement purposes or pursuant to a court order.

If RITBA is served a valid subpoena seeking personally identifying information, RITBA will advise the seeking party that RITBA is not permitted to respond to the subpoena and that compliance with R.I. Gen. Laws §42-153-4 is required. All court orders and subpoenas shall immediately be brought to the attention of the Executive Director.