



PRIVACY POLICY

Rev. January 2024

Definitions

“Electronic toll collection system” is a system where a transponder, camera-based vehicle identification system, or other electronic medium is used to deduct payment of a toll from a subscriber’s account or to establish an obligation to pay a toll.

“Personally identifiable information” means any information that identifies or describes an electronic toll collection system user, including but not limited to travel pattern data, address, telephone number, e-mail address, license plate number, photograph, bank account information, or credit card number. Personally identifiable information includes data generated through the Authority’s toll collection process that reveals the date, time, location or direction of travel by an electronic toll collection system user.

“Tollway,” “our” or “we” refers to the Illinois State Toll Highway Authority.

“You” refers to any natural person who subscribes to an electronic toll collection system or any natural person who uses a tolled transportation facility that employs the Tollway’s electronic toll collection system.

“I-PASS Records” refers to I-PASS account information, toll violation information, and/or associated video recordings.

I. Purpose:

The purpose of this Personally Identifiable Information Privacy Policy (PII Privacy Policy) is to comply with The Toll Highway Act, 605 ILCS 10/19.1, the Illinois FOIA, 5 ILCS 140/7.5(w), and Tollway Collected Personal Information Notice, and to set forth Tollway procedures regarding the collection and use of personally identifiable information. The effective date of this policy is October 1, 2017.

II. Policy - Third Parties:

We will not sell, share, or rent personally identifiable information (PII) to others except as disclosed in this privacy policy, or as otherwise provided by law. Examples of personally identifiable information (PII) include your name, email address, mailing address, telephone number, credit card billing information, bank account information, driver’s license number, license plate number (only when linked to other PII), contact information you voluntarily transmit with your

communication to us, toll transaction photograph or video, travel pattern data (only when specifically linked to other PII data in such a manner that it makes individuals identifiable, rather than aggregated into general traffic reports or data sets) and information we may collect about you during your use of our website.

The Tollway uses PII data to serve your needs and our legitimate business purposes. We may use PII data to perform account functions (e.g., billing, account settlement, toll violation enforcement), to research any of your I-PASS account concerns you bring to us to address, and to verify your authority to make updates, changes, or queries of your account either by phone, online, or in person. We also may use PII data to verify your authority to improve the content and general administration of your account, to provide you with notice regarding your account status, and to track aggregate traffic patterns. We may use IP addresses from our log files to analyze trends, administer the website, track user movements, and gather broad demographic information for aggregate use. IP addresses are not linked to PII.

The Tollway may share PII data with third-parties who assist the Tollway in the activities noted above, so long as the third-party is prohibited from using the data for any other purposes. Categories of third-parties include: vendors who assist the Tollway in performing account functions (e.g., call centers, collection agencies) or marketing/information functions (e.g., retail outlets distributing transponders, parking garages offering to accept transponder transactions for payment); other tolling organizations that collaborate with the Tollway in providing toll interoperability among tolling systems; research partners who assist the Tollway in performing research on traffic trends; vendors who assist the Tollway in any data migration or research that must occur to fix or upgrade electronic tolling technologies; any individual who has a warrant, subpoena, or lawful order from a court of competent jurisdiction; law enforcement agencies in the case of an emergency when obtaining a warrant or subpoena would be impractical as described in Section III of this policy; or the Tollway’s Inspector General.

We employ reasonable and current security methods to prevent unauthorized access, maintain data accuracy, and ensure correct use of information. Your personal data is stored in a database located behind a firewall for added security. The server housing the database is physically protected at a secure site and is monitored by security personnel 24 hours a day. Only authorized

personnel can access the data center and the particular server housing

The database. The Tollway does not have control over the security of your computer, or other computer systems or networks you may use. Therefore, no data transmission you send to us from your computer over the Internet or wireless network can be guaranteed to be secure. While we try to protect your personal information, we cannot ensure or guarantee the security of information you transmit to us and you do so at your own risk.

We do not encrypt normal web sessions; however, any transactions occurring on the e-commerce portion the Tollway's website (that portion of the site where you are required to login, found at <https://www.getipass.com>), uses current encryption as required by PCI and the credit card industry to help protect the data. In any agreement allowing another public entity to use the Tollway's toll collection system in a transportation facility, the Tollway will require the other public entity to comply with the requirements of this policy.

III. Policy - Law Enforcement:

The Tollway requires outside law enforcement and regulatory agencies (e.g., secretaries of state, departments of motor vehicles) to obtain a subpoena for I-PASS violation or video records for natural persons, including toll transaction history, unless otherwise required by law, or the law enforcement or regulatory agency articulates an emergency requiring immediate access to specific I-PASS violation or video records and transmits a written request, to the extent practicable, to the Tollway identifying the records needed and the nature of the emergency. An emergency exists if it would be impractical under the circumstances to obtain a warrant or subpoena. Examples of such emergencies include, but are not limited to, an Amber Alert, Silver Alert, pursuit of a criminal suspect fleeing a crime scene, or someone suspected of transporting a kidnapping victim.

Federal, state, county, and municipal law enforcement and regulatory agencies regularly request access to I-PASS, violation, or video records to perform their duties and the information is considered necessary to protect the public. Frequently, these outside agencies do not need the information immediately and have easy access to subpoenas. Occasionally, an outside agency needs the information quickly to protect the public and save lives.

The Intergovernmental Cooperation Act (5 ILCS 220/3) provides a mechanism for the Tollway to share the information with outside law enforcement and regulatory agencies. It states, "Any power or powers, privileges, functions, or authority exercised or which may be exercised by a public agency of this State may be exercised, combined, transferred, and enjoyed jointly with any other public agency of this State and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States do not prohibit joint exercise or enjoyment and except where specifically and expressly prohibited by law."

A. Procedures for Law Enforcement:

1. Preliminary/proactive Inquiries:

Inquiries by a law enforcement or regulatory agency to determine if I-PASS records exist, prior to obtaining a subpoena, may be made orally or in writing. A subpoena must be obtained as detailed below prior to tendering the record(s). For example, outside law enforcement could ask whether an I-PASS account exists, but the details of the account would not be given out without a subpoena.

2. Nonemergency Requests:

Subpoenas for non-emergency outside agency requests should be sent to the Tollway's Legal Department by fax (630) 271-7559, email (subpoena@getipass.com) or personal delivery. The Legal Department will collect the information from Tollway's Business Systems Department or other Departments as necessary and provide copies to the requesting agency. The requesting agency should identify in what format they want the record(s), fax, email or mailed along with a phone number to contact the requesting officer.

3. Emergency Requests:

- a. Emergency requests should be made to the Illinois State Police District 15 Shift Commander at (630) 241-6800, Ext. 5028. The Shift Commander will determine whether the emergency request for I-PASS, violation data, or video should be accommodated and, if so, handle the request appropriately. The Shift

Commander will have trained personnel with access to the violation and I-PASS databases and all video

recordings to run/ process the request or, during regular business hours, may send requests to the Tollway's Business Systems Department or other Departments as appropriate.

- b. The Shift Commander will then notify Legal Department by email of the request and the response.
- c. To the extent practicable, emergency requests for I-PASS violation or video records must be faxed on the outside agency's letterhead or sent by email with the governmental entity's email address extension prior to receiving a response.

B. Documentation:

ISP District 15 personnel must notify the Legal Department of any emergency requests it receives, and the Legal Department shall maintain a record of all subpoenas it receives. The Tollway Legal Department may discuss, when necessary, any nonemergency and emergency requests with the Tollway Inspector General's Office.

VI. Changes to PII:

You can review and change your name, email address, mailing address, telephone number, credit card billing information, bank account information, driver's license number, license plate number, other contact information by accessing your account profile by phone (800) 824-7277, online at www.illinoistollway.com, or in person.

VII. Changes to This PII Privacy Policy:

The Tollway may periodically change its PII Privacy Policy. If we materially change our policy, we will post notice of the new policy on our home page and send a notice through the Tollway's electronic newsletter. The Tollway encourages you to review this privacy policy regularly for changes. Your continued use of your I-PASS account and provision of PII will be subject to the terms of the current privacy policy. If you have questions or concerns about our posted privacy policy, call our customer service department at (630) 241-6800, x4320 or write to the Chief of Business Systems, The Illinois Tollway, 2700 Ogden Avenue, Downers Grove, IL 60515.