



## E-ZPass Virginia Privacy Policy

### Summary:

VDOT has implemented and regularly reviews a strong privacy policy that is guided by the law and provides a high-level of protection against the use of toll customer personal data for purposes other than toll collection.

### Overview:

#### E-ZPass

In 1996, VDOT implemented an electronic system for paying tolls – E-ZPass – which has enjoyed increasing popularity over the years. VDOT currently processes millions of electronic transactions per month, and the number of customers and percentage of tolls paid using E-ZPass continues to grow daily. In order to establish an E-ZPass account, a customer provides certain personal data to VDOT: name, driver’s license number, address, phone numbers, email address, make and model of car, license plate number, credit card number, etc. As the customer uses E-ZPass to pay tolls, more personal data is accumulated by VDOT in the form of times, dates and locations of travel through various toll locations.

#### Privacy protection

At various times, VDOT has been asked by outside entities for various types of E-ZPass data for widely divergent purposes. Some examples include:

- Marketing firms – to identify and solicit names and addresses of specifically targeted populations.
- Investigative firms – in the course of investigating individuals, businesses and political figures.
- Law enforcement agencies – during criminal investigations.
- Individual customers – checking on their personal account activity.

VDOT has also received inquiries from customers requesting reassurance that access to their personal data is restricted. Some are concerned about marketers. Some have concerns about access to financial information (such as credit card numbers). Some have concerns about the possibility of their travel being “tracked” via E-ZPass. Recognizing the sensitivity of much of this information, VDOT obtained an exemption from the Virginia’s Freedom of Information Act that covers E-ZPass:

*§ 2.2-3705.7. Exclusions to application of chapter; records of specific public bodies and certain other limited exclusions.*

*The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.*

...

*16. Information related to the operation of toll facilities that identifies an individual, vehicle, or travel itinerary, including vehicle identification data or vehicle enforcement system information; video or photographic images; Social Security or other identification numbers appearing on driver's licenses; credit card or bank account data; home addresses; phone numbers; or records of the date or time of toll facility use.*

## **Current Privacy Policy:**

Access to E-ZPass and violation information is limited to VDOT, its agents and toll facility employees who need this access in order to perform their jobs in operating the toll collection systems and providing customer service. Access by outside parties is not routinely allowed. In some instances, however, we allow the sharing of customer information:

- To law enforcement agencies conducting criminal investigations in accordance with subpoenas, court orders or amber alerts.
- In summary form (i.e. combined and summarized data that does not include any information specific to an individual customer) to individuals or organizations conducting research.

Subpoenas and court orders are reviewed and, if questionable, are forwarded to the Office of the Attorney General prior to responding. All specific or summary requests are reviewed by VDOT management to ensure the request is consistent with these privacy policies.

## **Privacy Policy Statement:**

The Virginia Department of Transportation respects the privacy of customers who have provided personal information in order to establish E-ZPass accounts. This statement describes VDOT's current policy and procedures and should not be interpreted as a contractual agreement. VDOT is subject to Federal and State statutory requirements and may amend its privacy policy at any time without notice.

## **What we do with information we obtain from E-ZPass customers:**

### We use the data we obtain from you to:

- Establish your E-ZPass account.
- Maintain your account balance.
- Process toll payments and any administrative fees electronically.
- Notify you of changes in your account status.
- Provide you with periodic statements about activity in your account.

The name and address of E-ZPass customers who have no funds in their E-ZPass accounts are shared with toll facilities to enable the mailing of an invoice or notice to a customer who has used a toll facility without payment.

We also provide information in response to subpoenas and court orders and for violation enforcement. The information provided is limited to that specifically requested.

### What we do **not** use customer information for:

We do not provide information about your account to individuals that are not identified on your account or are unable to pass identity validation checks. We do not sell data about our customers to marketing firms. We do not provide specific customer account or activity data to other organizations except as required by law and for violation enforcement.

### How we protect your privacy:

We use encryption on our web site to help prevent interception by unauthorized parties. We release information about account activity only to individuals who provide authorizing identification.

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