

## Privacy Policy

LAST UPDATED: May 3, 2023

The Truckbays Platform is provided by Truckbays, LLC ("Truckbays", "we" or "us"). We respect your privacy and the importance of the information you entrust to us. With this in mind, we provide you this privacy policy (the "Policy") to help you understand the kinds of information we may gather about you when you use our website and mobile platform (collectively the "Platform"), how we may use and disclose the information, and how you can control, correct and/or update the information. By accessing or using the Platform, you are accepting the policies and practices described in this Policy. Each time you visit or use the Platform, you agree and expressly consent to our collection, use and disclosure of the information that you provide as described in this Policy. Any capitalized terms not defined herein shall have the meaning as set forth in the Terms of Service.

Please note that this Policy does not apply to your use of third-party sites, services, or applications you may access through the Platform. We encourage you to review the privacy policies of those third parties for more information regarding their privacy practices.

### INFORMATION WE MAY COLLECT

- **Information You Provide to Us**

We collect information you provide directly to us when using the Platform. For example, we collect information when you download our mobile application(s), register for our services, sign up for an Account, complete a form, participate in any interactive features of the Platform, request customer support, or otherwise communicate with us. The types of information we may collect includes information that identifies or can be used to identify, contact or locate you ("Personal Information"). Personal Information includes, but is not limited to, your name, email address, phone number, residential and/or business mailing and billing addresses, date of birth, and payment information. As a Trucker on the Platform, we may further ask for a Government-Issued means of identification such as your Driver's License, photographs, images and travel preferences. You are required to ensure we have accurate information for you at all times. You can update your Personal Information at any time by logging into your Account and accessing **the "Profile" section**.

We will never sell, rent, trade or use Personal Information other than as needed to provide the Platform and specific services requested by you. Truckbays discloses Personal Information only to those of its employees, contractors and affiliated organizations that (i) need to know the information in order to process it on yours and our behalf, and (ii) that have agreed in writing to non-disclosure restrictions at least as strong as those herein. **We also may collect device-specific information (such as your hardware model, operating system version, unique device identifiers, and mobile network information including phone number). We may associate your**

device identifiers or phone number with your Account. Depending on the nature of your inquiry or activities on the Platform, we may also ask for other information relevant to your use of the Platform.

You acknowledge and agree that communications, including phone calls or “chat” services, with Truckbays or our third-party agents may be monitored, recorded and retained by Truckbays. You consent to the monitoring and recording of all conversations between you and Truckbays and you release us from and against any and all claims, liabilities and losses that may result from any such monitored and/or recorded conversations.

- **Information We Collect Automatically When You Use the Platform**

When you access or use the Platform, we automatically collect information about you, including the following:

- Log Information: We log information about your use of the Platform, including the type of browser you use, access times, pages viewed, your IP address, and the page you visited before navigating to the Platform. Publicly available tools can sometimes provide the approximate location for IP addresses.
- Device Information: We collect information about the computer or mobile device you use to access the Platform, including the hardware model, operating system and version, unique device identifiers, and mobile network information.
- Information Collected by Cookies and Other Tracking Technologies: We use various technologies to collect information, and this may include sending cookies to your computer or mobile device. Cookies are small data files stored in device memory that help us to improve the Platform and your experience, see which areas and features of the Platform are popular, and count visits. We may also collect information using web beacons (also known as “tracking pixels”). Web beacons are electronic images that may be used in the Platform or emails and help deliver cookies, count visits, understand usage and campaign effectiveness, determine whether an email has been opened and acted upon, compile aggregated statistics about Platform usage and response rates, and provide an enhanced online experience for visitors to the Platform.
- Geo-location Information: We use the IP address of your device or the mobile device’s GPS to offer an improved user experience. Some mobile devices allow users to control the use of location services for applications installed on the device in the device’s settings menu. You also understand that Truckbays may collect this geo-location information even when you are not using the Platform where a connection is enabled through the settings or device permissions.
- Analytics Services: We may allow others to provide analytics services in connection with the Services, such as \_\_\_\_\_, and Google Analytics. These entities may use cookies, web beacons, and other technologies to collect information about your use of the Site and Services, including your IP address, web browser, pages viewed, time spent on pages, links clicked, and conversion information. We and others may use this information to, among other things, analyze and track data, determine the popularity of certain content, personalize the user experience, and better understand your activity.
  - To learn more about \_\_\_\_\_, please visit \_\_\_\_\_.
  - To learn more about Google Analytics, please visit <https://policies.google.com/privacy>.

We also may collect other types of information in the following ways when you use the Platform:

- Details of how you used and interacted with the Platform, such as your search queries and how you responded to certain questions.
- Device event information such as crashes, system activity, hardware settings, browser type, browser language, the date and time of your request and referral URL.
- **Information We Collect From Other Sources**

We may also obtain information from other sources and combine that with information we collect through the Platform. For example, we may collect information about you from third parties who provide services on our behalf, such as maintaining and monitoring usage of the Platform and processing payment transactions. We also may receive information about you from the third parties with whom you interact through the Platform.

## **USE OF INFORMATION**

We may use information about you for various purposes, including the following:

- Provide and deliver the services you request, process transactions, and send you related information;
- Verify your identity and, if applicable, authorization for you to use the Platform and communicate with other Users of the Platform;
- Process payments;
- Facilitate use of the Platform;
- Manage your Account and your preferences;
- To prevent or address service, security, technical issues at your request in connection with customer support matters
- Respond to your comments, questions, and requests;
- Send you technical notices and other administrative messages;
- Communicate with you about products, services, offers, promotions, rewards, and events offered by us or others, and provide news and information we think will be of interest to you;
- Monitor and analyze trends, usage, and activities in connection with the Platform;
- Conduct research, analysis, and surveys;
- Personalize and improve the Platform and provide content or features that match user profiles or interests;
- Protect against, identify and prevent fraud and other criminal activity, claims, and other liabilities;
- Fulfill contractual obligations with third parties, such as licensing agreements and taking appropriate action concerning intellectual property infringement reports and inappropriate content;
- Comply with and enforce applicable legal requirements, relevant industry standards, and policies, including this Policy and our Terms of Service.;
- Link or combine with information we get from others in connection with the Platform; and



- Carry out any other purpose for which the information was collected.

This policy is not intended to place any limits on what we do with data that is aggregated and/or de-identified so it is no longer associated with an identifiable user of the Platform. In other words, information about how you use the Platform may be collected and combined with information about how others use the Platform, but no personally identifiable information will be included in the resulting data.

## **SHARING OF INFORMATION**

We may share or transfer information about you as follows or as otherwise described in this Privacy Policy:

- With third party affiliates, contractors, payment processors and other service providers in connection with providing the Platform;
- With affiliates, contractors, and other service providers who need access to such information to carry out work on our behalf;
- With other Users of the Platform for such Users to provide or receive products or services through the Platform, as requested and applicable;
  - When Hosts publish a listing and related information on the Platform, it will be visible to other Users of the Service. Other Users can make use of such information for their own use.
  - When a booking request is initiated or made, certain information may be shared between Host(s) and Trucker(s) and, such information may include name, precise location, profile picture, and other information you choose to share.
- In response to a request for information if we believe disclosure is in accordance with any applicable law, regulation, or legal process, or as otherwise required by any applicable law, rule, or regulation. In addition, we may disclose information you provide if we, in our sole discretion, believe that disclosure is reasonable to (1) comply with requests, or orders from law enforcement, or any legal process or investigation including without limitation to prevent, investigate, detect or prosecute any criminal offense or attack (whether or not such disclosure is required by applicable law), (2) protect or defend Truckbays's, or a third party's rights or property, or (3) protect someone's health or safety, such as when harm or violence against any person (including you) is threatened;
- If we believe your actions are inconsistent with the spirit or language of our Terms of Service or policies, or to protect the rights, property, and safety of you, us, or others;
- In connection with, or during negotiations of, any merger, sale of our assets, financing, or acquisition of all or a portion of our business to another company;
- With your consent or at your direction, including if we notify you through the Platform that certain information you provide will be shared in a particular manner and you provide this information.

We may also share aggregated or de-identified information, which cannot reasonably be used to identify you.



## **SECURITY**

We work hard to protect your information and take appropriate commercially reasonable physical, electronic, and other security measures to help safeguard personal information from loss, unauthorized access, alteration, or disclosure regardless of how or where it is stored. Our security practices include: encrypting many of our services using SSL; verification for account access; and frequent review of information collection, storage and processing practices, including physical security measures, to guard against unauthorized access to systems. However, no internet or e-mail transmission or data storage system is ever fully secure or error free and therefore, we cannot guarantee the security of any information transmitted to or from the Platform.

## **PRIVACY POLICY CHANGES**

The most current version of the Policy will govern our use of your information and will always be located on this webpage. Truckbays reserves the right to change, modify, add, or remove portions of this Policy at any time and without prior notice, and any changes will become effective immediately upon being posted unless we advise you otherwise. However, we will not use your Personal Information in a way that is materially different than the uses described in this Policy without giving you an opportunity to opt out of such differing uses. Your continued use of the Platform after this Policy has been amended shall be deemed to be your continued acceptance of the terms and conditions of the Policy, as amended. We encourage you to review this Policy regularly.

## **AGE RESTRICTIONS**

The Platform is intended for users who are eighteen (18) years of age and older. If you are under the age of 18, you are not permitted to submit any Personal Information to us. If you believe we might have any information from or about a child under 13, please contact us at [support@Truckbays.com](mailto:support@Truckbays.com). If we determine that such information has been inadvertently collected on anyone under the age of thirteen (13), we shall immediately take the necessary steps to ensure that such information is deleted from our system's database, or in the alternative, that verifiable parental consent is obtained for the use and storage of such information.

## **RETENTION**

We will retain your Personal Information for the period of time that is necessary to fulfil the original purposes for which it has been collected. Please keep in mind that, in certain cases, a longer retention period may be required or permitted by law or to allow us to pursue our business interests, conduct audits, comply with our legal obligations, enforce our agreements or resolve any dispute.



The criteria used to determine our retention periods include:

- Time needed to provide you with our Platform.
- Whether your account with us is active. You may contact us to make your account inactive at any time.
- Legal, contractual, or similar obligations to retain your data, such as mandatory data retention laws in the applicable jurisdiction, government orders to preserve data relevant to an investigation, or data that must be retained for the purposes of contract or litigation.

Please note that we are not responsible for storing any information that you provide to us or for any content or information that we provide to you. You are solely responsible for retaining backup files of any information and content that you provide or receive in connection with the Platform.

## **TRANSFER OF PERSONAL INFORMATION; INTERNATIONAL VISITORS**

The Platform is provided from the United States. If you are located outside of the United States, any information you provide to us may be transferred out of your country and into the United States. Personally identifiable information collected through the Platform may be stored and processed in the United States or, if and as applicable for international Users, any other country in which Truckbays or its affiliates, subsidiaries or service providers maintain facilities. If your Personal Information is transferred to a country other than your home country, we will take measures to protect it with appropriate contract clauses or other applicable safeguards.

If you are an international visitor, you acknowledge that by providing your Personal Information, you are: (a) permitting the transfer of your Personal Information to the United States which may not have the same data protection laws as the country in which you reside; and (b) permitting the use of your Personal Information in accordance with this Privacy Policy.

Subject to local law, you may also have certain rights regarding information that we have collected and that is related to you. For example, if you are located in the European Union with rights under the General Data Protection Regulation (“GDPR”), you have the right to withdraw previously provided consent for our processing of your “personal data” as such term is defined under the GDPR, by contacting us at [support@Truckbays.com](mailto:support@Truckbays.com). Such individuals also have the following rights:

- Right to access – In accordance with Article 15 of the GDPR, this right allows individuals to obtain confirmation as to whether or not personal data concerning him or her is being processed and provides access to such personal data. It also allows individuals to request details of the processing of his or her personal data, including, without limitation, categories of recipients to whom the personal data has been or will be disclosed and the purposes of the processing.

- Right to rectify – In accordance with Article 16 of the GDPR, this right allows individuals to rectify any inaccurate personal data about him or her.
- Right to restrict processing – This right allows individuals to block or suppress processing of personal data under certain circumstances in accordance with Article 18 of the GDPR.
- Right to be forgotten – This right is also known as the “right to erasure.” In accordance with Article 17 of the GDPR, it is an individual’s right to have personal data erased or to prevent processing in specific circumstances.
- Right of data portability – In accordance with Article 20 of the GDPR, this right allows individuals to move, copy or transfer personal data from one place to another in a secure manner without interrupting the integrity and usability of the information.
- Right to object to processing – In accordance with Article 21 of the GDPR, this right allows individuals to object to certain types of processing, including direct marketing, profiling and providing for purposes of scientific or historical research and statistics.
- Right to withdraw your consent - You shall have the right to withdraw your consent at any time with regard to the processing of the User Information in accordance with Article 7 para. 3 GDPR.
- Right to lodge a complaint - You may lodge a complaint with the supervisory authority in accordance with Article 77 para. 1 of the GDPR, if you feel that the processing of the data relating to you infringes the GDPR.
- Right to effective judicial remedy - You shall have the right to an effective judicial remedy where You consider that Your rights under the GDPR have been infringed as a result of the processing of Your personal data and the same is in non-compliance with the GDPR.

Legal Bases for Processing: We rely on the following legal basis to process your personal data: (i) it may be necessary for us to use and disclose your personal data for the performance and fulfillment of the contract between us and to provide you with our Services; (ii) if you specifically consent to certain uses of your personal data, we may use your personal data in a manner consistent with that consent; and (iii) we will also process, transfer, disclose and preserve personal data when we have a good faith belief that doing so is necessary.

To exercise any of the above rights, please contact us at [support@Truckbays.com](mailto:support@Truckbays.com).

## **OPTIONS**





## **Your Information**

We use reasonable processes to ensure compliance with this privacy policy and periodically verify that the policy is accurate. We encourage you to raise any concerns by contacting us at [support@Truckbays.com](mailto:support@Truckbays.com), and we will investigate and attempt to resolve any complaints and disputes regarding use and disclosure of information. Unless legal restrictions apply, you have the right to access the information we hold about you free of charge. You may update, correct or delete your information at any time by contacting us at [support@Truckbays.com](mailto:support@Truckbays.com). You can help us maintain the accuracy of your information by notifying us of any changes. To avoid delays in obtaining your information, please provide sufficient detail to permit us to identify you and the specific information that you are requesting. We will respond to your request within 30 days of receipt, unless we inform you that it will take longer, as permitted by law under certain circumstances. Please note that there may be instances where access may be restricted as permitted or required by law. We will advise you of the reasons for restricting access subject to any legal or regulatory limitations. In addition, please note that we may retain certain information as required by law or for legitimate business purposes. We may also retain cached or archived copies of information about you for a certain period. Please note that we are not responsible for storing any information that you provide to us or a third party or for any content or information that we or a third party provide to you. You are solely responsible for retaining backup files of any information and content that you provide or receive in connection with the Platform.

## **Promotional Communications**

By providing Personal Information to us, you expressly consent to receive messaging and information from us. You may opt out of receiving promotional communications from us by following the instructions in those communications or by emailing us at [support@Truckbays.com](mailto:support@Truckbays.com). If you opt out, we may still send you non-promotional communications, such as messages about your Account or our ongoing business relations.

If you have consented to have your Personal Information shared with any third party and you no longer wish to have your Personal Information shared with such parties, then you may opt-out of such disclosures by sending an email to [support@Truckbays.com](mailto:support@Truckbays.com). However, we are not responsible for removing your Personal Information from the lists of any third party who has previously been provided with your information in accordance with this privacy policy or your separate consent.

Please note that there might be a brief delay between when you submit your request to 'opt-out' and when it is processed and reflected in our systems; accordingly, you may continue to receive communications from us for a limited time after you unsubscribe. We appreciate your patience.

## **Links to other websites or resources**

We do not claim nor accept responsibility for any privacy policies, practices, and/or procedures of other third-party websites or resources. Therefore, we encourage all users and visitors to be aware when they leave our





Platform and read every website's privacy statement. This Policy applies only and solely to the information collected on our Platform.

### **Non-Discrimination**

We will not discriminate against you because you elect to exercise any of the rights related to your Personal Information, including but not limited to:

- Denying you products or services;
- Charging you different prices or rates for Platform, including through the use of discounts or other benefits or imposing penalties on you;
- Providing a different level or quality of Platform to you; or
- Suggesting that you will receive a different price or rate for Platform or a different level or quality of Platform.

### **HOW TO CONTACT US**

If you have any feedback, questions or complaints about this Policy, or our information practices, please contact us by email at [support@Truckbays.com](mailto:support@Truckbays.com).

LAST UPDATED: May 3, 2023



## STATE ADDENDUM TO THE TRUCKBAYS PRIVACY POLICY

**ADDENDUM DATE: May 3, 2023**

This State Addendum to the Truckbays Privacy Policy (“Addendum”) supplements the terms of Truckbay’s Privacy Policy and applies to individuals who are residents of California, Colorado, Connecticut, Virginia, and Utah, as specified below. It describes the rights you may have, depending on the state of your residence, with regard to your personal information, which apply when new or updated laws take effect in these states. This Addendum does not apply to any employees, owners, directors, officers, or contractors of Truckbays or its affiliates.

### **I. California Privacy Policy**

The section relates solely to residents of the State of California, and for purposes of this section, "you" means residents of the State of California. This section will provide you with information about our information practices and your privacy rights under the California Consumer Privacy Act (CCPA), the California Privacy Rights Act (CPRA) and applicable regulations (collectively referred to as "CPRA"). Any terms defined in the CPRA have the same meaning when used in this section.

#### **1) Personal Information we collect**

Truckbays collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California consumer or household ("CPRA Covered Personal Information" or "personal information"). CPRA Covered Personal Information does not include personal information that has been de-identified or aggregated, or that is publicly available information from government records.

In particular, we have collected the following categories of CPRA Covered Personal Information from consumers (as that term is defined in the CPRA) within the last twelve (12) months:

Category	Examples	Collected
A. Personal Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, Account name, Social Security number, driver's license number, passport number, or other similar identifiers.	Yes

<p>B. Personal and financial information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</p>	<p>A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.</p>	<p>Yes</p>
<p>C. Protected classification characteristics under California or federal law.</p>	<p>Age (40 years or older), race, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status.</p>	<p>No</p>
<p>D. Commercial information.</p>	<p>Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.</p>	<p>No</p>
<p>E. Biometric information.</p>	<p>Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.</p>	<p>No</p>
<p>F. Internet or other similar network activity.</p>	<p>Browsing history, search history, information on your interaction with a Site, application, or advertisement.</p>	<p>Yes</p>
<p>G. Geolocation data.</p>	<p>Physical location or movements.</p>	<p>Yes</p>
<p>H. Sensory data.</p>	<p>Audio, electronic, visual, thermal, olfactory, or similar information.</p>	<p>No</p>
<p>I. Professional or employment related information</p>	<p>Occupation, title, employer information, current or past job history or performance evaluations.</p>	<p>No</p>
<p>J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).</p>	<p>Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.</p>	<p>No</p>
<p>J. Inferences drawn from other personal information.</p>	<p>Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.</p>	<p>No</p>

L. Sensitive Personal Information	Social security, driver's license, state identification or passport numbers; Account log-in, financial account, debit or credit card number in combination with any required security or access code, password or credentials allowing access to an Account; precise geolocation data; racial or ethnic origin, religious or philosophical beliefs or union membership, content of mail, email and text messages unless business is the intended recipient; genetic data; processing of biometric information for the purposes of uniquely identifying a consumer; personal information collected and analyzed concerning your health.	Yes
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## 2) **Categories of sources from which we collect personal information**

You have the right to know the categories of sources from which we collect your personal information. We make this information available to you in the **INFORMATION WE MAY COLLECT** section of our Privacy Policy.

## 3) **Our processing of your personal information**

You have the right to know how we process and use your personal information. We make this information available to you in the **USE OF INFORMATION** section of our Privacy Policy.

## 4) **Disclosure of Personal Information**

You have the right to know if we share your personal information with any third parties and the categories of those third parties. We make this information available to you in the **SHARING OF INFORMATION** section of our Privacy Notice.

## 5) **No Sales or Sharing of Personal Information**

We do not sell personal information for monetary or other consideration, and we do not share your personal information for cross-context behavioral advertising (as defined in the CPRA). We have also not sold or shared the personal information of consumers under 16 years of age.

## 6) **Use of Sensitive Personal Information**

We do not use or disclose sensitive personal information for purposes other than those specified in section 7027, subsection (m) of the CPRA regulations and we do not collect or process sensitive personal information for purposes of inferring characteristics about you.

## 7) **Your CPRA Consumer Rights**

a) Where we are acting as a business (as opposed to a service provider as those terms are defined in the CPRA), you have the following rights:

- **Right to Access.** You have the right to request that we disclose the categories of personal information we collected about you, the categories of sources for the personal information we collected about you, our business or commercial purpose for collecting your personal information, the categories of third parties with whom we share your personal information; and the specific pieces of personal information we collected about you.

- **Right to data portability.** You have the right to obtain a copy of your data in a portable, and to the extent technically feasible, readily usable format that allows you to transmit the data to a third party.
- **Right to delete.** You may have the right to request that we delete your personal information where we act as a business. This right is subject to several exceptions and we may deny your deletion request if retaining the information is necessary for us or our service providers to:
  - Complete the transaction for which we collected the personal information and take actions reasonably anticipated within the context of our ongoing business relationship with you or our client;
  - Detect bugs or errors in our Services, detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities;
  - Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us;
  - Comply with a legal obligation; or
  - Make other internal and lawful uses of that information as permitted by law or that are compatible with the context in which we collected it.
- **Right to correct.** We take reasonable steps to ensure that information we hold about you is accurate and complete. However, you have the right to request that we correct any inaccurate personal information that we have about you.
- **Right to non-discrimination and no retaliation.** We will not discriminate or retaliate against you for exercising any of your rights under the CCPA, including we will not deny you goods or services, charge you different prices for goods or services, provide you a different level or quality of goods or services, or suggest that you will receive a different price for goods or services or a different level of quality of goods and services.

#### b) Exercising Your Rights

You may exercise your rights to know, delete and correct as described above by submitting a verifiable request to us by emailing us at [support@Truckbays.com](mailto:support@Truckbays.com).

#### c) Verification Process

We are only required to fulfill verifiable requests. Only you, you as a parent or a legal guardian on behalf of a minor child, or your authorized agent may make a verifiable request related to personal information. If you submit your request through an authorized agent, we may require you to provide your agent with written permission to do so and verify your identity. We may deny any request by an authorized agent that does not submit proof that the agent has been authorized by you to act on your behalf.

- **For requests for access to categories of personal information,** we will verify your request to a "reasonable degree of certainty." This may include matching at least two data points that you would need to provide with data points we maintain about you and that we have determined to be reliable for the purposes of
- **For requests for specific pieces of personal information (portability request),** we will verify your request to a "reasonably high degree of certainty." This may include matching at least three data points that you would need to provide with the data points we maintain about you and that we have determined to be reliable for the purposes of verification. We will also require you to submit a



signed declaration under penalty of perjury that you are the consumer whose personal information is the subject of the request.

- **For requests to delete**, we will verify your request to a "reasonable degree" or a "reasonably high degree of certainty" depending on the sensitivity of the personal information and the risk of harm to the consumer posed by unauthorized deletion.

We will use the personal information you provide in a request only for purposes of verifying your identity or authority to make the request.

#### d) Response Timing and Format

We will respond to a verifiable request within forty-five (45) days of its receipt, and will notify you within those forty-five (45) days if we require more time to respond and the reasons for the additional time. If you have an Account with us, we will deliver our written response to that Account. If you do not have an Account with us, we will deliver our written response by mail or electronically, at your option. (Note that the law prohibits us from disclosing at any time a consumer's Social Security number, driver's license number or other government-issued identification number, financial account number, any health insurance or medical identification number, an Account password, security questions and answers, or any unique biometric data.) If we cannot comply with a request or a portion of the request, we will include the reasons in our response. If we deny your request on the basis that it is impossible or would involve a disproportionate effort, we will explain our reasons, such as the data is not in a searchable or readily accessible format, is maintained for only legal or compliance purposes, or is not sold or used for any commercial purpose and our inability to disclose it, delete or correct it would not impact you in any material manner.

We do not charge a fee to process or respond to your verifiable request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

\*Please note that in certain cases we may collect your personal information as a service provider (as opposed to a business, as those terms are defined in the CPRA) pursuant to a contract we have with a commercial client (the CPRA business) to provide a service. In such a case, we are required to collect and process your information only based on the instructions received from the business. Should you direct your requests to exercise your rights to us, we may be required to share your request with the business, who is the party responsible under the CPRA for receiving, verifying and responding to your requests, or we may direct you to make your request directly to the business.

#### 8) CPRA exemptions

This section (California Privacy Policy) does not apply to the following data which is exempt from the CPRA, including but not limited to: medical information governed by the California Confidentiality of Medical Information Act (CMIA); protected health information collected by a covered entity or business associate governed by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), or personal information collected, processed, sold, or disclosed pursuant to certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994 (DPPA).



### 9) **Other California Privacy Rights**

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Services who are California residents to request certain information regarding our disclosure of personal information to affiliates and other third parties for their direct marketing purposes. To make such a request, please send an email to [support@Truckbays.com](mailto:support@Truckbays.com).

## **II. Notice of Colorado, Connecticut, Virginia and Utah Privacy Rights**

The section relates solely to residents of the States of Colorado, Connecticut, Virginia and Utah, and provides you with information about your privacy rights under the Colorado Privacy Act (CPA), the Connecticut Data Privacy Act (CDPA), the Virginia Consumer Data Protection Act (VCDPA) and the Utah Consumer Privacy Act (UCPA).

This section shall be effective for the residents of those States on the dates set forth below:

- Effective January 1, 2023, for residents of the State of Virginia
- Effective July 1, 2023, for residents of the States of Colorado and Connecticut
- Effective December 31, 2023, for residents of the State of Utah

For purposes of this section, "residents", "consumers" or "you" means individuals of those states who are acting in their individual or household context. This section does not apply to individuals acting in their commercial or employment context.

### 1) **Personal Information we collect**

You have a right to know the categories and types of personal information we collect about you. We make this information available to you in the INFORMATION WE MAY COLLECT section of our Privacy Policy.

### 2) **Categories of sources from which we collect personal information**

You have the right to know the categories of sources from which we collect your personal information. We make this information available to you in the INFORMATION WE MAY COLLECT section of our Privacy Policy.

### 3) **Our processing of your personal information**

You have the right to know how we process and use your personal information. We make this information available to you in the USE OF INFORMATION section of our Privacy Policy.

\*For residents of the State of Virginia, to the extent that we maintain de-identified data, we take reasonable measures to ensure that de-identified data cannot be associated with a natural person, we publicly commit to maintaining and using de-identified data without attempting to re-identify the data, and we contractually obligate any recipient of the data to comply with the same obligations.

### 4) **Disclosure of Personal Information**



You have the right to know if we share your personal information with any third parties. We make this information available to you in the **SHARING OF INFORMATION** section of our Privacy Policy.

#### 5) **No Sale of Data or Use of Data for Targeted Advertising**

We do not sell your personal information and we do not use your data for targeted advertising (as that term is defined by your applicable state law). We may send you advertising in response to your request for information or feedback or based on your activities with our Services, including your search queries and visits to our Services. However, we will not send you targeted advertising based on your activities across non-affiliated websites, applications or platforms to predict your preferences or interests.

#### 6) **Your Rights**

- a) Where we act as the Controller of your personal information (as opposed to a Processor as those terms are defined in your applicable State law), you have the right to submit a request to us for the following:
- **Right to access.** You have the right to know if we process your personal information and have access to such information and certain details of how we use it.
  - **Right to correct.** We take reasonable steps to ensure that information we hold about you is accurate and complete. However, you have the right to request that we correct any inaccurate personal information that we have about you.
  - **Right to delete.** You may have the right to request that we delete your personal information where we act as a controller. This right is subject to several exceptions and we may deny your deletion request if retaining the information is necessary for us or our processors to:
    - Complete the transaction for which we collected the personal information and take actions reasonably anticipated within the context of our ongoing business relationship with you or our client;
    - Detect bugs or errors in our Services, detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities;
    - Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us;
    - Comply with a legal obligation; or
    - Make other internal and lawful uses of that information as permitted by law or that are compatible with the context in which we collected it.
  - **Right to restriction of processing (opt-out).** You have the right to opt-out of processing your personal information for purposes of profiling in furtherance of any automated processing of your data that produce legal or similarly significant effects concerning you. (This right only applies to residents of the States of Colorado, Connecticut and Virginia.)
  - **Right to data portability.** You have the right to obtain a copy of your data in a portable, and to the extent technically feasible, readily usable format that allows you to transmit the data to a third party.
  - **Right to non-discrimination and no retaliation.** We will not discriminate or retaliate against you for exercising any of your rights, including but not limited to, by denying you goods or services, charging you different prices for goods or services, or providing you a different level or quality of goods or services.
  - **Right to restrict the processing of sensitive information**  
Unless we are processing your sensitive information pursuant to any of the legal exemptions listed in Section 8 (Exemptions) below or as otherwise allowed by law:

- For residents of the States of Connecticut, Virginia and Colorado, we will not process your sensitive information without first obtaining your consent; and
- For residents of the State of Utah, we will not process your sensitive personal information without providing you with notice and an opportunity to opt out.

b) **Exercising Your Rights**

You may exercise your rights to know, delete and correct as described above by submitting a verifiable request to us by emailing us at [support@Truckbays.com](mailto:support@Truckbays.com).

c) **Authentication Process**

We will only fulfill request when we can verify your identify and confirm that you are authority to make such a request. Only you, you as the parent or legal guardian on behalf of your minor child, or your authorized agent, guardian or conservator may make a request related to personal information. If an authorized agent, legal guardian or conservator submits the request, we may require your written permission to do so and may require additional information to authenticate your identity. We may deny a request by an authorized agent, legal guardian or conservator who does not submit proof of authorization to act on your behalf. We will only use the personal information you provide in a request to verify your identity or authority to make the request.

d) **Response Timing and Format**

We will respond to an authenticated request within forty- five (45) days of its receipt, and will notify you within those forty-five (45) days if we require more time to respond and the reasons for the additional time. If you have an Account with us, we will deliver our written response to that Account. If you do not have an Account with us, we will deliver our written response by mail or electronically, at your option. If we cannot comply with a request or a portion of the request, we will include the reasons in our response.

\*For residents of the States of Colorado, Connecticut and Utah, you may make one request within a twelve-month period at no charge.

\*For residents of the State of Virginia, you may make a request up to two (2) times within a twelve (12) month period at no charge. We reserve the right to charge a fee to process or respond to any request that we consider excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

## 7) **Right to Appeal**

You have the right to appeal our decision within a reasonable period of time after receipt of our response. You may appeal our decision by sending us an email at [support@Truckbays.com](mailto:support@Truckbays.com). We will respond to your appeal within 60 days of receipt (45 days of receipt for residents of Colorado) and will inform you of any decisions and the reasons for such decisions.

\* Please note that in certain cases we may collect your personal information as a processor (as opposed to a controller, as those terms are defined in your applicable state privacy law) pursuant to a contract we have with a commercial client (the controller) to provide a service. In such a case, we are required to collect and process



your information only based on the instructions received from the controller. Should you direct your requests to exercise your rights to us, we may be required to share your request with the controller, who is the party responsible under your applicable state privacy law for receiving, authenticating and responding to your requests.

#### **8) Exemptions**

This section (Notice of Colorado, Connecticut, Virginia and Utah Privacy Rights) does not apply to certain entities and data that are exempt from your applicable state privacy law, including but not limited to the following: covered entities, business associates and protected health information governed by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH); financial institutions and personal information subject to the Gramm-Leach-Bliley Act (GLBA); and personal information collected, processed, sold, or disclosed pursuant to certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Family Educational Rights and Privacy Act, the Farm Credit Act and the Driver's Privacy Protection Act of 1994 (DPPA).