

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4086**

1 On page 1 of the printed bill, line 2, delete “192.502” and insert  
2 “192.501”.

3 Delete lines 4 through 31 and delete pages 2 through 8 and insert:

4 **“SECTION 1.** ORS 192.501 is amended to read:

5 “192.501. The following public records are exempt from disclosure under  
6 ORS 192.410 to 192.505 unless the public interest requires disclosure in the  
7 particular instance:

8 “(1) Records of a public body pertaining to litigation to which the public  
9 body is a party if the complaint has been filed, or if the complaint has not  
10 been filed, if the public body shows that such litigation is reasonably likely  
11 to occur. This exemption does not apply to litigation which has been con-  
12 cluded, and nothing in this subsection shall limit any right or opportunity  
13 granted by discovery or deposition statutes to a party to litigation or po-  
14 tential litigation.

15 “(2) Trade secrets. ‘Trade secrets,’ as used in this section, may include,  
16 but are not limited to, any formula, plan, pattern, process, tool, mechanism,  
17 compound, procedure, production data, or compilation of information which  
18 is not patented, which is known only to certain individuals within an or-  
19 ganization and which is used in a business it conducts, having actual or  
20 potential commercial value, and which gives its user an opportunity to ob-  
21 tain a business advantage over competitors who do not know or use it.

22 “(3) Investigatory information compiled for criminal law purposes. The

1 record of an arrest or the report of a crime shall be disclosed unless and only  
2 for so long as there is a clear need to delay disclosure in the course of a  
3 specific investigation, including the need to protect the complaining party  
4 or the victim. Nothing in this subsection shall limit any right constitu-  
5 tionally guaranteed, or granted by statute, to disclosure or discovery in  
6 criminal cases. For purposes of this subsection, the record of an arrest or the  
7 report of a crime includes, but is not limited to:

8 “(a) The arrested person’s name, age, residence, employment, marital sta-  
9 tus and similar biographical information;

10 “(b) The offense with which the arrested person is charged;

11 “(c) The conditions of release pursuant to ORS 135.230 to 135.290;

12 “(d) The identity of and biographical information concerning both com-  
13 plaining party and victim;

14 “(e) The identity of the investigating and arresting agency and the length  
15 of the investigation;

16 “(f) The circumstances of arrest, including time, place, resistance, pursuit  
17 and weapons used; and

18 “(g) Such information as may be necessary to enlist public assistance in  
19 apprehending fugitives from justice.

20 “(4) Test questions, scoring keys, and other data used to administer a li-  
21 censing examination, employment, academic or other examination or testing  
22 procedure before the examination is given and if the examination is to be  
23 used again. Records establishing procedures for and instructing persons ad-  
24 ministering, grading or evaluating an examination or testing procedure are  
25 included in this exemption, to the extent that disclosure would create a risk  
26 that the result might be affected.

27 “(5) Information consisting of production records, sale or purchase records  
28 or catch records, or similar business records of a private concern or enter-  
29 prise, required by law to be submitted to or inspected by a governmental  
30 body to allow it to determine fees or assessments payable or to establish

1 production quotas, and the amounts of such fees or assessments payable or  
2 paid, to the extent that such information is in a form which would permit  
3 identification of the individual concern or enterprise. This exemption does  
4 not include records submitted by long term care facilities as defined in ORS  
5 442.015 to the state for purposes of reimbursement of expenses or determining  
6 fees for patient care. Nothing in this subsection shall limit the use which  
7 can be made of such information for regulatory purposes or its admissibility  
8 in any enforcement proceeding.

9 “(6) Information relating to the appraisal of real estate prior to its ac-  
10 quisition.

11 “(7) The names and signatures of employees who sign authorization cards  
12 or petitions for the purpose of requesting representation or decertification  
13 elections.

14 “(8) Investigatory information relating to any complaint filed under ORS  
15 659A.820 or 659A.825, until such time as the complaint is resolved under ORS  
16 659A.835, or a final order is issued under ORS 659A.850.

17 “(9) Investigatory information relating to any complaint or charge filed  
18 under ORS 243.676 and 663.180.

19 “(10) Records, reports and other information received or compiled by the  
20 Director of the Department of Consumer and Business Services under ORS  
21 697.732.

22 “(11) Information concerning the location of archaeological sites or ob-  
23 jects as those terms are defined in ORS 358.905, except if the governing body  
24 of an Indian tribe requests the information and the need for the information  
25 is related to that Indian tribe’s cultural or religious activities. This ex-  
26 emption does not include information relating to a site that is all or part  
27 of an existing, commonly known and publicized tourist facility or attraction.

28 “(12) A personnel discipline action, or materials or documents supporting  
29 that action.

30 “(13) Information developed pursuant to ORS 496.004, 496.172 and 498.026

1 or ORS 496.192 and 564.100, regarding the habitat, location or population of  
2 any threatened species or endangered species.

3 “(14) Writings prepared by or under the direction of faculty of public ed-  
4 ucational institutions, in connection with research, until publicly released,  
5 copyrighted or patented.

6 “(15) Computer programs developed or purchased by or for any public  
7 body for its own use. As used in this subsection, ‘computer program’ means  
8 a series of instructions or statements which permit the functioning of a  
9 computer system in a manner designed to provide storage, retrieval and ma-  
10 nipulation of data from such computer system, and any associated documen-  
11 tation and source material that explain how to operate the computer  
12 program. ‘Computer program’ does not include:

13 “(a) The original data, including but not limited to numbers, text, voice,  
14 graphics and images;

15 “(b) Analyses, compilations and other manipulated forms of the original  
16 data produced by use of the program; or

17 “(c) The mathematical and statistical formulas which would be used if the  
18 manipulated forms of the original data were to be produced manually.

19 “(16) Data and information provided by participants to mediation under  
20 ORS 36.256.

21 “(17) Investigatory information relating to any complaint or charge filed  
22 under ORS chapter 654, until a final administrative determination is made  
23 or, if a citation is issued, until an employer receives notice of any citation.

24 “(18) Specific operational plans in connection with an anticipated threat  
25 to individual or public safety for deployment and use of personnel and  
26 equipment, prepared or used by a public body, if public disclosure of the  
27 plans would endanger an individual’s life or physical safety or jeopardize a  
28 law enforcement activity.

29 “(19)(a) Audits or audit reports required of a telecommunications carrier.  
30 As used in this paragraph, ‘audit or audit report’ means any external or

1 internal audit or audit report pertaining to a telecommunications carrier, as  
2 defined in ORS 133.721, or pertaining to a corporation having an affiliated  
3 interest, as defined in ORS 759.390, with a telecommunications carrier that  
4 is intended to make the operations of the entity more efficient, accurate or  
5 compliant with applicable rules, procedures or standards, that may include  
6 self-criticism and that has been filed by the telecommunications carrier or  
7 affiliate under compulsion of state law. ‘Audit or audit report’ does not mean  
8 an audit of a cost study that would be discoverable in a contested case pro-  
9 ceeding and that is not subject to a protective order; and

10 “(b) Financial statements. As used in this paragraph, ‘financial  
11 statement’ means a financial statement of a nonregulated corporation having  
12 an affiliated interest, as defined in ORS 759.390, with a telecommunications  
13 carrier, as defined in ORS 133.721.

14 “(20) The residence address of an elector if authorized under ORS 247.965  
15 and subject to ORS 247.967.

16 “(21) The following records, communications and information submitted  
17 to a housing authority as defined in ORS 456.005, or to an urban renewal  
18 agency as defined in ORS 457.010, by applicants for and recipients of loans,  
19 grants and tax credits:

20 “(a) Personal and corporate financial statements and information, in-  
21 cluding tax returns;

22 “(b) Credit reports;

23 “(c) Project appraisals, excluding appraisals obtained in the course of  
24 transactions involving an interest in real estate that is acquired, leased,  
25 rented, exchanged, transferred or otherwise disposed of as part of the project,  
26 but only after the transactions have closed and are concluded;

27 “(d) Market studies and analyses;

28 “(e) Articles of incorporation, partnership agreements and operating  
29 agreements;

30 “(f) Commitment letters;

1 “(g) Project pro forma statements;  
2 “(h) Project cost certifications and cost data;  
3 “(i) Audits;  
4 “(j) Project tenant correspondence requested to be confidential;  
5 “(k) Tenant files relating to certification; and  
6 “(L) Housing assistance payment requests.  
7 “(22) Records or information that, if disclosed, would allow a person to:  
8 “(a) Gain unauthorized access to buildings or other property;  
9 “(b) Identify those areas of structural or operational vulnerability that  
10 would permit unlawful disruption to, or interference with, services; or  
11 “(c) Disrupt, interfere with or gain unauthorized access to public funds  
12 or to information processing, communication or telecommunication systems,  
13 including the information contained in the systems, that are used or operated  
14 by a public body.  
15 “(23) Records or information that would reveal or otherwise identify se-  
16 curity measures, or weaknesses or potential weaknesses in security measures,  
17 taken or recommended to be taken to protect:  
18 “(a) An individual;  
19 “(b) Buildings or other property;  
20 “(c) Information processing, communication or telecommunication sys-  
21 tems, including the information contained in the systems; or  
22 “(d) Those operations of the Oregon State Lottery the security of which  
23 are subject to study and evaluation under ORS 461.180 (6).  
24 “(24) Personal information held by or under the direction of officials of  
25 the Oregon Health and Science University, a public university listed in ORS  
26 352.002 or the Oregon University System about a person who has or who is  
27 interested in donating money or property to the Oregon Health and Science  
28 University, the system or a public university, if the information is related  
29 to the family of the person, personal assets of the person or is incidental  
30 information not related to the donation.

1       “(25) The home address, professional address and telephone number of a  
2 person who has or who is interested in donating money or property to the  
3 Oregon University System or a public university listed in ORS 352.002.

4       “(26) Records of the name and address of a person who files a report with  
5 or pays an assessment to a commodity commission established under ORS  
6 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the  
7 Oregon Wheat Commission created under ORS 578.030.

8       “(27) Information provided to, obtained by or used by a public body to  
9 authorize, originate, receive or authenticate a transfer of funds, including  
10 but not limited to a credit card number, payment card expiration date,  
11 password, financial institution account number and financial institution  
12 routing number.

13       “(28) Social Security numbers as provided in ORS 107.840.

14       “(29) The electronic mail address of a student who attends a public uni-  
15 versity listed in ORS 352.002 or Oregon Health and Science University.

16       “(30) The name, home address, professional address or location of a person  
17 that is engaged in, or that provides goods or services for, medical research  
18 at Oregon Health and Science University that is conducted using animals  
19 other than rodents. This subsection does not apply to Oregon Health and  
20 Science University press releases, websites or other publications circulated  
21 to the general public.

22       “(31) If requested by a public safety officer, as defined in ORS 181.610:

23       “(a) The home address and home telephone number of the public safety  
24 officer contained in the voter registration records for the public safety offi-  
25 cer.

26       “(b) The home address and home telephone number of the public safety  
27 officer contained in records of the Department of Public Safety Standards  
28 and Training.

29       “(c) The name of the public safety officer contained in county real prop-  
30 erty assessment or taxation records. This exemption:

1       “(A) Applies only to the name of the public safety officer and any other  
2 owner of the property in connection with a specific property identified by the  
3 officer in a request for exemption from disclosure;

4       “(B) Applies only to records that may be made immediately available to  
5 the public upon request in person, by telephone or using the Internet;

6       “(C) Applies until the public safety officer requests termination of the  
7 exemption;

8       “(D) Does not apply to disclosure of records among public bodies as de-  
9 fined in ORS 174.109 for governmental purposes; and

10       “(E) May not result in liability for the county if the name of the public  
11 safety officer is disclosed after a request for exemption from disclosure is  
12 made under this subsection.

13       “(32) Unless the public records request is made by a financial institution,  
14 as defined in ORS 706.008, consumer finance company licensed under ORS  
15 chapter 725, mortgage banker or mortgage broker licensed under ORS  
16 86A.095 to 86A.198, or title company for business purposes, records described  
17 in paragraph (a) of this subsection, if the exemption from disclosure of the  
18 records is sought by an individual described in paragraph (b) of this sub-  
19 section using the procedure described in paragraph (c) of this subsection:

20       “(a) The home address, home or cellular telephone number or personal  
21 electronic mail address contained in the records of any public body that has  
22 received the request that is set forth in:

23       “(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance,  
24 release, satisfaction, substitution of trustee, easement, dog license, marriage  
25 license or military discharge record that is in the possession of the county  
26 clerk; or

27       “(B) Any public record of a public body other than the county clerk.

28       “(b) The individual claiming the exemption from disclosure must be a  
29 district attorney, a deputy district attorney, the Attorney General or an as-  
30 sistant attorney general, the United States Attorney for the District of



1 Oregon or an assistant United States attorney for the District of Oregon, a  
2 city attorney who engages in the prosecution of criminal matters or a deputy  
3 city attorney who engages in the prosecution of criminal matters.

4 “(c) The individual claiming the exemption from disclosure must do so by  
5 filing the claim in writing with the public body for which the exemption from  
6 disclosure is being claimed on a form prescribed by the public body. Unless  
7 the claim is filed with the county clerk, the claim form shall list the public  
8 records in the possession of the public body to which the exemption applies.  
9 The exemption applies until the individual claiming the exemption requests  
10 termination of the exemption or ceases to qualify for the exemption.

11 “(33) Land management plans required for voluntary stewardship agree-  
12 ments entered into under ORS 541.423.

13 “(34) Sensitive business records or financial or commercial information  
14 of the State Accident Insurance Fund Corporation that is not customarily  
15 provided to business competitors. This exemption does not:

16 “(a) Apply to the formulas for determining dividends to be paid to em-  
17 ployers insured by the State Accident Insurance Fund Corporation;

18 “(b) Apply to contracts for advertising, public relations or lobbying ser-  
19 vices or to documents related to the formation of such contracts;

20 “(c) Apply to group insurance contracts or to documents relating to the  
21 formation of such contracts, except that employer account records shall re-  
22 main exempt from disclosure as provided in ORS 192.502 (35); or

23 “(d) Provide the basis for opposing the discovery of documents in liti-  
24 gation pursuant to the applicable rules of civil procedure.

25 “(35) Records of the Department of Public Safety Standards and Training  
26 relating to investigations conducted under ORS 181.662 or 181.878 (6), until  
27 the department issues the report described in ORS 181.662 or 181.878.

28 “(36) A medical examiner’s report, autopsy report or laboratory test report  
29 ordered by a medical examiner under ORS 146.117.

30 “(37) Any document or other information related to an audit of a public

1 body, as defined in ORS 174.109, that is in the custody of an auditor or audit  
2 organization operating under nationally recognized government auditing  
3 standards, until the auditor or audit organization issues a final audit report  
4 in accordance with those standards or the audit is abandoned. This ex-  
5 emption does not prohibit disclosure of a draft audit report that is provided  
6 to the audited entity for the entity's response to the audit findings.

7 **“(38)(a) Personally identifiable information collected as part of an**  
8 **electronic fare collection system of a mass transit system.**

9 **“(b) The exemption from disclosure in paragraph (a) of this sub-**  
10 **section does not apply to public records that have attributes of ano-**  
11 **nymity that are sufficient, or that are aggregated into groupings that**  
12 **are broad enough, to ensure that persons cannot be identified by dis-**  
13 **closure of the public records.**

14 **“(c) As used in this subsection:**

15 **“(A) ‘Electronic fare collection system’ means the software and**  
16 **hardware used for, associated with or relating to the collection of**  
17 **transit fares for a mass transit system, including but not limited to**  
18 **computers, radio communication systems, personal mobile devices,**  
19 **wearable technology, fare instruments, information technology, data**  
20 **storage or collection equipment, or other equipment or improvements.**

21 **“(B) ‘Mass transit system’ has the meaning given that term in ORS**  
22 **267.010.**

23 **“(C) ‘Personally identifiable information’ means all information re-**  
24 **lating to a person that acquires or uses a transit pass or other fare**  
25 **payment medium in connection with an electronic fare collection sys-**  
26 **tem, including but not limited to:**

27 **“(i) Customer account information, date of birth, telephone num-**  
28 **ber, physical address, electronic mail address, credit or debit card in-**  
29 **formation, bank account information, Social Security or taxpayer**  
30 **identification number or other identification number, transit pass or**

1 **fare payment medium balances or history, or similar personal infor-**  
2 **mation; or**

3 **“(ii) Travel dates, travel times, frequency of use, travel locations,**  
4 **service types or vehicle use, or similar travel information.**

5 **“SECTION 2.** ORS 192.501, as amended by section 3, chapter 455, Oregon  
6 Laws 2005, section 7, chapter 608, Oregon Laws 2007, section 2, chapter 687,  
7 Oregon Laws 2007, section 2, chapter 48, Oregon Laws 2008, section 3, chap-  
8 ter 57, Oregon Laws 2009, section 2, chapter 135, Oregon Laws 2009, section  
9 4, chapter 222, Oregon Laws 2009, section 2, chapter 769, Oregon Laws 2009,  
10 section 15, chapter 9, Oregon Laws 2011, section 2, chapter 285, Oregon Laws  
11 2011, section 69, chapter 637, Oregon Laws 2011, section 2, chapter 325,  
12 Oregon Laws 2013, and section 108, chapter 768, Oregon Laws 2013, is  
13 amended to read:

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15 ORS 192.410 to 192.505 unless the public interest requires disclosure in the  
16 particular instance:

17 “(1) Records of a public body pertaining to litigation to which the public  
18 body is a party if the complaint has been filed, or if the complaint has not  
19 been filed, if the public body shows that such litigation is reasonably likely  
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25 but are not limited to, any formula, plan, pattern, process, tool, mechanism,  
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5 or the victim. Nothing in this subsection shall limit any right constitu-  
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7 criminal cases. For purposes of this subsection, the record of an arrest or the  
8 report of a crime includes, but is not limited to:

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14 plaining party and victim;

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16 of the investigation;

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18 and weapons used; and

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20 apprehending fugitives from justice.

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5 not include records submitted by long term care facilities as defined in ORS  
6 442.015 to the state for purposes of reimbursement of expenses or determining  
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8 affiliate under compulsion of state law. ‘Audit or audit report’ does not mean  
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25 transactions involving an interest in real estate that is acquired, leased,  
26 rented, exchanged, transferred or otherwise disposed of as part of the project,  
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7       “(L) Housing assistance payment requests.

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15 by a public body.

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29 University, the system or a public university, if the information is related

30 to the family of the person, personal assets of the person or is incidental



1 information not related to the donation.

2 “(25) The home address, professional address and telephone number of a  
3 person who has or who is interested in donating money or property to the  
4 Oregon University System or a public university listed in ORS 352.002.

5 “(26) Records of the name and address of a person who files a report with  
6 or pays an assessment to a commodity commission established under ORS  
7 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the  
8 Oregon Wheat Commission created under ORS 578.030.

9 “(27) Information provided to, obtained by or used by a public body to  
10 authorize, originate, receive or authenticate a transfer of funds, including  
11 but not limited to a credit card number, payment card expiration date,  
12 password, financial institution account number and financial institution  
13 routing number.

14 “(28) Social Security numbers as provided in ORS 107.840.

15 “(29) The electronic mail address of a student who attends a public uni-  
16 versity listed in ORS 352.002 or Oregon Health and Science University.

17 “(30) If requested by a public safety officer, as defined in ORS 181.610:

18 “(a) The home address and home telephone number of the public safety  
19 officer contained in the voter registration records for the public safety offi-  
20 cer.

21 “(b) The home address and home telephone number of the public safety  
22 officer contained in records of the Department of Public Safety Standards  
23 and Training.

24 “(c) The name of the public safety officer contained in county real prop-  
25 erty assessment or taxation records. This exemption:

26 “(A) Applies only to the name of the public safety officer and any other  
27 owner of the property in connection with a specific property identified by the  
28 officer in a request for exemption from disclosure;

29 “(B) Applies only to records that may be made immediately available to  
30 the public upon request in person, by telephone or using the Internet;

1 “(C) Applies until the public safety officer requests termination of the  
2 exemption;

3 “(D) Does not apply to disclosure of records among public bodies as de-  
4 fined in ORS 174.109 for governmental purposes; and

5 “(E) May not result in liability for the county if the name of the public  
6 safety officer is disclosed after a request for exemption from disclosure is  
7 made under this subsection.

8 “(31) Unless the public records request is made by a financial institution,  
9 as defined in ORS 706.008, consumer finance company licensed under ORS  
10 chapter 725, mortgage banker or mortgage broker licensed under ORS  
11 86A.095 to 86A.198, or title company for business purposes, records described  
12 in paragraph (a) of this subsection, if the exemption from disclosure of the  
13 records is sought by an individual described in paragraph (b) of this sub-  
14 section using the procedure described in paragraph (c) of this subsection:

15 “(a) The home address, home or cellular telephone number or personal  
16 electronic mail address contained in the records of any public body that has  
17 received the request that is set forth in:

18 “(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance,  
19 release, satisfaction, substitution of trustee, easement, dog license, marriage  
20 license or military discharge record that is in the possession of the county  
21 clerk; or

22 “(B) Any public record of a public body other than the county clerk.

23 “(b) The individual claiming the exemption from disclosure must be a  
24 district attorney, a deputy district attorney, the Attorney General or an as-  
25 sistant attorney general, the United States Attorney for the District of  
26 Oregon or an assistant United States attorney for the District of Oregon, a  
27 city attorney who engages in the prosecution of criminal matters or a deputy  
28 city attorney who engages in the prosecution of criminal matters.

29 “(c) The individual claiming the exemption from disclosure must do so by  
30 filing the claim in writing with the public body for which the exemption from

1 disclosure is being claimed on a form prescribed by the public body. Unless  
2 the claim is filed with the county clerk, the claim form shall list the public  
3 records in the possession of the public body to which the exemption applies.  
4 The exemption applies until the individual claiming the exemption requests  
5 termination of the exemption or ceases to qualify for the exemption.

6 “(32) Land management plans required for voluntary stewardship agree-  
7 ments entered into under ORS 541.423.

8 “(33) Sensitive business records or financial or commercial information  
9 of the State Accident Insurance Fund Corporation that is not customarily  
10 provided to business competitors. This exemption does not:

11 “(a) Apply to the formulas for determining dividends to be paid to em-  
12 ployers insured by the State Accident Insurance Fund Corporation;

13 “(b) Apply to contracts for advertising, public relations or lobbying ser-  
14 vices or to documents related to the formation of such contracts;

15 “(c) Apply to group insurance contracts or to documents relating to the  
16 formation of such contracts, except that employer account records shall re-  
17 main exempt from disclosure as provided in ORS 192.502 (35); or

18 “(d) Provide the basis for opposing the discovery of documents in liti-  
19 gation pursuant to the applicable rules of civil procedure.

20 “(34) Records of the Department of Public Safety Standards and Training  
21 relating to investigations conducted under ORS 181.662 or 181.878 (6), until  
22 the department issues the report described in ORS 181.662 or 181.878.

23 “(35) A medical examiner’s report, autopsy report or laboratory test report  
24 ordered by a medical examiner under ORS 146.117.

25 “(36) Any document or other information related to an audit of a public  
26 body, as defined in ORS 174.109, that is in the custody of an auditor or audit  
27 organization operating under nationally recognized government auditing  
28 standards, until the auditor or audit organization issues a final audit report  
29 in accordance with those standards or the audit is abandoned. This ex-  
30 emption does not prohibit disclosure of a draft audit report that is provided

1 to the audited entity for the entity's response to the audit findings.

2 **“(37)(a) Personally identifiable information collected as part of an**  
3 **electronic fare collection system of a mass transit system.**

4 **“(b) The exemption from disclosure in paragraph (a) of this sub-**  
5 **section does not apply to public records that have attributes of ano-**  
6 **nymity that are sufficient, or that are aggregated into groupings that**  
7 **are broad enough, to ensure that persons cannot be identified by dis-**  
8 **closure of the public records.**

9 **“(c) As used in this subsection:**

10 **“(A) ‘Electronic fare collection system’ means the software and**  
11 **hardware used for, associated with or relating to the collection of**  
12 **transit fares for a mass transit system, including but not limited to**  
13 **computers, radio communication systems, personal mobile devices,**  
14 **wearable technology, fare instruments, information technology, data**  
15 **storage or collection equipment, or other equipment or improvements.**

16 **“(B) ‘Mass transit system’ has the meaning given that term in ORS**  
17 **267.010.**

18 **“(C) ‘Personally identifiable information’ means all information re-**  
19 **lating to a person that acquires or uses a transit pass or other fare**  
20 **payment medium in connection with an electronic fare collection sys-**  
21 **tem, including but not limited to:**

22 **“(i) Customer account information, date of birth, telephone num-**  
23 **ber, physical address, electronic mail address, credit or debit card in-**  
24 **formation, bank account information, Social Security or taxpayer**  
25 **identification number or other identification number, transit pass or**  
26 **fare payment medium balances or history, or similar personal infor-**  
27 **mation; or**

28 **“(ii) Travel dates, travel times, frequency of use, travel locations,**  
29 **service types or vehicle use, or similar travel information.”.**

30