

Principles of personal data processing in the electronic toll system in the Czech Republic

Reditelství silnic a dálnic ČR / Directorate of Roads and Motorways of the Czech Republic, based: Čerčanská 2023/12, Krč, 140 00 Praha 4, Česká republika, the Czech Republic, ID: 65993390 (hereinafter „RSD“) is due to the position of the operator of the electronic toll system (hereinafter „ETCS“) the controller of personal data processed in connection with the operation of ETCS.

Company **CzechToll s.r.o.**, based: Argentinská 1610/4, Holesovice, 170 00 Prague 7, the Czech Republic, company ID: 06315160 and **SkyToll, a. s.**, based: Lamacká cesta 3/B, 841 04 Bratislava, Slovak Republic, company ID: 44500734 are in the position of providers of comprehensive ETCS operation services for RSD and thus also in the position of processors of personal data processed in connection with ETCS operation.

What is the purpose of these principles of personal data processing in ETCS?

In connection with the operation of ETCS, personal data of subjects are processed. As proof of the fact that the controller and the processors of personal data place great emphasis on the protection of the personal data processed within the operation of the ETCS, they inform in this principles of personal data processing in the ETCS (hereinafter referred to as the "Policy") data subjects and other persons as to what personal data are collected within the ETCS, how they are handled and how they can execute their legal rights. This Policy is valid and effective for all data subjects whose personal data are processed in the ETCS, regardless of their place of residence or registered office.

The processing of personal data is always based on the requirements of effective legislation, in particular Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data effective from 25 May 2018 (hereinafter "GDPR") and the Act No. 110/2019 Coll., on the processing of personal data effective from 24.04.2019.

This Policy is intended for publication on the Web Portal of the ETCS available on the website myto.gov.cz. By publishing this Policy, we comply with the information obligation towards data subjects pursuant to Article 13 of the GDPR. Information on the personal data processing in ETCS is also provided in the General Terms and Conditions of the ETCS available on the website myto.gov.cz.

What personal data do we process in ETCS?

The following personal data are processed in connection with the ETCS operation:

- Identification, address and contact details of owners, operators and drivers of vehicles registered in ETCS, or their employees and agents;
- Information about registered vehicles to ETCS;
- Information on method of toll payment in relation to the registered vehicle;
- Information on contracts on the conditions of subsequent payment concluded between the vehicle operator and the RSD;
- Information on issued bank guarantees or other security to secure any future receivables arising in the ETCS;
- Information on toll transactions in ETCS;

- Information on toll payments made and billing in ETCS;
- Information on provided discounts on toll payments in ETCS;
- Information on toll exemption in ETCS;
- Information in relation to submitted and settled claims, complaints, and suggestions;
- Login and other related data of the user registered on the Web Portal or in the Mobile Application;

We process personal data collected within the ETCS automatically and manually, but there is no profiling of data subjects.

How do we protect the processed personal data?

All personal data collected and processed in the ETCS are protected against accidental loss, alteration or unauthorized disclosure to a third party in accordance with the requirements of legislation, in particular GDPR. To protect personal data processed in ETCS, we have set up and adhere to appropriate technical and organizational measures, in particular the encryption of personal data and the automatic control of their integrity. ETCS is a public administration information system and an important information system pursuant to Act No. 181/2014 Coll., On Cyber Security, as amended, thus ensuring compliance with all security requirements for this information system set out in the said Act and the Implementing Decree. We do not transfer the processed personal data to a third country or to any international organization.

What is the purpose and legal title of the processing of personal data?

Personal data are collected and processed within the ETCS for the proper operation of the ETCS, particularly for:

- registration of vehicles and their operators;
- prescription of tolls and deposits;
- issuing invoices to vehicle operators;
- processing of vehicle operators' payments;
- toll payment controls;
- Onboard Units Logistics (OBU).

Personal data may also be processed within the ETCS in connection with the settlement of requests from public authorities for the provision of cooperation (information), if the public authorities are entitled to provide such information under the Czech law, typically it may be request of the road administrators, the road administrative authorities, the Police of the Czech Republic, the Security Information Service of the Czech Republic, the Customs Administration of the Czech Republic and the Central Traffic Information System of the Czech Republic.

Personal data are processed on the basis of the following legal titles:

- comply with the legal obligations arising for personal data controllers from legal regulations, especially from the sec. 20, 20a and 22 of Act No. 13/1997 Coll., On Roads, as amended, the sec. 6 of Government Decree No. 240/2014 Coll. and the sec. 4 to 14 of the Decree of the Ministry of Transport No. 470/2012 Coll.;
- performance of tasks carried out in the public interest or in the exercise of official authority vested in the controller of personal data (e.g. processing of personal data within the Web Portal or the Mobile Application);

- compliance with agreements on the conditions of subsequent payment concluded by vehicle operators with the controller of personal data;
- consent of data subjects in relation to the use of cookies on the Web Portal available on the website myto.gov.cz.

How long do we process personal data?

Personal data are processed and stored only for the necessary time. The time limit for the processing of personal data is the moment when the last of the following events occurs:

- termination of the contractual relationship concluded between the personal data controller and the vehicle operator within the ETCS;
- expiry of the deadlines for asserting claims from the contractual relationship according to the previous point;
- expiry of the obligatory period of archiving documents containing personal data according to valid legal regulations, especially according to the Act n. 499/2004 Coll., On archiving and the file service, as amended and the RSD Document Retention and Shredding Rules.

To whom can personal data be passed?

Personal data collected and processed within the ETCS may be transferred to:

- public authorities at their written request, if they are entitled to the transfer of information containing personal data under the law, typically they may be the road administrators, the road administrations authorities, the Police of the Czech Republic, the Security Information Service of the Czech Republic, the Customs Administration of the Czech Republic and the Central Traffic Information System;
- other entities participating in the operation of ETCS (i. e. subcontractors of personal data processors).

How can you exercise your GDPR rights?

According to the GDPR, you are entitled to exercise the following rights guaranteed by Articles 15 to 22 of the GDPR in relation to the RSD as controllers of personal data processed within the ETCS: right of access to personal data, right to rectification or erasure of personal data, right to restriction of processing of personal data and right to portability of personal data. You are also entitled to object to the processing of personal data.

You can exercise these rights in writing with RSD in the following ways:

- submitting in person at the filing office of Reditelství silnic a dálnic General Directorate at Cercanska 2023/12, 140 00 Prague, the Czech Republic, state on the document the addressee "Data protection officer";
- submitting in paper form with the applicant's handwritten officially verified (authorised) signature delivered to the following address: Reditelství silnic a dálnic, Data Protection Officer, at Cercanska 2023/12, 140 00 Prague;
- submitting in electronic form with a recognized electronic signature of the applicant delivered to the e-mail address of Reditelství silnic a dálnic - dpo@rsd.cz;
- submitting in the form of a data message delivered to the data box of Reditelství silnic a dálnic, ID of the data box [zjq4rhz](https://www.zj4rhz.cz).

Detailed information on the exercise of rights, including the submission of an application, is provided on the web boxes of Ředitelství silnic a dálnic available at rsd.cz/web/guest/rsd/gdpr-a-zpracovani-osobnich-udaju.

If in your opinion the processing of personal data in connection with the operation of ETCS has violated the law, you can file a complaint with the Office for Personal Data Protection, based in Pplk. Sochora 27, 170 00 Prague 7.