The European General Data Protection Regulation (GDPR) and its Consequences for the International Tolling Industry

Bridging the Data Protection Divide

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IBTTA Webinar, October 6th, 2020

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ASECAP
Association Européenne des Concessionnaires d'Autoroutes et d'Ouvrages à Péage

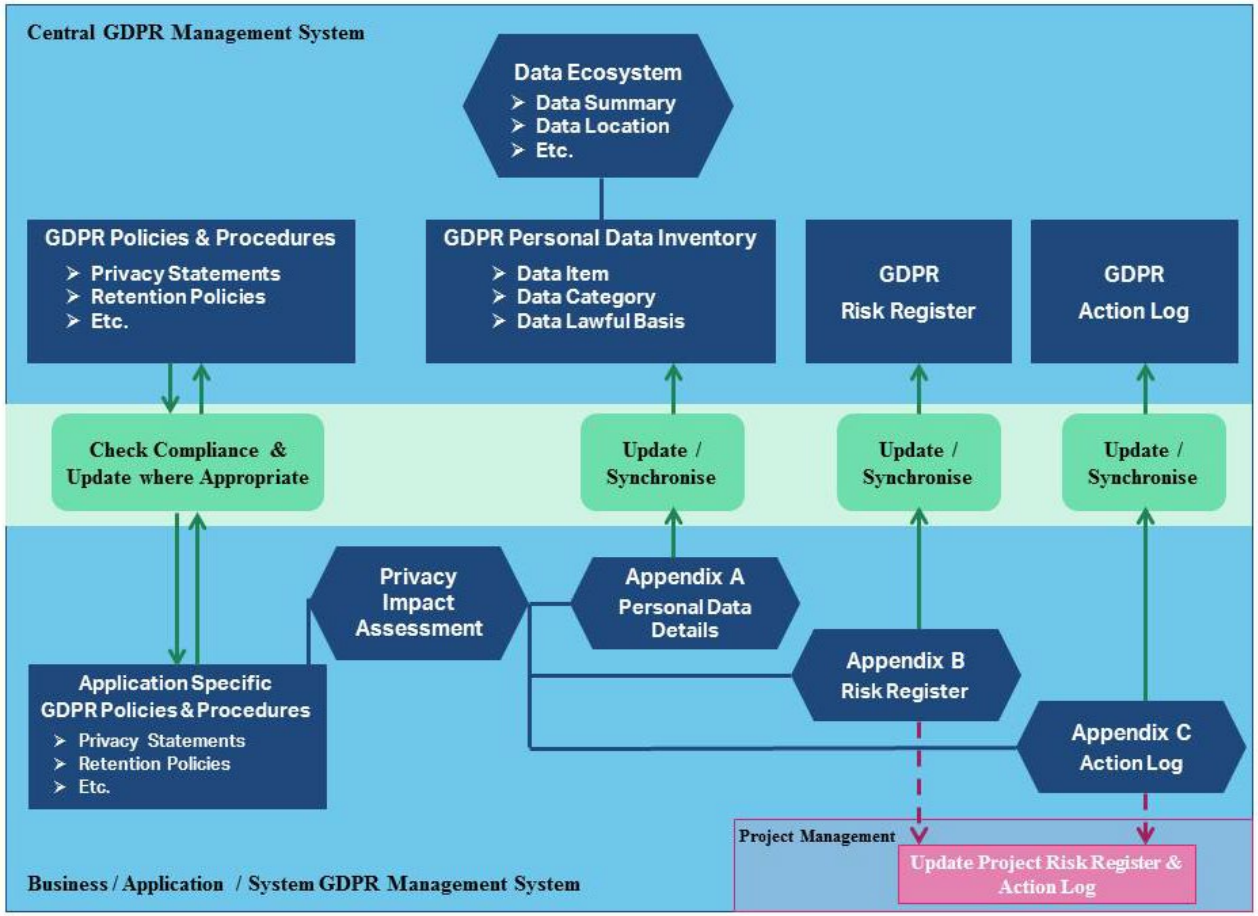
EU Data Protection Approach

- The approach within the EU has been to implement a single comprehensive general data protection regulation (GDPR) that encompass all sectors
- The EU GDPR stipulates how organisations must comply with data privacy principles of Accountability*, Capture / Processing, Purpose, Compatibility, Security, Accuracy, Relevance, Retention and Subject Access Rights*
- These Principles are not new but have been significantly strengthened by the GDPR
  - Particularly with regards to Accountability and Subject Access Rights
- Most organisations went through the grief cycle process

- Acceptors who implemented the right processes have identified significant benefits

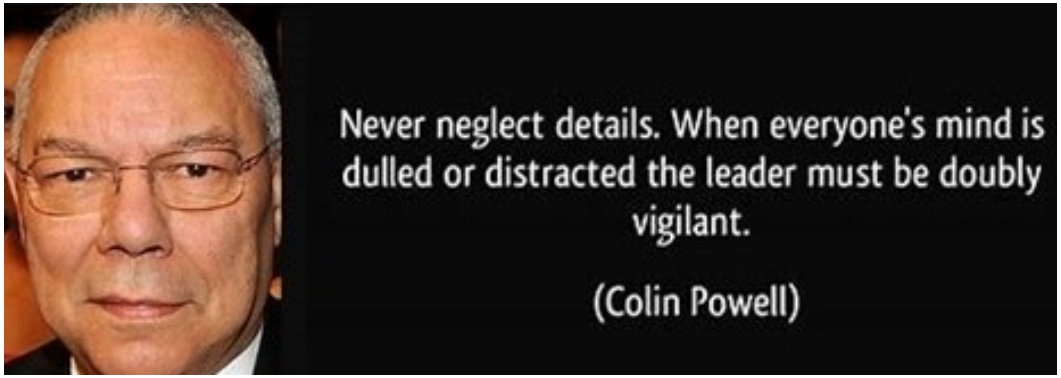
EU GDPR Compliance Implementation

- Complying with GDPR required a forensic review of existing operations across all business units.
- A good example is the process implemented by the Irish National Transport Authority



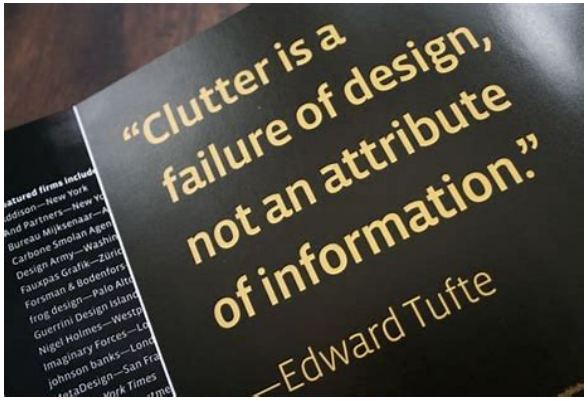
EU GDPR Lessons Learned

- GDPR does not hinder operational processes nor does it prevent implementation of policy objectives
- The adage “Fail to prepare, Prepare to fail” applies
- Proportionality is important (but not to be used as an excuse)
- Collective responsibility across all levels of an organisation
- Biggest overhead is implementing data retention policies
- Attention to detail matters. Breaches have occurred due to:
  - Leaving papers behind (in office and/or public places)
  - Sending unencrypted email attachments to the wrong person



EU GDPR Benefits

- Preparation incurred overhead but yielded many benefits
- **Compliance benefits**
  - Avoids monetary impact of data protection breaches
  - Avoids reputation impacts (loss of customer trust, impact on share price)
  - Minimises risk of business continuity impacts
- **Consequential benefits**
  - Opportunity to declutter
    - (legacy data, old ideas, bad habits)
  - Opportunity to streamline systems & operations



- **Future-proofing benefits**
  - Strong foundation for compliance with additional upcoming regulations
    - ePrivacy Directive, two-factor authentication / anti-money laundering legislation
  - Strong foundation for operational impact of digitalisation
    - Enriched understanding of your data

US Data Privacy Environment

- The approach within the EU has been to implement a single comprehensive general data protection regulation (GDPR) that encompass all sectors.
- US approach has been to implement sector specific data protection legislation that work together with state-level legislation to safeguard citizens' data
  - Drivers Privacy Protection Act (DPPA)
  - California Consumer Privacy Act (CCPA)
- Strong focus on Security
  - But PCI-DSS and/or ISO 27001 compliance does not cover all data privacy principles

"I'm applying for the Information Security position.
Here is a copy of my resumé, encoded, encrypted and shredded."

Why Data Privacy Matters

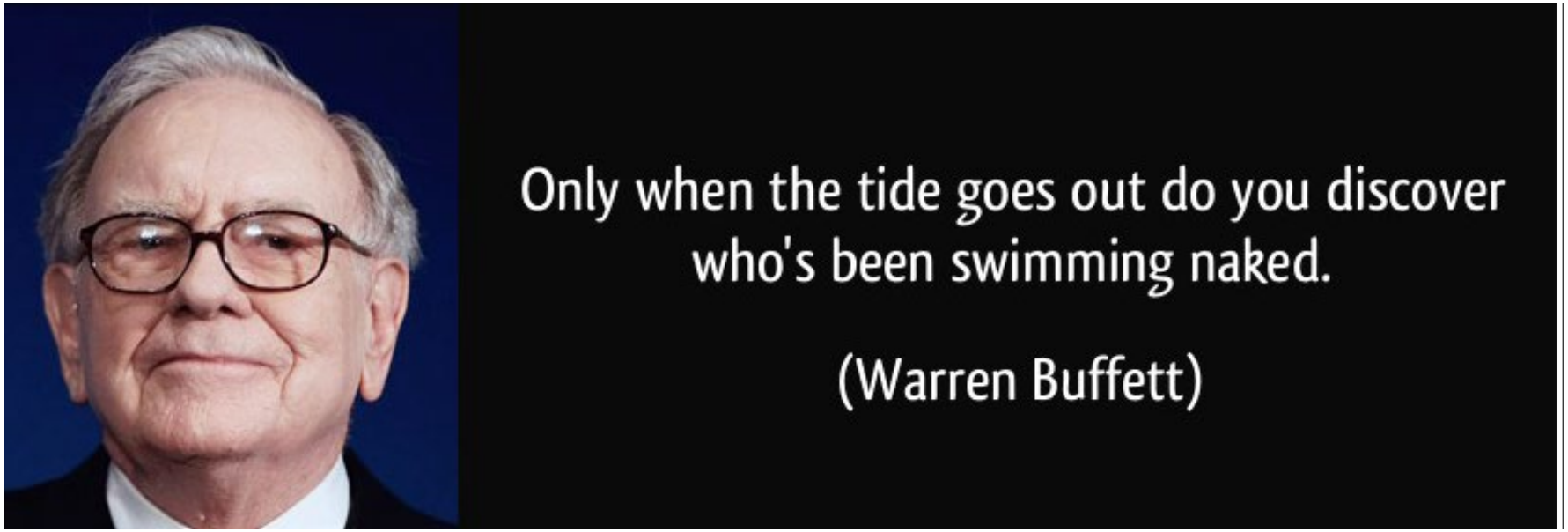
- Providing customers with choices in how much PII is divulged is proven as helping to build trust and increase public acceptance and compliance levels
  - However, providing choices can impact operational efficiency
  - So there is a need to strike a balance
- Oregon's OReGO Road User Charge system
  - Choice of different technologies
  - Choice of a public or private sector-provided account
  - Choice of assessment technology (mileage-only or GPS tracking)
  - Optional access to value added services such as insurance, gamification, vehicle diagnostics etc.
- The London congestion charge scheme
  - utilizes ANPR technology and provides no choices to customers
  - No change made despite identifying more cost-efficient technologies
  - Proliferation of CCTV and ANPR in the UK means drivers are used to the technology and trust TfL to safeguard their PII

- Gaining customer trust is dependent on a balanced combination of the newness of the scheme, familiarity with technology, faith in public and/or private sector and the service levels provided
- Rapid pace of digitalisation is leading to a lot of "newness" therefore Data Privacy matters more than ever

Summary

- Our sector has shifted from being infrastructure-centric to a focus on user-centric service provision
- Increased digitalisation is leading to the need to process ever-increasing volumes of personal data
- EU plans additional data privacy regulations whilst US States are likely to follow California's lead so preparing for compliance with increased personal data regulations is a necessity
- Proper preparation is a foundation for compliance, improved operations. Improved service provision and future-proofing for increased digitalisation
- Time to activate the Act Now button

Summary



Are you sure everyone working in your organisation is wearing their bathing costume?