

Dear User! Thank you for downloading the e-TOLL PL application. Please read the regulations before you start using the application. The regulations explain how and under what terms and conditions the application works, and also contain important information about your personal data and security.

The e-TOLL PL application enables the Head of the National Revenue Administration to process your data, including geolocation data, to fulfil the obligations set out in the act. The data is stored in encrypted form on your mobile device.

The application enables you to pay an electronic fee and toll in accordance with the requirements set out in the Act on public roads and the Act on toll motorways and the National Road Fund. The application also enables the monitoring of transport in SENT (system for electronic transport supervision). The application is an alternative to other forms of the fulfilment of the above-mentioned statutory obligations.

Due to making the data transfer function available in the application, which covers also geolocation data, the Head of the National Revenue Administration shall process the data of application users to enable the fulfilment of the obligation to pay the electronic fee and toll as well as to monitor transport in the SENT system. The data is sent from the device of the travelling user, which requires the user to select the appropriate function of the application.

In order to use the application to pay an electronic fee or toll, it is necessary to accept the regulations as well as register the vehicle and the application business number in the Internet Customer Account (IKK) in the SPOE KAS system (mojekonto.etoll.gov.pl). The application is free of charge. The application and related services are provided by the Head of the National Revenue Administration.

Regulations and Privacy Policy of the e-TOLL PL Application

Article 1. Application

1. The Application is provided by the Head of the National Revenue Administration with its registered office in Warsaw (00-916) at 12 Świętokrzyska Street (hereinafter referred to as “**Provider**”).
2. The “**Application**” is the Provider’s software called “e-TOLL PL”, intended for installation on the User’s mobile device, the use of which is subject to the terms and conditions set out in these Regulations.
3. The Application is used to position and settle trips made by the User’s vehicle based on geolocation data provided via the Application, enabling the

determination of the location of the vehicle subject to toll collection on toll road sections in Poland or required to submit data to the SENT system.

4. The Application enables the transfer of the User's location data to the Electronic Fee Collection System of the National Revenue Administration ("**SPOE KAS**") and/or from the Electronic Transport Supervision System ("**SENT**") as well as its storage in encrypted form on the User's mobile device.
5. Tolls for traveling on toll road sections are calculated based on:
 - 5.1. electronic fee – collected pursuant to the Act of 21 March 1985 on public roads – hereinafter referred to as the **Public Roads Act**
 - 5.2. toll – collected pursuant to the Act of 27 October 1994 on toll motorways and the National Road Fund – hereinafter referred to as the **Toll Motorways Act**.
6. Monitoring of the transport of goods in the SENT system is carried out pursuant to:
 - 6.1. the Act of 9 March 2017 on the system for monitoring road and rail transport of goods and trade in heating fuels – hereinafter referred to as the **Monitoring System Act**.
7. In the case of mobile devices with Android, the Application can be downloaded from Google Play store, and in the case of mobile devices with iOS – from App Store.
8. Downloading and using the Application is free of charge. The telecommunications operator providing telecommunications services to the User may charge fees for using data transmission services or voice calls by the User in connection with downloading or using of the Application.
9. The Internet Customer Account (IKK SPOE KAS) is a self-service SPOE KAS service used to handle the User's account in the e-TOLL system. You can use the IKK to get registered in the e-TOLL system and set key service parameters to adapt them to your needs, e.g.:
 - open settlement accounts for which you will specify the method of trip financing
 - register vehicles and match them with the preferred device (mobile application, OBU, ZSL)
 - manage your finances, credit your account or pay a debit note
 - add other users who, in accordance with permissions granted to them, will help handle the account in the e-TOLL system

- check the trips made in the e-TOLL system and verify the payments made.

Article 2. Users

1. Within the meaning of these Regulations, Application Users shall include:
 - 1.1. Road users registered in the IKK SPOE KAS and driving vehicles or combinations of vehicles:
 - (a) with a permissible gross vehicle weight of more than 3.5 tons;
 - (b) with a permissible gross vehicle weight of up to 3.5 tons;
 - (c) buses, regardless of their permissible gross vehicle weight.
 - 1.2. Road users transporting goods in the SENT system.
2. In order to use the Application to fulfil the obligation to pay the electronic fee and toll or to transfer data to the SENT system, Users must have mobile devices enabling geolocation data transfer.
3. In the case of registering in the IKK an account that enables fee prepayment, it is possible to travel on a toll road and pay tolls using the Application once the appropriate amount of funds on the account assigned to the vehicle with which the trip is made has been ensured.
4. The Application may be used only by persons who meet the conditions set out in paragraphs 1-3 above. In particular, the Application may not be used by those who use vehicles not registered in the SPOE KAS or do not carry out transport in the SENT system.

Article 3. Application Activation

1. When using the Application for the first time, it is necessary to register and activate the Application in the IKK SPOE KAS.
2. Activation of the Application consists in assigning the application business number generated in the course of the Application installation to a specific account in the IKK SPOE KAS.

Article 4. Application Functions

1. A correctly activated Application enables the User to use the following functions:
 - 1.1. Launching the trip and starting the transfer of geolocation data for paid trips and/or SENT GEO (depending on the trip type) – the “Konfiguruj przejazd” (set the trip) and “Rozpocznij przejazd” (start the trip) functions.
 - 1.2. Signalling the device status (battery status, GPS signal status, and Internet connection status) – Application notifications.

- 1.3. Crediting the account enabling fee prepayment – the “Stan konta” (account balance) function.
- 1.4. Completing the trip and discontinuation of geolocation data transfer – the “Zakończ przejazd” (complete the trip) function.
- 1.5. Trip summary with information on the trip duration, location report and vehicle used (appears on the screen automatically after the trip is completed).
2. The data registered in the Application is the basis for the settlement of trips made by the User with the use of the Application.
3. The “Historia” (record) function allows the User to read the record of:
 - 3.1. trips made by the User, including chargeable ones (time of starting the trip, ending the trip, changing the monitoring method);
 - 3.2. trailer configuration changes.
4. The “Historia” (record) function enables the Application User to view the record of trips made so far in the three previous months.

Article 5. Technical Requirements

1. The Application is intended for mobile devices with an Android operating system version not lower than 8.0 (the latest available on the market is recommended) and an iOS version not lower than 14 and access to App Store.
2. Downloading and activating the Application require an Internet connection.
3. For the Application to work properly, the mobile device on which it is installed:
 - 3.1. must have at least 200MB free memory;
 - 3.2. may not have operating system modifications installed, in particular modifications consisting in removing the restrictions of the manufacturer of the mobile device or the manufacturer of the operating system (jailbreaking or rooting);
 - 3.3. must enable connection to the Internet;
 - 3.4. must have a GPS module.
4. The Provider informs that for its proper operation the Application uses:
 - 4.1. the Internet;
 - 4.2. mobile device ID and connection information;
 - 4.3. geolocation data.
5. The Provider informs that the installation of the Application updates provided by the Provider may be necessary for its proper operation and proper protection of

the data it contains. The Provider recommends installing such updates immediately after they have been made available via Google Play or App Store in the case of iOS devices.

6. The User should install operating system updates in accordance with the recommendations of the manufacturer of the mobile device and the Android system. Failure to update the operating system or the Application may lead to reduced security of using the Application, and even to data leakage from the Application.
7. Manufacturers of mobile devices may use various mechanisms to optimise the operation of the battery installed in the device. In some cases, too long running of the Application in the background may interfere with the correct transfer of geolocation data to the SPOE KAS and/or SENT system. In order to ensure the continuity of geolocation data transfer, the User of the mobile device should make sure that the Application is displayed on the device screen during the trip.

Article 6. Privacy and Security

1. Geolocation data transfer is obligatory and necessary to fulfil the User's obligations related to the payment of the electronic fee and toll or carry out transport in the SENT system.
2. The current location is taken to determine the amount of the electronic fee or toll and to monitor the transport of goods in the SENT system. Geolocation data is collected continuously, even if the Application is running in the background during the trip.
3. Where the obligatory electronic fee or toll is paid using the Application, the purpose of geolocation data collection is to detect whether the road section covered by the user is a toll section – in this case, the collected data is used only to calculate the amount of the due electronic fee paid pursuant to the Public Roads Act or to calculate the amount of the due toll paid pursuant to the Toll Motorways Act. In the case of the Application function related to the monitoring of SENT transport, data is transferred on a continuous basis to control the transport of goods carried out pursuant to the Monitoring System Act. Geolocation data is neither stored or used for other purposes. The data transfer rate is configurable and ranges from 5 to 60 seconds.
4. The Provider recommends that in the case of discontinuation of using a given mobile device by the User, the User resets the data in the system or deletes the Application before transferring the device to a third party.
5. The Application stores the following User data:

- 5.1. geolocation data provided by the User during a toll trip and/or SENT transport;
 - 5.2. registration numbers of the vehicles;
 - 5.3. User's business ID;
 - 5.4. ID of the account registered in the SPOE KAS;
 - 5.5. toll trip record (up to 3 months back);
 - 5.6. lists of SENT trips (for trips carried out in the SENT system).
6. The Provider receives from the Application geolocation data from the area of Poland, but it collects only that location data that is used to calculate the electronic fee or toll or to monitor SENT transport.
 7. Apart from electronic data transfer to the SPOE KAS and/or SENT system, the Application does not enable data export or import.
 8. The Provider does not enable the recovery of the PIN or password to the Application. In case of loss of the password to the Application, it is necessary to remove the Application from the mobile device along with all data and then install and activate the Application again.
 9. The Provider informs that it takes the utmost care to ensure a high level of IT security of the Application and User data. The Provider indicates, however, that due to the specific characteristics of information technology, it may turn out in the future that the Application is vulnerable to certain threats. For this reason, the Provider recommends updating the Application in accordance with Article 5(5) and indicates that it may make publicly available recommendations regarding security rules related to the use of the Application.

Article 7. Application Use

1. Upon installation of the Application, the Provider shall grant the User a licence to use the Application on the terms and conditions set out in Article 7. The granted licence is non-exclusive, non-transferable, and does not entitle to grant further licences (sub-licences).
2. The licence shall be granted for an indefinite time and with no territorial restrictions.
3. Under the licence, the User is entitled to reproduce the Application to the extent necessary to install and use it on the User's mobile devices, as long as these activities are carried out in order to use the Application in accordance with these Regulations.
4. Subject to Article 7(3) and exceptions resulting from mandatory legal provisions, the User is not entitled to reproduce the Application in any other way, nor is it

entitled to its translation, adaptation, changing its layout or making any other changes to the Application.

Article 8. Technical Support and User's Reports

1. The Provider offers support in terms of the Application operation at the following telephone number:
 - (a) +48 22 24 337 77 – paid number dedicated to users from Poland and abroad – the call charge according to the operator's price list.
2. Any Users' questions, comments or suggestions regarding the Application and its functions can be sent by e-mail to the following e-mail address: kontakt@etoll.gov.pl.

Article 9. Liability

1. The Provider informs that the User bears full liability for violation of the law or damage caused by the User's actions related to their use of the Application, in particular the authenticity of data related to the User's trips on toll road sections or trips in the SENT system.
2. The Provider informs that it is not liable for:
 - (a) damage resulting from the User's failure to update the Application;
 - (b) damage resulting from the use of the Application by the User contrary to the law or these Regulations;
 - (c) the quality and availability of telecommunications services necessary to use the Application, provided by the telecommunications operator whose services are used by the User;
 - (d) malfunctions of the Application operation resulting from malfunctions of the operating system or mobile device used by the User.

Article 10. Personal Data Processing

1. The User's personal data in the Application is controlled by the Head of the National Revenue Administration, that can be contacted at the following address: 00-916 Warszawa, ul. Świętokrzyska 12, or by e-mail sent to kancelaria@wf.gov.pl;
2. In matters concerning exercising the rights related to the processing of their personal data in the Application by the User, you can also contact the Data Protection Officer by e-mail sent to iod@mf.gov.pl,
3. The User's personal data shall be processed in order to:

- (a) fulfil the obligation to pay an electronic fee pursuant to the Act of 21 March 1985 on public roads and a toll pursuant to the Act of 27 October 1994 on toll motorways and the National Road Fund, in connection with Article 6(1)(c) of GDPR¹;
 - (b) monitor SENT transport pursuant to the Act of 9 March 2017 on the system for monitoring road and rail transport of goods and trade in heating fuels, in connection with Article 6(1)(c) of GDPR;
 - (c) support the Application User and the Application development in so far as necessary to perform a task as part of exercising public authority, i.e. toll collection and transport monitoring, in connection with Article 6(1)(e) of GDPR.
4. The User's personal data may be received by entities authorised to process it under legal regulations; a separate category of recipients to whom data may be disclosed includes entities processing personal data at the request of the Head of the National Revenue Administration, in particular those with which contracts for the provision of maintenance services for the IT systems and applications used have been concluded.
5. The User's personal data shall be processed for the period necessary to accomplish the purposes of processing referred to in paragraph 3, as well as for the period provided for in legal regulations.
6. The User has the right to:
- (a) access their personal data, in accordance with Article 15 of GDPR;
 - (b) rectify their personal data, in accordance with Article 16 of GDPR;
 - (c) request the Head of the National Revenue Administration to restrict the processing of personal data, in accordance with Article 18 of GDPR;
 - (d) object, in accordance with Article 21 of GDPR;
 - (e) lodge a complaint to the President of the Office for Personal Data Protection.
7. The processing of the User's personal data in the Application is necessary to fulfil the obligation to collect fees and monitor transport via the Application; a User that fails to provide their data may not use the Application.

¹ 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) (OJ L 119, 04.05.2016, p. 1, as amended).

Article 11. Final Provisions

1. The User has the right to terminate the use of the Application at any time by uninstalling it from their mobile device.
2. The Regulations may change with subsequent releases of the Application. The change shall be binding on Users who install such release of the Application and accept the amended wording of the Regulations.
3. The Regulations are available free of charge in the Application, as well as via etoll.gov.pl and puesc.gov.pl, in the PDF format that allows for their downloading, saving and printing.