

Request for Temporary Classification Attachment City of Rochester, MN

Data to be classified as private

This request is to make private the following participant data when collected by the City of Rochester for the purpose of administering transportation demand management (rideshare) programs: address and telephone number; beginning and ending work hours; place of employment; current mode of commuting to and from work; type of rideshare service information requested; photo; and about me.

Compelling need justification

The data in question is sensitive and personally identifiable. Without private classification, participant data would be made available upon request and could be used to identify, contact, and even locate a participant at a given time, which could be a threat to their safety and welfare. Also, without private classification, the City of Rochester would face legal and other risk exposure in the event data provided is used to commit a crime or for other ill purpose.

Similar data

Rideshare data is classified as private in Minnesota Statute 13.72 Subd. 9. However, only rideshare data collect by two organizations: the Minnesota Department of Transportation and the Metropolitan Council is covered by current law. Those data are: 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.

Commuter data related to parking is considered general non-public data under Minn. Stat. 13.37 Subd. 1 (d). This section of the act includes "employer name" as non-public.

Similarities in the data: Data in this request are currently classified as private or non-public under current law, with the following two additions: the submitted photo, and about me.

Functions of the entities: The City of Rochester operates much like the entities named in current law by providing provide publically-funded transportation and parking services and seek to encourage increased use of public transit, rideshare, biking and other commuting modes that make best use of transportation infrastructure.

Program/purposes/use: The data will be collected and used for nearly identical purposes—the provision of programming to support commute modes other than driving alone. The city has organized a transportation management association (TMA) "Arrive Rochester," and is licensing a web-based software product for the purposes of: matching potential carpool participants; multi-modal trip planning; and trip logging to earn incentives for alternative trips. Commuters enter the personal data to participate.

Program rendered unworkable

This program is authorized by Minnesota Statute 469.41 establishing Destination Medical Center Corporation (DMCC) and Minn. Stat. 469.43 requiring the adoption by the DMCC board and City of Rochester of a development plan to include "transit and transportation planning." The adopted document, Destination Medical Center Plan Vol. II Sect. 7 (Transportation Plan), specifies the formation of a TMA (p.8). The software described above is a cornerstone service provided by the TMA

In the context of the safety concerns outlined previously, Arrive Rochester would become unworkable if temporary private classification is not granted, because: 1) Commuters will be unwilling to provide the necessary data to participate out of fear for their own safety and well-being, knowing that such sensitive and personally identifiable information could be obtained upon request; and 2) Employers (including Mayo Clinic), *whose participation is essential for success*, have stated that they would be unwilling to support and promote the service, out of concern for their employees' privacy and safety.