



# Washington State

## Data Licensing Agreements and Audits



# Overview

- Release of Data
- Auditing for Data Security and Permissible Use
- Corrective Action Plans



# Release of Data

- 50 data licensing agreements (vehicles)
- 30 data licensing agreements (drivers)
- Requests for personal information require a contract that includes:
  - Permissible Use
  - Data Security
  - Audit Requirements



# Audits - Personal Information

- Vehicle versus driver data audits requirements
  - Vehicle audits required by law (RCW 46.12.630(4))
  - Driver audits required by contract
- Data security and permissible use audits required
- May submit their own independent, third-party audit for approval
- Includes subset of subsequent data recipients (subscribers)



# Audits - Personal Information

- Data recipients are responsible for costs of audits
  - If DOL audits, they must prepay audit costs
- Private sector
  - Audits required within first 6 months, then every 2 years
- Governmental entities
  - State agencies versus other governmental entities
  - Audits required within first year, then every 4 years (flexible)



# Auditing – Permissible Use

- Determines if recipient's use of data is what contract allows
- Includes subset of subsequent data recipients (subscribers)
- Audits include:
  - In conjunction with data security audit (e.g. limited user access, etc.)
  - Research the data recipient's business model
  - Review of subscriber agreements to ensure DOL requirements are included



# Auditing – Permissible Use

- Audits include (continued):
  - Inspect how data is used
  - Observe the data lifecycle and process flow of the data
  - Document observations and violations of compliance
  - Audits of subscribers, based on risk
- Stay tuned...



# Corrective Action Plans

- New Contracts Compliance Manager
- Review all audit reports
- If deficiencies are found, work with contractor to develop corrective action plan that:
  - Contain actions for correcting deficiencies
  - Timelines
- Ensure corrective action plans are completed timely
- May terminate for default





# Other Tidbits

- We call our contracts “data licensing agreements” so that the data recipients understand DOL still owns and controls the data
- In one-time data request DOL may audit if there is a breach or misuse, or if DOL suspects a breach or misuse
- Vessel data audit requirements effective June 2016



# **For More Information Contact:**

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