

Privacy Notice for California Residents

This **Privacy Notice for California Residents** supplements the information contained in SmartDrive Systems, Inc.'s ("SmartDrive") Privacy Policy (see <https://www.smartdrive.net/privacy-policy/>) and applies solely to visitors, consumers, users, and others who reside in the State of California ("consumers" or "you"). We have adopted this notice to comply with the California Consumer Privacy Act of 2018 (CCPA). Any terms defined in the CCPA have the same meaning when used in this notice.

Information We Collect

In conducting our business, we collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device ("**personal information**")¹. This personal information is obtained through a variety of different collection methods and comes from a number of sources including our website, products, and services. To ensure that you are more fully apprised of and have a better understanding of this information collection process (and its potential implications for you), we have prepared the following so as to provide a high level overview of our pertinent activities over the past twelve months. Additionally, we have noted certain categories of information that, although subject to CCPA, are not presently collected by our company.

SmartDrive obtains the categories of personal information listed below from the following categories of sources:

- Directly from you. For example, from forms you complete or products and services you purchase.
- Indirectly from you. For example, from observing your actions and interactions with our products and services.
- From third parties. For example, from your employer.

¹ Personal information does not include publicly available information from government records, deidentified or aggregated consumer information, or information excluded from the CCPA's scope (e.g. health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 and the California Confidentiality of Medical Information Act, clinical trial data, or personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994)

| Category | Examples ² | Collected | Sources | Purpose | Third Parties Shared |
|---|--|-----------|---|--|---|
| A. 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 | (a) Directly or indirectly from you (b) From third parties | (a) Performance of a contract (b) Necessary for our legitimate interests (c) Necessary to comply with a legal obligation | Contractors, service providers, and other third parties we use to support our business, such as: (a) Outside attorneys and law enforcement (b) Information technology issue tracking, content management, collaboration and project management, software development, software and service providers (c) Voice messaging, call recording, video conferencing and online meeting software and service providers (d) Cellular mobile communications and internet connectivity providers (e) Contracted code development and programming providers (f) Online training providers |
| B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)). | 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, | YES | (a) Directly or indirectly from you (b) From third parties | (a) Performance of a contract (b) Necessary for our legitimate interests (c) Necessary to comply with a legal obligation | Contractors, service providers, and other third parties we use to support our business, such as: (a) Outside attorneys and law enforcement (b) Finance, accounting, billing and collection software and |

² Examples listed herein are illustrative of the types of personal information included in each category and may or may not be the specific types of personal information collected on an individual person.

| Category | Examples ² | Collected | Sources | Purpose | Third Parties Shared |
|--|--|-----------|--|---|---|
| | <p>employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.</p> <p>Some personal information included in this category may overlap with other categories.</p> | | | | <p>service providers; financial institutions; payment processors</p> <p>(c) Electronic signature and digital transaction management software and service providers</p> <p>(d) Access control and security providers</p> |
| C. Protected classification characteristics under California or federal law. | Age (40 years or older), race, color, ancestry, 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, genetic information (including familial genetic information). | YES | <p>(a) Directly or indirectly from you</p> <p>(b) From third parties</p> | <p>(a) Performance of a contract</p> <p>(b) Necessary for our legitimate interests</p> <p>(c) Necessary to comply with a legal obligation</p> | Outside attorneys and law enforcement |
| D. Commercial information. | Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies. | NO | | | |
| E. Biometric information. | 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 | YES | <p>(a) Directly or indirectly from you</p> <p>(b) From third parties</p> | <p>(a) Performance of a contract</p> <p>(b) Necessary for our legitimate interests</p> | (a) Our customers and fleet safety and compliance business partners |

| Category | Examples ² | Collected | Sources | Purpose | Third Parties Shared |
|--|--|-----------|---|--|---|
| | patterns, and sleep, health, or exercise data. | | | | |
| F. Internet or other similar network activity. | Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement. | YES | (a) Directly or indirectly from you (b) From third parties | (a) Performance of a contract (b) Necessary for our legitimate interests (c) Necessary to comply with a legal obligation | (a) Analytics and business intelligence vendors (b) Data aggregators (c) Security and access service providers (d) Marketing, content management, web analytics and search engine optimization |
| G. Geolocation data. | Physical location or movements. | YES | (a) Directly or indirectly from you (b) From third parties | (a) Performance of a contract (b) Necessary for our legitimate interests (c) Necessary to comply with a legal obligation | (a) Our customers and fleet safety and compliance business partners (b) Security and access providers (c) Outside attorneys and law enforcement |
| H. Sensory data. | Audio, electronic, visual, thermal, olfactory, or similar information. | YES | (a) Directly or indirectly from you (b) From third parties | (a) Performance of a contract (b) Necessary for our legitimate interests (c) Necessary to comply with a legal obligation | (a) Our customers and fleet safety and compliance business partners (b) Security and access service providers |

| Category | Examples ² | Collected | Sources | Purpose | Third Parties Shared |
|---|--|-----------|---|--|--|
| I. Professional or employment-related information. | Current or past job history or performance evaluations. | YES | (a) Directly or indirectly from you (b) From third parties | (a) Performance of a contract (b) Necessary for our legitimate interests (c) Necessary to comply with a legal obligation | (a) Our customers and fleet safety and compliance business partners (b) Outside attorneys and law enforcement |
| 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)). | 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. | NO | | | |
| K. Inferences drawn from other personal information. | Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes. | YES | (a) Directly or indirectly from you (b) From third parties | (a) Performance of a contract (b) Necessary for our legitimate interests (c) Necessary to comply with a legal obligation | (a) Our customers and fleet safety and compliance business partners (b) Outside attorneys and law enforcement |

Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following purposes:

- To present our Website and its contents to you.
- To provide you with information, products, or services that you request from us.
- To provide our customers with information, products, and/or services that such customers have contracted with us to provide, such as video-based safety systems and related services, safety and compliance risk management, transportation intelligence, and data analytics.

- To provide you with notices about your account/subscription, including expiration and renewal notices.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To notify you about changes to our Website or any products or services we offer or provide through it.
- To allow you to participate in interactive features in our products, services, satisfaction surveys, or on our Website.
- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote or ask a question about our products or services, we will use that personal information to respond to your inquiry. If you provide your personal information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To process your requests, purchases, transactions, deliver products and services, and payments, as well as implement measures to prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To help maintain the safety, security, and integrity of our Website, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Website, products, and services.
- To provide you with product and service promotional, offers, and referral programs, which may be of interest to you and may enable you to refer prospective customers to us. If you refer prospective customers and provide their personal information to us, do so only if you have their permission. If you subsequently found out that you did not have such consent, please inform us as soon as possible so we may delete their information.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of SmartDrive's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by SmartDrive about our Website users and products/services users are among the assets transferred.

SmartDrive will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Sharing Personal Information

To the extent permitted, SmartDrive may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter into a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Our customers.
- Service providers.
- Data aggregators.
- Subsidiaries and affiliates.
- Contractors, service providers, and other third parties we use to support our business.
- Third parties who market our products or services to you if you have submitted such information to us or in connection with an actual or potential business relationship with us, or if you have given us your business card or contact details at trade shows or similar events.
- Law enforcement and outside attorneys.
- Security and access service providers that help us protect our SmartDrive computer users, SmartDrive assets, and you.

Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, Company has disclosed the following categories of personal information for a business purpose:

Category A: Identifiers.

Category B: California Customer Records personal information categories.

Category C: Protected classification characteristics under California or federal law.

Category D: Commercial information.

Category E: Biometric information.

Category F: Internet or other similar network activity.

Category G: Geolocation data.

Category H: Sensory data.

Category I: Professional or employment-related information.

Category J: Inferences drawn from other personal information.

We disclose your personal information for a business purpose to the following categories of third parties:

- Our customers.
- Service providers.
- Data aggregators.
- Subsidiaries and affiliates.
- Contractors, service providers, and other third parties we use to support our business.
- Third parties who market our products or services to you if you have submitted such information to us.
- Service providers we use to support our business listed in the Information We Collect section above.
- Business partners with whom we offer services jointly and share your Personal Information as part of joint services offered to you.

Sales of Personal Information

In the preceding twelve (12) months, SmartDrive has not sold personal information.

Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that SmartDrive disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will disclose to you:

- 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 or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we disclosed your personal information for a business purpose, a list identifying the personal information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that SmartDrive delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion Rights), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the personal information, provide goods or services that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).

6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to one of the means listed in that [Contact Information](#) section below.

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. To designate an authorized agent to make a request on your behalf, please see the [Contact Information](#) below.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Please note that you may need to contact your employer or a related third party that controls your information in order to make a verifiable consumer request, if your employer or related third party that controls your information is a SmartDrive customer.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with us.

- If you are an employee, driver, or coach, of a SmartDrive customer, or a related third party that controls your information, you must contact your employer or the related third party that controls your information in order to make a **verified request**.
- For all other requests, you may make a **verified request** by contacting us via a toll-free phone number or completing a request via our website by providing your name, email address, phone number, the company you work for, and state in which you reside, as described in the [Contact Information](#) section below.

We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

For instructions on exercising sale opt-out rights, see Personal Information Sales Opt-Out and Opt-In Rights.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require additional time (beyond 45 days), we will inform you of the reason and extension period in writing.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer 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.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Currently, SmartDrive does not offer any financial incentives.

Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to info@smartdrive.net.

Changes to Our Privacy Notice

SmartDrive reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the Website and update the Version History. **Your continued use of our Website, products and services following the posting of changes constitutes your acceptance of such changes.**

Contact Information

If you have any questions or comments about this notice, the ways in which SmartDrive collects and uses your information described below and in the **Privacy Policy** <https://www.smartdrive.net/privacy-policy/>, or your choices and rights regarding such use, please do not hesitate to contact us at:

Phone: 866-447-5650 option 9

Website: <https://info.smartdrive.net/CCPArequest>

Postal Address:

SmartDrive Systems, Inc.

Attn: Legal Department, 9515 Towne Centre Drive, San Diego, CA 92121

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