

## NOTICE ON THE PROCESSING OF PERSONAL DATA FOR OPERATORS (OWNERS) OF VEHICLES REGISTERED ABROAD

Dear Customer,

The purpose of this notice is to provide information to all natural persons ("Natural Persons") who, as registered operators or owners of a particular motor vehicle, registered abroad, have received a payment notice by mail from the business organisation commissioned by National Toll Payment Services Plc. ("NTPS Plc.") due to unauthorised use (lacking an e-vignette) of a toll section for which the use of an e-vignette is required. As a data controller, NTPS Plc. processes the Natural Person's personal data according to the relevant legal provisions ("Data Processing"), for the purpose of recovering the enforceable fines.

### **I. Legal background:**

As a company in 100% public ownership, NTPS Plc. is appointed and authorised by law to perform, on behalf of the Hungarian State, the toll charger, toll enforcement and fine collection functions of the time-based road use system ("e-vignette system") in accordance with Act I of 1988 on Road Transport ("Public Roads Traffic Act") and Decree No. 45/2020. (XI. 28.) of the Minister for Innovation and Technology on motorways, expressways and main roads subject to toll payment and on the tolls payable ("Toll Decree").

The entity authorised to enforce the payment of user charges inspects the appropriate authorisation and its purchase based on the registration number, country code and the vehicle category. These data are verified through recognition by the Data Controller's toll control system. After obtaining the data featured in the vehicle registry, the vehicle category data thus recognised may be modified to correspond with the data of a public registry. Furthermore, if in respect of a recognised registration number erroneous recognition is established based on the data of a public registry, the erroneously recognised registration number and the data obtained in relation thereto as featured in the vehicle registry are erased. In such cases, the Data Controller (and its collaborator) is also entitled to process data in respect of vehicles travelling with valid authorisation until the matching of data recognised during inspection with the registry can be established beyond any doubt.

The inspection may be carried out as a roadside inspection by the mobile inspector of NTPS Plc., or through an automatic comparison performed by a secure, closed system whereby the registration number on the photograph recorded by fixed or mobile cameras (camera inspection) installed along the toll road sections is compared with the registration number data in the road use sales database.

As a result of the inspection, with a view to establishing liability for the payment of the fine in question, NTPS Plc. will establish the data of the obligated party and the vehicle

(a) by way of his or her documents suitable for personal and vehicle identification (for roadside inspections) or data reporting from an authentic registry (camera inspection), or

(b) in the case of vehicles with a foreign registration number, where no other means are available, by way of an intermediate body.

This notice applies to the case as per paragraph b) above, where a business entity referred to in Section 33/B (4) and (5) of the Public Roads Traffic Act, commissioned by NTPS Plc. sends a notice calling for the payment of a fine. In such a case the operator (owner) of the foreign-registered vehicle is identified on the basis of data requested by the commissioned business entity from the authentic public registry in accordance with Section 11(5) of the Toll Decree.

In the course of its data processing, NTPS Plc. is required to comply with the provisions of Act CXII of 2011 on informational self-determination and the freedom of information (Privacy Act), as well as of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) as well as the provisions by the relevant sectoral and other civil law regulators.

## II. Purpose, scope, legal basis and duration of data processing:

Pursuant to Section 33/B(4) of the Public Roads Traffic Act, the purpose of Data Processing is to verify toll payment and to initiate a procedure for the recovery of fine claims or fine difference claims under the competence of NTPS Plc., together with the task of maximising the fine as per Sections 14 and 15 of the Toll Decree, the payment of fines by purchasing an annual vignette as per Section 16 of the Toll Decree as well as other services that may be performed by the Data Controller for its customers under Sections 18 and 19 of the Toll Decree.

Description of personal data	Legal basis for processing	Duration of processing
registration number, vehicle category, country code – that is, data provided by NTPS Plc. for the commissioned business entity	Fulfilling the statutory legal obligations of NTPS Plc. for toll enforcement and fine collection activities as a public service	until the expiration of the claim (2 years) or for the duration of the 60-day limitation period from the date the operator was identified or until the passing of 180 days following the closure of the fine-related issue
Name and address of residence of the Natural Person – that is, data provided for NTPS Plc. by business entities involved in the collection of claims, commissioned by NTPS Plc.		

Address data means both the Natural Person's permanent address and place of residence.

Closure of the fine-related issue shall mean payment in full of the fine claimed (i.e. when the sum is credited on the bank account of NTPS Plc.) or ending of the fine-related case for any other reason (such as providing evidence of exemption).

## III. Persons and/or organisations engaged by the Controller in data processing; data protection officer:

The fine collection staff and managers of NTPS Plc. are authorised to perform data processing.

Participating entities involved in fine collection abroad as joint controllers of data (with the exception of PETKOV & Co. s.r.o., which processes data independently pursuant to the relevant legislation) (commissioned business entities under contracts with NTPS Plc.):

### **Euro Parking Collection plc**

its data processing activity: seeking out name and home address data of operators (owners) of foreign-registered data using toll road segments in Hungary without toll payment, sending notices calling for fine payment

duration of processing: up to the earlier of as described above in Part II or the expiry of the assignment

registered seat: Unit 6, Shepperton House, 83-93 Shepperton Road, London N1 3DF, United Kingdom

**PETKOV & Co. s.r.o.**

its data processing activity: seeking out name and home address data of operators (owners) of foreign-registered data using toll road segments in Hungary without toll payment, sending notices calling for fine payment

duration of processing: up to the earlier of as described above in Part II or the expiry of the assignment

registered seat: Na vírskú 12, 811 01 Bratislava, Republic of Slovakia

**Ungarische Autobahn Inkasso GmbH**

its data processing activity: seeking out name and home address data of operators (owners) of foreign-registered data using toll road segments in Hungary without toll payment, sending notices calling for fine payment

duration of processing: up to the earlier of as described above in Part II or the expiry of the assignment

registered seat: 84307 Eggenfelden, Schellenbruckplatz 49, Germany

**Solventis Követeléskezelő Korlátolt Felelősségű Társaság**

its data processing activity: seeking out name and home address data of operators (owners) of foreign-registered data using toll road segments in Hungary without toll payment, sending notices calling for fine payment

duration of processing: up to the earlier of as described above in Part II or the expiry of the assignment

registered seat: H-8000 Székesfehérvár, Millenium utca 11., Hungary

Contact details for the Data Controller's **data protection officer**:

[dpo@nemzetiutdij.hu](mailto:dpo@nemzetiutdij.hu), tel.: +36 1 4368 000

Additional information concerning the data protection officer can be found at <http://www.toll-charge.hu/articles/article/privacy-policy-1> or may be requested in writing (by e-mail).

**IV. Customer's rights related to data processing:**

You have the following rights and enforcement options regarding data processing:

- 1. Right to information.** Pursuant to Article 15(1) of the GDPR and Section 16 of the Privacy Act.
- 2. Right to request a copy.** Pursuant to Article 15(3) and (4) of the GDPR and Section 17 of the Privacy Act, you may request a copy of your personal data processed by NTPS Plc.
- 3. Right to rectification.** Pursuant to Article 16 of the GDPR and Section 18 of the Privacy Act, we shall modify or clarify your personal data in accordance with your request.
- 4. Right to restriction.** You may request the restriction of data processing in accordance with Article 18 of the GDPR and Section 19 of the Privacy Act.
- 5. Common rules for the exercise of rights.** NTPS Plc. will act upon your request within maximum one month.

## **V. Enforcement options**

If you believe that NTPS Plc.'s data processing is not in compliance with legal requirements, you may initiate proceedings with the National Authority for Data Protection and Freedom of Information (mailing address: H-1363 Budapest, Pf. 9., e-mail: [ugyfelszolgalat@naih.hu](mailto:ugyfelszolgalat@naih.hu)).

In your report, please present evidence that you have attempted to enforce your rights with the Controller.

Any person may initiate proceedings on grounds of a suspected occurrence or imminent danger of a violation in the processing of personal data by filing a report to the National Authority for Data Protection and Freedom of Information.

Furthermore, you have the right to initiate court proceedings regarding the data processing practices of NTPS Plc. You may initiate such proceedings, at your discretion, at the court competent at your place of residence or place of stay.

Please note that it is not possible to settle fine-related issues using the above-referenced postal address and e-mail address of the National Authority for Data Protection and Freedom of Information.

Place and date: Budapest, December 1, 2020

**National Toll Payment Services Plc.**