

# EROAD's Privacy Policy

Last updated January 2021

## WELCOME

Welcome to EROAD's Privacy Policy, which we will simply refer to as "the Policy".

When you use EROAD services or interact with us in any other way, we collect your information, including personal details. We appreciate that you trust us with this information and we want to always keep that trust.

We will start by making sure you understand what information we collect about you, why we collect it, how it is used and processed, when we may need to share it with persons other than yourself, and the choices you may have regarding your personal information.

## IMPORTANT

We want to make it as straight forward as possible for you to understand our privacy practices. So we are keeping it simple and transparent. We hope this will help you make informed decisions when you share your personal information with us.

But before we get to detail:

- This Policy, of course, applies when you are an EROAD customer and have a contract with us. But even if you are not an EROAD customer, this Policy applies to any personal information we collect when you use our services or interact with us. This could include instances where you use our services that your employer or contractor pays for, you contact us directly, you propose to supply services to us, you register online to receive information about our services or you apply for a job with us.
- Personal information means information about an identifiable natural person. This could include your name, date of birth, email, address, telephone number, your movements and location, bank account details, payment information, support queries, and so on. If you can't be identified (for example, when personal data has been de-identified or aggregated) then this Policy doesn't apply.
- If you're an EROAD customer, this Policy forms part of the EROAD's terms applicable to the EROAD products and services you've signed up to receive from us.
- You may choose not to supply us with your personal information, but this may impact on our ability to provide you with our products and services, or to have meaningful interactions with you.
- We are committed to processing personal information consistent with the requirements of all applicable laws. As we currently operate across multiple jurisdictions, each with slightly different privacy requirements, we have included sections at the end of this Policy outlining any specific variations.
- As things change, and technology changes, we may need to update our Privacy Policy from time to time. We'll keep you updated by publishing these changes on our websites: [EROAD New Zealand](#), [EROAD North America](#) and [EROAD Australia](#). You may want to check back here from time to time to make sure you're always up to date with our Privacy Policy. If we make material changes to the Policy, where possible we'll notify you as required by applicable laws. We will also update the "Last Updated" date above to indicate when those changes will become effective.

Please contact EROAD's Privacy Officer at [privacy@eroad.com](mailto:privacy@eroad.com) if you have any questions about this Policy.

## THE POLICY

### 1. So, who are “we”?

We are EROAD Limited and our related group of companies. We provide products and related telematics services for the purposes of optimising our customers’ fleet management, by automating tax management, health and safety, regulatory compliance and commercial services.

### 2. And, who are “you”?

You may be our:

- 2.1 **Customer** – a person or an entity that has entered into a customer contract with us (including an owner operated business);
- 2.2 **End User** – someone authorised by a Customer to use our services, for example you could be an administrative user or a fleet manager in our Customer’s business;
- 2.3 **Driver** – you may be employed by a Customer to drive a vehicle that has our device installed in it; or you may have installed our device in your vehicle(s) and are using it (and the associated services) in your capacity as an independent contractor for our Customer;
- 2.4 **Visitor** – you may have accessed and used one of our websites, including the careers section of our website; or
- 2.5 **Supplier** – you may be supplying us with your products or services or looking to enter into a supply arrangement with us.

### 3. What information about you do we collect?

We only collect your personal information that is necessary for the purposes of our functions and activities. There are two key categories of information we collect about you: **your user information** and **your usage information**.

#### 3.1 Your User Information

To provide you with our services and conduct our business, we need to collect some information directly from you and sometimes from third parties. We may collect the following user information:

##### A. Information you give us

This is personal information we collect from you when you sign up for an EROAD service, enter a competition or give us your information for another reason. It includes your:

- identification information, including, your name, age or date of birth and gender;
- other identity verification information, including your driver licence number, a copy of your driver licence, copies of other identification documents, your employment history (if you are applying for a job at EROAD) and similar;
- contact information, including your mailing or street address, email address, telephone number and other contact details;
- payment information, like your bank account details;
- any preferences you have submitted, including preferred user name and other preferences related to the preference settings for your use of the EROAD services;

- information you have shared with us in calls and online chats with our staff, or any emails and other written information you've sent us or that you've chosen to input into the services. We record our contact centre calls and live chats to help improve our customer service;
- vehicle information, including vehicle make, model, year of manufacture and the licence plate number;
- comments you make on any feature of our services, including information you provide to us through customer surveys;
- details of the products and services we have provided to you or that you have enquired about, including any additional information necessary to deliver those products and services and respond to your enquiries;
- details about your business and your role within your business; and
- in addition, when you apply for a job or position with us we may collect certain information from you (including your name, contact details, working history and relevant records checks) from any recruitment consultant, your previous employers and others who may be able to provide information to us to assist in our decision on whether to make you an offer of employment or engage you under a contract.

#### ***B. Information our Customer may give us***

If you are employed by or are contracted to provide services to one of our Customers (e.g. if you are a Driver or an End User), we may collect personal information about you from that Customer. If you are our Customer, and you want to share or otherwise allow EROAD to collect, create and use personal information related to your employees, contractors and other individuals (e.g. Drivers or End Users), you must:

- obtain permission from such individuals to allow EROAD to do this; and
- take reasonable steps to ensure that these individuals understand what personal information we will collect, create and use and that they agree to this. For example, you can do this by providing these individuals with a copy of this Policy, putting notices on your vehicles that the vehicles are equipped with GPS tracking devices and ensuring your own privacy policies include a detailed explanation of what personal information is going to be collected and created by EROAD, who will have access to it and how EROAD and you intend to use this information.

Also, as a Customer you decide who will have access to the products and services you acquire from us, including personal information we collect. If you want to authorise someone else to access your EROAD account (e.g. by becoming an End User), we'll collect their name and contact information from you. Please make sure you have this person's consent before you share their information with us.

Subject to legal requirements, if you are an End User, Driver or an individual who interacts with a Customer, then you will be directed to contact the Customer in the first instance for assistance with any requests or questions relating to your personal information collected and stored by EROAD.

#### ***C. Information we may collect from other third parties***

This is personal information we collect about you from other people, like credit reference agencies. We only do this if we reasonably believe you've authorised us to do so, or if you've authorised the third party to share your information with us. This information could include:

- your credit history; and

- collated information we purchase from third parties that may relate to identifiable individuals. We will only collect this kind of data from trusted providers if we are satisfied they have permission to share this information with us and the collection, use and disclosure meets the requirements of the relevant privacy legislation and regulation.

#### ***D. Information we create to manage our Customer's account***

We also create and hold information to manage our Customer's EROAD account, including:

- an EROAD quote number and account name;
- service connection and disconnection dates;
- information on the products and services Customers have agreed to purchase from us, including information on any products and services a Customer used to purchase from us;
- our Customer's billing information and payment records; and
- any login and password that we may assign to our Customers for use with our services.

#### ***E. Information we collect from other divisions of EROAD***

To ensure we can operate effectively and provide you with the best user experience, we may collect information about you from other parts of EROAD Limited and companies within the EROAD group.

### **3.2 Your Usage Information**

When you use our products and services, we may automatically generate and collect personal information related to your use of such products and services, including the following:

#### ***A. Vehicle and driver information***

EROAD devices that are installed in our Customer's vehicles continuously track, collect and obtain data such as:

- vehicle speed, location, distances travelled and route of vehicle movement;
- whether ignition is on or off, acceleration, braking or lateral movements;
- driver facing and outward facing dashcam video footage, which may also include audio recordings;
- vehicle weight type;
- refuelling of vehicle;
- whether a vehicle has been in an incident;
- vehicle odometer readings and other road user charges data relating to your vehicle; and
- data about the behaviour of the Drivers of the vehicles, including hours of service.

#### ***B. Asset information***

If you use one of our asset management products to manage or locate your trailers, generators, and other assets, we will collect such asset location data and information about the asset that is being managed or located (e.g. type of asset).

### C. Device information

This could include details of our tracking devices that are installed in the vehicles you own, manage or drive. For example:

- a serial number of the tracking device;
- the tracking device ID;
- the tracking device type.

### D. EROAD mobile applications ("Apps")

We may collect personal information from users of our Apps (e.g. End Users or Drivers). For example, Drivers can log number of driving hours, breaks, rest stops and other driving related activity into the App. We may also collect information that mobile device sends when an App is being used, like a device identifier, user settings and the operating system of the device, as well as data about the use of the App. An App may access the applicable mobile device's GPS coordinates or coarse location of the device, thereby causing us to collect and store data about the location of the user of the App.


### E. Your Online Data






We may also collect personal information about you when you use and access EROAD websites located at eroad.com, eroad.co.nz, eroad.com.au and eroadglobal.com, or any other website operated by us. For example, which parts of the EROAD website you visit, the time and date of your visit, the internet protocol address assigned to your computer, your geo-location information, and standard web log information.





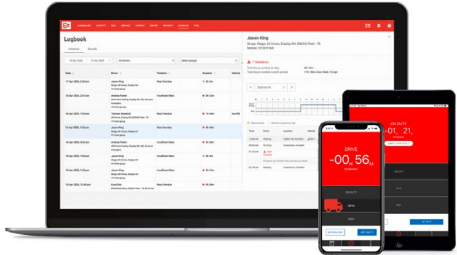
## 4. How do we collect your personal information?

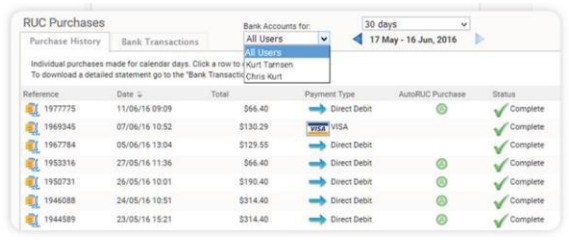
Apart from through direct contact with you and our Customers (e.g. via email, telephone or face-to-face conversations), we collect your personal information in the following ways:

### 4.1. Automatically when you use our products and services

What do we call it?	What is it?	What does it look like?
Ehubo2 / ELD	A secure GPS electronic distance recorder unit which can be installed in vehicles and which connects to our servers.	

<p><b>EROAD Clarity Dashcam</b></p>	<p>Clarity Dashcam provides the option of both driver facing and outward facing video footage. Audio recording is also an available feature. Dashcam footage can be used for driver coaching and to demonstrate fault in the event of an incident or near miss.</p>	
<p><b>Ehubo1</b></p>	<p>An electronic distance recorder for vehicles over 3.5 tonnes. It measures distance travelled and captures location, route and operational data from the vehicle</p>	
<p><b>Tubo</b></p>	<p>A distance recorder device for heavy trailers</p>	
<p><b>EROAD e-Track Wired Asset Tracker</b></p>	<p>Designed to track powered assets and equipment</p>	
<p><b>EROAD Driver ID</b></p>	<p>EROAD's Driver identification unit available for our first-generation in-vehicle devices to help Customers identify who is driving their vehicles</p>	

<p><b>Elocate</b></p>	<p>Elocate is a tracking solution for vehicles and machinery not requiring road user charges functionality</p>	 <p>The image shows a black rectangular tracking device with a white label in the center that reads 'Elocate' and 'www.eroad.co.nz'. Below the label, there are several status indicators: 'POWER', 'NZ901G2630', 'COMMS', 'IGNITION', and 'GPS'. The device has a small red 'E' logo at the top left and a cable extending from the bottom.</p>
<p><b>EROAD Where</b></p>	<p>EROAD Where is an asset tracking solution for smaller, low-cost assets, such as trailers, waste bins, freight cages, construction and trade equipment.</p>	 <p>The image shows a black, rectangular tracking device with a white 'E' logo on the front. It is shown at an angle, highlighting its slim profile and a small port on the side.</p>
<p><b>EROAD Mobile Applications</b></p>	<p>EROAD's applications for a mobile device, including for vehicle inspection and hours of service.</p>	 <p>The image displays three smartphones side-by-side, each showing a different screen from the EROAD mobile application. The first shows a list of vehicles, the second shows a detailed view of a vehicle's status, and the third shows a map with a route.</p>
<p><b>Depot</b></p>	<p>An online platform available via secure websites including at depot.eroad.com, depot.eroad.co.nz and depot.eroad.com.au by which data received from our devices is processed by our servers and made available to Customers, End Users and Drivers to be viewed, saved and exported or downloaded.</p>	 <p>The image shows a screenshot of the EROAD Depot web interface. It features a red header with navigation tabs: 'ACTIVITY', 'TAX', 'SERVICE', 'DRIVER', and 'REPORTS'. Below the header is a table with columns for 'Status', 'Name', and 'Last Location'. The table lists various vehicles and their locations, such as 'U.S. Near Tomwater, Washington' and 'U.S. Near Dunsmuir, California'. To the right of the table is a map showing the locations of the vehicles.</p>
<p><b>Electronic Logbook</b></p>	<p>Provides real-time access to drivers' logbook information on a mobile app and web-based platform.</p>	 <p>The image shows a laptop, a tablet, and a smartphone displaying the EROAD Electronic Logbook interface. The laptop screen shows a detailed logbook entry with various fields and a graph. The tablet and smartphone show a simplified version of the interface, focusing on the logbook entry and a large digital display showing '-00.56'.</p>

<p><b>Payment Gateway</b></p>	<p>Payment Gateway is a service we provide to our Customers by filing and paying their road taxes and regulatory charges (including road user charges, weight-mile tax and IFTA obligations).</p>	 <table border="1"> <thead> <tr> <th>Reference</th> <th>Date</th> <th>Total</th> <th>Payment Type</th> <th>AutoRUC Purchase</th> <th>Status</th> </tr> </thead> <tbody> <tr> <td>1977775</td> <td>11/06/16 09:09</td> <td>\$66.40</td> <td>Direct Debit</td> <td>✔</td> <td>Complete</td> </tr> <tr> <td>1969345</td> <td>07/06/16 10:52</td> <td>\$130.29</td> <td>VISA</td> <td>✔</td> <td>Complete</td> </tr> <tr> <td>1967784</td> <td>05/06/16 13:04</td> <td>\$129.55</td> <td>Direct Debit</td> <td>✔</td> <td>Complete</td> </tr> <tr> <td>1953316</td> <td>27/05/16 11:36</td> <td>\$66.40</td> <td>Direct Debit</td> <td>✔</td> <td>Complete</td> </tr> <tr> <td>1950731</td> <td>26/05/16 10:01</td> <td>\$190.40</td> <td>Direct Debit</td> <td>✔</td> <td>Complete</td> </tr> <tr> <td>1946088</td> <td>24/05/16 10:51</td> <td>\$314.40</td> <td>Direct Debit</td> <td>✔</td> <td>Complete</td> </tr> <tr> <td>1944589</td> <td>23/05/16 15:21</td> <td>\$314.40</td> <td>Direct Debit</td> <td>✔</td> <td>Complete</td> </tr> </tbody> </table>	Reference	Date	Total	Payment Type	AutoRUC Purchase	Status	1977775	11/06/16 09:09	\$66.40	Direct Debit	✔	Complete	1969345	07/06/16 10:52	\$130.29	VISA	✔	Complete	1967784	05/06/16 13:04	\$129.55	Direct Debit	✔	Complete	1953316	27/05/16 11:36	\$66.40	Direct Debit	✔	Complete	1950731	26/05/16 10:01	\$190.40	Direct Debit	✔	Complete	1946088	24/05/16 10:51	\$314.40	Direct Debit	✔	Complete	1944589	23/05/16 15:21	\$314.40	Direct Debit	✔	Complete
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From time to time we may add, and you may choose to, subscribe to other products and services we introduce to the market. When this happens, we may collect your personal information when you use that product or service.

**4.2 When you visit our website or interact with us online**

- A. **Interactive features.** We may offer interactive features such as chat or messaging services on the box, forums, and social media pages. We, and other individuals who use these interactive features, may collect the information that is submitted or made available through such features. Any information shared on the public forums or social media pages may be seen by anyone, including third parties that do not adhere to our Policy.
- B. **Cookies.** We may also use 'cookies' or other similar tracking technologies on our website and services that help us track your use of the websites and services and remember your preferences. Cookies are small files that store information on your computer, mobile phone or other device. They enable the entity that put the cookie on your device to recognise you across different websites, services, devices and/or browsing sessions. You may be able to disable cookies through your internet browser but allowing us to collect cookies ensures that the EROAD websites and services work asintended.
- C. **Web Beacons.** "Web Beacons" (also known as Web bugs, pixel tags or clear GIFs) are tiny graphics with a unique identifier that EROAD includes on the EROAD websites, Depot and the Payment Gateway for several purposes, including to deliver or communicate with cookies, to track and measure the performance of those features, and to monitor how many visitors use those features. We may also include Web Beacons in e-mails to understand whether messages have been opened, acted on, or forwarded.
- D. **Log Data.** Our servers automatically record certain data about how users use our products and services (we refer to this data as "Log Data"), including End Users, Drivers and other non-registered users. Log Data may include data such as a user's internet protocol (IP) address, browser type, operating system, the web page that a User was visiting, the pages or features of our product or service to which a user browsed and the time spent on those pages or features, search terms, the links that a user clicked on and other statistics. We use Log Data to analyse (and we may engage third parties to analyse) Log Data to improve, customize and enhance our products and services by expanding their features and functionality and tailoring them to users' needs and preferences. EROAD may use a person's IP address to generate aggregate, non-identifying information data about how our products and services are used.
- E. **Third party analytics.** We use the following third-party data analytics platforms to help us understand how our Customers, Drivers, End Users and other users use and interact with our products and services:
  - MixPanel's analytics tool. You can read the MixPanel Privacy Policy here - <https://mixpanel.com/privacy/> and opt-out - <https://mixpanel.com/optout/>.
  - Google Analytics. You can read about how Google uses any data that it collects here - [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/). If you prefer to not have data reported by Google Analytics, you can install the Google Analytics Opt-out Browser Add-on - <https://tools.google.com/dlpage/gaoptout>.



## 5. How do we use or process your personal information?

We use or process your personal information to:

### 5.1 provide you with our products and services

We collect your personal information to enable you to access and use all aspects of our products and services (including our websites and applications). In doing so we may need to use your personal information so that we can:

- contact and communicate with you, and help you when you have a problem;
- process your payments;
- provide you with information about our products and services and the products and services of our trusted partners;
- send you service, support and administrative messages, reminders, technical notices, updates, security alerts, and information requested by you.

### 5.2 secure and improve our products and services

Being able to identify how you are using our products and services plays a big part in helping us to make them better. In doing so, we may need to use your personal information so that we can:

- operate, protect, and optimise our current products, services, business and users' experience, such as to perform analytics, conduct research and for advertising and marketing;
- innovate, develop and improve current and new products and services;
- find out and analyse what you think of our products and services;
- secure and protect our systems and platforms. This includes managing, improving and monitoring their operation, security and integrity. It also includes preventing attacks against, and threats to, their security or integrity;
- detect and prevent attacks against our systems and platforms, and threats to their security or integrity.

### 5.3 communicate with you

In addition to communicating with you in relation to your use of our products and services, we may also communicate with you to:

- let you know of any changes that might affect the products or service;
- send you marketing and promotional messages and other information that we think may be of interest to you, including information sent by, or on behalf of, our carefully selected and trusted business partners that we think you may find interesting and this includes direct marketing. If you do not want to receive marketing offers by email or in hard copy, please opt out by following the steps set out in paragraph 8.2.

### 5.4 improve our dealings with you

We may use your personal information to:

- administer rewards, surveys, contests, or other promotional activities or events sponsored or managed by us or our business partners; and

- comply with our legal obligations, resolve any disputes that we may have with any of our users, and enforce our agreements with third parties.

#### **5.5 conduct credit checks and recover debts**

We rely on you to be able to pay your invoices on time. As such, we may use your personal information to assess your ability to pay or recover money you owe us, including by sharing your personal information with third parties for this purpose.

#### **5.6 investigate fraud**

We may use your personal information to enhance our fraud prevention and detection controls.

#### **5.7 assist in our decision on whether to make you an offer of employment, engage you under a contract or otherwise do business with you**

We may use your personal information such as your employment history, your other experiences and references to assess your suitability for a job and determine whether to make you an offer of employment, engage you under a contract or otherwise do business with you.

#### **5.8 de-identify or aggregate data for analytics purposes;**

Sometimes we de-identify or aggregate your personal information and use it for EROAD's internal purposes, reporting industry-specific statistics and trends, reporting to government organisations or for sharing with third parties. We may receive consideration from third parties for such services. We do this in accordance with the relevant EROAD terms or a separate agreement you or the Customer may have agreed to with us.

#### **5.9 for other purposes about which we obtain your consent.**

From time to time, we may obtain your consent to use your personal information for other purposes not listed here. We will always endeavour to let you know in as much detail as possible what data we intend to use and for what purpose.

### **6. Who may we need to share with or disclose your personal information to?**

While we endeavour to limit what personal information we disclose and to whom, in certain circumstances we may share or disclose your personal information to other entities for the purposes listed below. What information we share and why depends on a specific situation. For example, we may share your personal information:

#### **6.1 with Suppliers**

We may engage third-party Suppliers to work with us to administer and provide our products and services to Customers. For example, we work with reliable cloud data centre suppliers to store personal information and other data we collect. We also work with payment card industry (PCI) compliant service providers to assist with processing of credit card payments.

## **6.2 with Customers**

If your employer is also our Customer, and you use our products and services in the course of your employment, all information we collect or obtain about you will also be available to the Customer (i.e. your employer) via Depot (see description of Depot in paragraph 4). As may be covered in more detail in the Customer's own privacy policy, upon the Customer obtain all necessary consents, the Customer may use your personal information for:

- payment of road taxes and regulatory charges for vehicles;
- scheduling and monitoring servicing and registration of vehicles;
- monitoring fuel usage and efficiency of vehicles;
- monitoring vehicles to ensure they are being used in a safe and lawful manner;
- monitoring the location of vehicles and the distance, location and speed that the vehicle has travelled at;
- verifying complaints from the public about vehicles; and
- for legal, insurance, and driver training purposes.

Please contact your employer directly if you need more information on how your employer (i.e. our Customer) uses this information.

## **6.3 with advertising partners**

When you visit the EROAD websites, EROAD may allow third-party partners to set '**cookies**' or other similar tracking technologies (as described in paragraph 4.2B above) to collect information regarding your activities and your devices (e.g. your IP address, cookie identifiers, page(s) visited, location, time of day). These advertising partners may use this information (and similar information collected from other services) for the purposes of delivering personalised advertisements to you when you visit third party services within their network. This practice is commonly referred to as "interest-based advertising" or "personalised advertising". In some cases, we may engage in "cross-device tracking" which allows your browsing activity to be tracked across different websites on different devices or apps. If you prefer not to share your personal information with third party advertising partners, you may opt out by following instructions set out in paragraph 8.2.

## **6.4 with regulatory authorities**

When our Customers acquire our products and services, we may interface with transport agencies (e.g. the Oregon Department of Transport or the New Zealand Transport Agency) and exchange your personal information (including by filing reports) in order for our product(s) to operate correctly, including by correctly calculating and paying road taxes and regulatory charges. You or our Customer (i.e. your employer) may also request that we provide certain information (e.g. hours of service) to regulatory authorities. We may also provide, on request by regulatory authorities, data that is publicly available or publicly displayed on vehicles including the distance licences, the distance travelled by a vehicle, the distance purchased for a distance licence, vehicle type, weight permits and registration number.

## **6.5 with EROAD's affiliates**

To ensure we can operate effectively and provide you with the best user experience, we may share information about you with other parts of EROAD Limited and companies within the EROAD group.

## **6.6 in connection with business transactions**

If EROAD is acquired by a third party as a result of a transaction such as a merger, acquisition or asset sale or if EROAD's assets are acquired by a third party in the event EROAD goes out of business or enters bankruptcy, some or all of your personal information may be disclosed or transferred to a third party acquirer in connection with the transaction. This is because information EROAD collects about you may be considered a business asset.

## **6.7 to meet our legal obligations**

To comply with our legal obligations, we may share your personal information and other data with the Government (including regulatory authorities), law enforcement agencies or private parties. However, we will only do so if we reasonably believe it is necessary or appropriate in order to:

- respond to claims or orders, pursuant to legal process (including subpoenas, summons, discovery or disclosure order or compulsory production orders);
- if we're required to by any applicable stock exchange listing rules;
- to protect EROAD's property, rights and safety and the property, rights and safety of a third party or the public in general; and
- to stop any activity that EROAD considers is illegal, unethical or legally actionable activity.

## **7. What about storage and security?**

We are responsible for storing highly confidential tax, compliance and commercial records, including personal information of Drivers and End Users on behalf of our Customers. Consequently, we implement processes and measures to maintain a high standard of quality and system security, and reliability. We use a number of physical, administrative, personnel, legal and technical measures to protect your personal information.

### **7.1 Where we store your personal information**

Our products and services have been designed from ground up to be secure. We partner with a global Internet network provider and a global cloud data services provider to enable secure transmission, storage and processing of any collected data (including personal information). We store all data collected with Amazon Web Services (AWS). We chose AWS because we believe it is the safest option for your data (including personal information).

### **7.2. How long do we store your information for?**

Subject to any applicable laws, we store your personal information for as long as necessary to fulfil the purpose(s) for which it was collected, including to support our products and services we offer, resolve disputes, establish legal defences, conduct audits, pursue our legitimate business purposes, enforce our agreements and comply with applicable law.

### **7.3 Keeping your personal information secure**

Our products and services use a private network to connect directly to our cloud platform for the transmission of data. We regularly conduct independent security testing and our policies and procedures are aligned to internationally accepted control objectives and practices for security.

Please be aware, however, that no method of transmitting data over the Internet or storing data is completely secure. Accordingly, EROAD cannot guarantee the absolute security of any personal information.

#### **7.4 Third party services**

Our websites and applications may contain links to websites and services operated by third parties. Those links are provided for your convenience only and may not remain current or be maintained. We have no control over the privacy practices of, or any content on, those linked websites and services, and we are not responsible for those websites and services. The privacy policies that apply to those other websites and services may differ substantially from our Policy, so we encourage you to read them before using those websites. Visiting these other websites and services is at your own risk.

### **8. Your choices**

#### **8.1 You are able to access and correct your personal information**

If we hold personal information about you, you are able to request access to such personal information. Please contact us by using the details set out in paragraph 11 below.

Before processing your request, we may contact you to verify your identity and to advise you of any charges that may apply. If you think that any personal information we hold is wrong, please contact us – we will check the information and, if we agree it is wrong, we will take reasonable steps to ensure that it is corrected.

Sometimes, we may not be able to provide you with access to all your personal information. Where this is the case, we will tell you why.

#### **8.2 Opting out**

- A. **General.** You may have the right to opt out of certain uses of your personal information. If you choose to opt out, we may be unable to supply our products and services to you.
- B. **Email Communications.** If you receive an unwanted email from us, you can use the unsubscribe link found at the bottom of the email to opt out of receiving future emails. Note that you will continue to receive transaction-related emails regarding the products and services you have requested. We may also send you certain non-promotional communications regarding us and our products and services, and you will not be able to opt out of those communications (e.g. communications regarding a change to our service or updates to this Policy).
- C. **Mobile Devices.** We or our third party providers may send you push notifications through the EROAD mobile applications. With your consent, we may also collect geo-location information when you use EROAD mobile application. You may be able to opt-out of this collection by changing the settings on your mobile device, however this could impact on our ability to supply you with services.
- D. **Cookies and Personalised Advertising.** If you would like to opt-out of the Cookies and other similar tracking technologies we use, you may do so by blocking, disabling, or deleting them as your browser or device permits. Please note that cookie-based opt-outs are not effective on mobile applications. However, you may opt-out of personalised advertisements on some mobile applications by following the instructions for [Android](#) and [iOS](#).

The online advertising industry also provides websites from which you may opt-out of receiving targeted ads from advertisers that participate in self-regulatory programs. You can access these, and also learn more about targeted advertising and consumer choice and privacy, at [www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp), <http://www.youronlinechoices.eu/> and [www.aboutads.info/choices/](http://www.aboutads.info/choices/).

Please note you must separately opt out in each browser and on each device.

- E. **“Do Not Track”**. Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. Please note that we do not respond to, or honour, DNT signals or similar mechanisms transmitted by web browsers.

### **8.3 The complaints process**

If you think we have breached the relevant privacy legislation or regulations, or you wish to make a complaint about the way we have handled your personal information, you can contact us using the details set out below. Please include your name, email address and/or telephone number and clearly describe your complaint. We will acknowledge your complaint and respond to you regarding your complaint within a reasonable period. If you think that we have failed to resolve the complaint satisfactorily, we will provide you with information about the further steps you can take.

## **9. If you are in Australia**

### **9.1. Employee information**

If you are based in Australia, this Policy does not apply to acts and practices in relation to employee records of our current and former employees, which are exempt from *the Privacy Act 1988 (Cth)*.

### **9.2 Disclosure of Government Related Identifiers**

In Australia, Government Related Identifiers are defined in *the Privacy Act 1988 (Cth)* and include driver licence numbers. For our Australian-based Customers and other individuals, we are required to comply with laws relating to the collection, storage, use and disclosure of Government Related Identifiers.

We may collect and hold Government Related Identifiers, such as your driver licence number, as an agent for a Customer that has designated you as a Driver. We will not disclose any Government Related Identifiers other than at the direction of the relevant Customer or as required or permitted by law.

### **9.3 Disclosure of personal information outside Australia**

EROAD values the safety of your information, so we store all data collected from New Zealand and Australian Customers and Drivers on servers located with Amazon Web Services in Australia. However, we may transfer personal information outside of Australia to other countries, including the United States, as necessary to operate our business.

We will take reasonable steps to ensure that any overseas recipient will deal with such personal information in a way that is consistent with the Australian Privacy Principles set out in *the Privacy Act 1988 (Cth)*.

## 10. If you are a California resident

For purposes of the California Consumer Privacy Act, we do not “sell” your personal information.

Under the California Consumer Privacy Act, you may have the right to: (i) request confirmation of whether we are processing your personal information and obtain access to, or a copy of, your personal information; (ii) receive an electronic copy of personal information that you have provided to us, or ask us to send that information to another company (the “right of data portability”); and (iii) request erasure of personal information held about you by EROAD, subject to certain exceptions prescribed by law. If you make any such request, we may need to confer with the Customer you are associated with in relation to your request.

Please note that if you request deletion of your personal information, there are several exceptions to such deletion request that may be applicable to EROAD’s services. Among others, these include:

- A. **Compliance with legal obligations**, including but not limited to, statutory record keeping periods applicable to us or our Customers such as:

<u>Regulation</u>	<u>Regulatory Provision</u>	<u>Required Retention Period</u>
Electronic Logging Device	<a href="#">49 CFR § 395.8(k)</a>	6 months
Driver Vehicle Inspection Report	<a href="#">49 CFR § 396.11(a)(4)</a>	3 months
Oregon Weight-Mile Tax	<a href="#">OAR 740-055-0120(1)(c)</a>	3 years
International Fuel Tax Agreement	<a href="#">IFTA Procedures Manual P510</a>	4 years
International Registration Plan	<a href="#">IRP 1000</a>	6 years

- B. **Where retention is necessary for us to provide our products or services to you or our Customer;**
- C. **Where retention is necessary to protect against and/or prosecute illegal activity** (namely speeding or any other unlawful driving activity committed by a Driver);
- D. **Where retention is necessary to complete the transaction for which personal information was collected** (for example, to provide services to our Customers);
- E. **Where retention is necessary to detect security incidents, or protect against malicious, deceptive, or fraudulent activity;**
- F. **Where we are retaining information to enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us or where such internal use is compatible with the context in which you have provided the information** (for example, retention of backup files or retention of phone calls that are recorded for training and quality purposes).

If you would like to exercise any of these rights, please contact us as set forth below. We will process such requests in accordance with applicable laws. To protect your privacy, EROAD will take steps to verify your identity before fulfilling your request.

## **11. Contact Us**

For further information about this Policy or our privacy practices, or to access or correct your personal information, or make a complaint, please contact us using the details set out below:

### **EROAD New Zealand**

The Privacy Officer  
EROAD Limited  
260 Oteha Valley Road  
Albany, Auckland  
[support@eroad.co.nz](mailto:support@eroad.co.nz)  
0800 437 623

### **EROAD Australia**

[support@eroad.com.au](mailto:support@eroad.com.au)  
1800 437 623

### **EROAD North America**

The Privacy Officer  
EROAD Inc  
7618 SW Mohawk Street  
Tualatin  
OR 97062  
[support@eroad.com](mailto:support@eroad.com)

If you are in California you can also contact 1-855-503-7623