

Manitoba mbudsman

The Manitoba Enhanced Driver's Licence (EDL) and Enhanced Identification Card (EIC): 10 Points for Privacy Awareness

1. THE EDL AND EIC ARE VOLUNTARY AND NOT NECESSARY IF YOU ALREADY HAVE A PASSPORT

The Manitoba Enhanced Driver's Licence (EDL) and Enhanced Identification Card (EIC) serve as voluntary travel documents that verify the cardholder's identity and citizenship for entry into the United States by land or water. Manitoba Public Insurance (MPI) is responsible for ensuring the ongoing production, integrity and security of these cards.

The Canadian passport system already exists to provide a secure, approved travel document for Manitobans.

2. A PERSON INTERESTED IN AN EDL OR EIC SHOULD FIRST READ THE MANITOBA *EDL AND EIC APPLICANT'S GUIDE*

The Manitoba *EDL and EIC Applicant's Guide* contains information that will help a person decide if they are comfortable with the EDL/EIC application process, the questions that will be asked and how their personal information will be used and shared with Manitoba, Canadian and U.S. authorities.

3. A PERSON SHOULD UNDERSTAND THE CONSENTS AND DECLARATIONS THAT MUST BE SIGNED BEFORE BEGINNING THE EDL/EIC APPLICATION PROCESS

Before applying for an EDL or EIC, a person should understand what details of their personal information will be shared with what government authorities and why. During the application process, the person should raise any questions or concerns that they may have with the MPI employee or Autopac broker and receive satisfactory answers before continuing with the application process and deciding whether to sign any documents.

4. UP TO FIVE PROVINCIAL, NATIONAL AND INTERNATIONAL AUTHORITIES WILL HANDLE THE PERSONAL INFORMATION OF AN EDL/EIC APPLICANT AND EDL/EIC CARDHOLDER

An applicant for an EDL or EIC will be asked to provide MPI with documents containing detailed personal information. These documents will be scanned and scanned copies will be retained by MPI. Upon the applicant's written consent, personal information will be shared between:

- MPI and Manitoba Vital Statistics Agency (for many applicants)

- MPI and Citizenship and Immigration Canada
- MPI and Canada Border Services Agency
- Canada Border Services Agency and U.S. Customs and Border Protection

Any new or additional collection of personal information, and the handling of that information, presents privacy risks.

5. THIRD PARTY INFORMATION SHOULD NOT BE COLLECTED OR USED IN THE MANITOBA EIC AND EDL PROGRAM

MPI has implemented a policy and procedures with the intention that any information about another person contained in documents provided to MPI in the EDL/EIC application process will not be scanned and retained by MPI (for example, a spouse's information on a marriage certificate or a parent's information on a utility bill).

If you are applying for an EDL or EIC, ensure that the privacy of the people close to you is protected. If you are presenting documents containing third party information, be sure that the MPI employee or Autopac broker copies the documents and "blacks out" the third party information on the copy before it is scanned. You should be asked to review the "blacked out" copy and to initial it before it is scanned. If this process is not being followed, contact Manitoba Ombudsman (see the contact information at the end of this sheet).

6. THE CHIP (RFID) IN THE EDL AND EIC PRESENTS A RISK OF LOCATION TRACKING OF THE CARDHOLDER

The U.S. requires that the Manitoba EDL and EIC contain Radio Frequency Identification (RFID) technology. This technology uses a chip whose unique identification number can be read by a scanning device for the purpose of automatic identification at the U.S. border.

Without protection, the "passive" RFID chip used in each EDL and EIC could be read by an unintended RFID card reader, allowing the movements of the cardholder to be tracked.

7. THE PROTECTIVE SLEEVE ISSUED WITH EACH MANITOBA EDL AND EIC PREVENTS THIS RISK, BUT THE CARDHOLDER MUST ALWAYS BE VIGILANT

The Manitoba EIC and EDL Program recognizes this privacy risk raised by the RFID technology. When an EDL or EIC is issued, a protective sleeve will be provided to be kept on the card to block the ability of an RFID reader to scan the chip in the card without the cardholder's knowledge.

It is important that a Manitoba EDL or EIC be kept in its protective sleeve at all times, except when used at the U.S. border. The responsibility of privacy protection always rests with the cardholder because, if the sleeve is not used properly, his or her privacy will be at risk.

8. A DAMAGED SLEEVE MUST BE REPLACED IMMEDIATELY

To be effective, the protective sleeve for the Manitoba EDL or EIC must be intact and not torn or damaged in any way.

It is important that the EDL or EIC holder immediately replace a damaged sleeve. A new replacement sleeve can be obtained, free of charge, from any MPI service location or Autopac broker office.

9. PRIVACY IMPLICATIONS OF ENTRY INTO THE U.S.

Once a traveller's personal information is shared with U.S. authorities, the Manitoba Government and MPI have no control over how it may be stored, used and further shared.

Personal information from any Canadian document(s) used to cross the U.S. border, including EDLs, EICs and passports, is stored in the U.S. Border Crossing Information system and retained for 75 years.

Manitoba and Canadian privacy laws do not apply to Manitobans' information retained by the U.S. Government and its agencies.

10. CONTACTS FOR PRIVACY INFORMATION AND TO RAISE PRIVACY CONCERNS

Manitoba's *Freedom of Information and Protection of Privacy Act* (FIPPA) and *The Personal Health Information Act* (PHIA) apply to MPI and its Autopac brokers.

For information about the handling of personal information in connection with these Manitoba laws and the Manitoba EIC and EDL Program, contact:

MPI Access and Privacy Coordinator
912-234 Donald Street
Winnipeg, MB R3C 4A4 (phone: (204) 985-7525)

If privacy concerns are raised in the EDL/EIC application process and cannot be resolved with MPI, contact:

Manitoba Ombudsman
750-500 Portage Avenue
Winnipeg, MB R3C 3X1 (phone: (204) 982-9130 (Winnipeg) or
1-800-665-0531 (toll free in Manitoba))