

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 468

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| DATE | D-PG | OFFICIAL STATUS |
|------------|------|--|
| 01/24/2019 | 161 | Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy |
| 02/14/2019 | | Comm report: To pass as amended Second reading |

1.1 A bill for an act

1.2 relating to data practices; expanding rideshare data classification to include all

1.3 government entities; amending Minnesota Statutes 2018, sections 13.201; 13.72,

1.4 subdivision 19; 465.719, subdivision 14; repealing Minnesota Statutes 2018, section

1.5 13.72, subdivision 9.

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

1.7 Section 1. Minnesota Statutes 2018, section 13.201, is amended to read:

1.8 **13.201 RIDESHARE DATA.**

1.9 The following data on participants, collected by ~~the Minnesota Department of~~

1.10 ~~Transportation and the Metropolitan Council~~ a government entity to administer rideshare

1.11 programs, are classified as private under section 13.02, subdivision 12, or nonpublic under

1.12 section 13.02, subdivision 9: residential address and telephone number; beginning and

1.13 ending work hours; current mode of commuting to and from work; place of employment;

1.14 photograph; biographical information; and type of rideshare service information requested.

1.15 Sec. 2. Minnesota Statutes 2018, section 13.72, subdivision 19, is amended to read:

1.16 Subd. 19. **Transit customer data.** (a) Data on applicants, users, and customers of public

1.17 transit collected by or through ~~the Metropolitan Council's~~ a government entity's personalized

1.18 web services or the Metropolitan Council's regional fare collection system are private data

1.19 on individuals. As used in this subdivision, the following terms have the meanings given

1.20 them:

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

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

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

2.7 (iii) rideshare programs administered by the council;

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

2.9 (v) commuter rail service;

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

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

2.13 (b) ~~The council~~ A government entity may disseminate data on user and customer
 2.14 transaction history and fare card use to government entities, organizations, school districts,
 2.15 educational institutions, and employers that subsidize or provide fare cards to their clients,
 2.16 students, or employees. "Data on user and customer transaction history and fare card use"
 2.17 means:

2.18 (1) the date a fare card was used;

2.19 (2) the time a fare card was used;

2.20 (3) the mode of travel;

2.21 (4) the type of fare product used; and

2.22 (5) information about the date, time, and type of fare product purchased.

2.23 Government entities, organizations, school districts, educational institutions, and employers
 2.24 may use customer transaction history and fare card use data only for purposes of measuring
 2.25 and promoting fare card use and evaluating the cost-effectiveness of their fare card programs.
 2.26 If a user or customer requests in writing that the council limit the disclosure of transaction
 2.27 history and fare card use, the council may disclose only the card balance and the date a card
 2.28 was last used.

2.29 (c) ~~The council~~ A government entity may disseminate transit service applicant, user,
 2.30 and customer data to another government entity to prevent unlawful intrusion into government
 2.31 electronic systems, or as otherwise provided by law.

3.1 Sec. 3. Minnesota Statutes 2018, section 465.719, subdivision 14, is amended to read:

3.2 Subd. 14. **Data classification.** The following data created, collected, or maintained by
3.3 a corporation subject to this section are classified as private data under section 13.02,
3.4 subdivision 12, or as nonpublic data under section 13.02, subdivision 9: (1) data relating
3.5 either (i) to private businesses consisting of financial statements, credit reports, audits,
3.6 business plans, income and expense projections, customer lists, balance sheets, income tax
3.7 returns, and design, market, and feasibility studies not paid for with public funds, or (ii) to
3.8 enterprises operated by the corporation that are in competition with entities offering similar
3.9 goods and services, so long as the data are not generally known or readily ascertainable by
3.10 proper means and disclosure of specific data would cause harm to the competitive position
3.11 of the enterprise or private business, provided that the goods or services do not require a
3.12 tax levy; and (2) any data identified in ~~sections~~ section 13.201 ~~and 13.72, subdivision 9,~~
3.13 collected or received by a transit organization.

3.14 Sec. 4. **REPEALER.**

3.15 Minnesota Statutes 2018, section 13.72, subdivision 9, is repealed.

3.16 Sec. 5. **EFFECTIVE DATE.**

3.17 This act is effective the day following final enactment.

APPENDIX
Repealed Minnesota Statutes: S0468-1

13.72 TRANSPORTATION DEPARTMENT DATA.

Subd. 9. **Rideshare data.** The following data on participants, collected by the Minnesota Department of Transportation and the Metropolitan Council to administer rideshare programs, are classified as private under section 13.02, subdivision 12: residential address and telephone number; beginning and ending work hours; current mode of commuting to and from work; and type of rideshare service information requested.