

Harnessing Big Data to Benefit the Transit Agency: Real Time, Fare Media, Ridership ...

APTA Legal 2018

Jenifer Ross-Amato Deputy General Counsel



Demystify Data & Up Your Game!



Data may be the agency's most valuable asset!

- Data can help transit agencies:
 - Increase market share
 - Improve transit services
 - Plan for better projects
 - Become more fiscally sustainable
 - Build multi-modal, smart cities
- Data can hurt transit agencies:
 - ➤ Give critics ammunition
 - > Help competitors
 - ≻Add liability exposure
 - ➢ Increase costs of litigation
 - Overwhelm with open records requests





Sources: McKinsey Global Institute, Twitter, Cisco, Gartner, EMC, SAS, IBM, MEPTEC, QAS



RID



Where do transit agencies collect data?

- GIS data
- Smart cards; fare machines
- Mobile ticketing
- Ridership (i.e. boardings per station)
- Customer surveys
- Social media
- Accidents
- Safety incidents
- Video public spaces, vehicles
- Wifi usage



RID

Who wants data collected by transit agencies?

- Cities
- Advocacy groups
- School districts
- Competitor transit providers
- Regulators
- Law enforcement



How is that data stored and accessed?

- Is the data in the cloud or on a local server?
- Who owns the data?
- Is the data in the United States?
- Can you easily access the data and use it for what you need at a reasonable cost?



How are you going to protect the data?

- Who is responsible if the data is lost or stolen?
- Is the data confidential PII, PCI, PHI?
- Are you legally responsible to a third party (i.e. bank, credit card companies) if the data is compromised?
- If you share the data, how do you ensure its integrity?





- Data sharing agreements
- Vendor agreements
- Mega IT projects
- Smart city strategic planning
- Grants management
- Policies &
 Procedures

The RTD Denver Story

- Neighborhood and student smart card data sharing & privacy concerns
- Technology procurement project
- Ridership data requests



Key Legal Provisions

- Form and content of data aggregate, anonymized
- Limitation of liability
- Data breach notification
- Demonstration of legal compliance versus audit rights
- License and maintenance agreements
- Ability to access and extract data key costs
- Approved uses of data and sharing with other parties
- No ongoing obligations; limited terms
- Integrity of the data
- Identifying and protecting CSSI