



December 10, 2018

The Honorable Kurt Daudt
Speaker of the House of Representatives
463 State Office Building
Saint Paul, MN 55155

The Honorable Paul E. Gazelka
Majority Leader
95 University Avenue West
Minnesota Senate Building, Room 3113
Saint Paul, MN 55155

Dear Majority Leader Gazelka and Speaker Daudt,

Enclosed please find the required legislative report pursuant to Minnesota Statutes, section 13.06, subdivision 7. The report is in bill form, as required by the statute, and contains all temporary classifications of data that were in effect as of January 1, 2019.

I approved two temporary classifications that are currently in effect related to certain rideshare data and certain transit data. The enclosed bill draft addresses both temporary classifications by incorporating the requested classifications, from the City of Rochester and SouthWest Transit, into current law in Minnesota Statutes, section 13.72.

If you have questions, please contact Stacie Christensen, Director of the Data Practices Office, Department of Administration at 651.201.2500 or stacie.christensen@state.mn.us.

Sincerely,

A handwritten signature in black ink that reads 'Matthew G. Massman'.

Matthew Massman
Commissioner

Enclosure

c: Representative Melissa Hortman, Minority Leader
Senator Tom Bakk, Minority Leader
Senator Warren Limmer
Representative John Lesch
Senator Ron Latz
Representative Peggy Scott
Legislative Reference Library

1.1 A bill for an act
1.2 relating to law enforcement; classifying certain automatic license plate reader data;
1.3 amending Minnesota Statutes 2018, section 13.72.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Minnesota Statutes 2018, section 13.72, subdivision 9 is amended to read:

1.6 Subd. 9. **Rideshare data.** The following data on participants, collected by
1.7 government entities ~~the Minnesota Department of Transportation and the Metropolitan~~
1.8 ~~Council~~ to administer rideshare programs, are classified as private under section 13.02,
1.9 subdivision 12 or nonpublic under section 13.02, subdivision 9: residential address and
1.10 telephone number; beginning and ending work hours; current mode of commuting to and
1.11 from work; place of employment, photograph, biographical information, and type of
1.12 rideshare service information requested.

1.13 Minnesota Statutes 2018, section 13.72, subdivision 19 is amended to read:

1.14 Subd. 19. **Transit customer data.** (a) Data on applicants, users, and customers of
1.15 public transit collected by or through a government entity's ~~the Metropolitan Council's~~
1.16 personalized web services or the Metropolitan Council's regional fare collection system
1.17 are private data on individuals or nonpublic data. As used in this subdivision, the
1.18 following terms have the meanings given them:

1.19 (1) "regional fare collection system" means the fare collection system created and
1.20 administered by the council that is used for collecting fares or providing fare cards or
1.21 passes for transit services which includes:

1.22 (i) regular route bus service within the metropolitan area and paratransit service, whether
1.23 provided by the council or by other providers of regional transit service;

1.24 (ii) light rail transit service within the metropolitan area;

1.25 (iii) rideshare programs administered by the council;

1.26 (iv) special transportation services provided under section 473.386; and

1.27 (v) commuter rail service;

1.28 (2) "personalized web services" means services for which transit service applicants, users,
1.29 and customers must establish a user account; and

1.30 (3) "metropolitan area" means the area defined in section 473.121, subdivision 2.

2.1 (b) A government entity ~~The council~~ may disseminate data on user and customer
2.2 transaction history and fare card use to government entities, organizations, school
2.3 districts, educational institutions, and employers that subsidize or provide fare cards to
2.4 their clients, students, or employees. "Data on user and customer transaction history and
2.5 fare card use" means:
2.6 (1) the date a fare card was used;
2.7 (2) the time a fare card was used;
2.8 (3) the mode of travel;
2.9 (4) the type of fare product used; and
2.10 (5) information about the date, time, and type of fare product purchased.
2.11 Government entities, organizations, school districts, educational institutions, and
2.12 employers may use customer transaction history and fare card use data only for purposes
2.13 of measuring and promoting fare card use and evaluating the cost-effectiveness of their
2.14 fare card programs. If a user or customer requests in writing that the council limit the
2.15 disclosure of transaction history and fare card use, the council may disclose only the card
2.16 balance and the date a card was last used.
2.17 (c) A government entity ~~The council~~ may disseminate transit service applicant, user, and
2.18 customer data to another government entity to prevent unlawful intrusion into
2.19 government electronic systems, or as otherwise provided by law.