

## **Drivably Privacy Policy**

Effective Date: January 1, 2021

Thank you for visiting the Drivably, Inc. ("Drivably") website (the "Site"), contacting Drivably, and/or using any Drivably mobile applications or services (the "Services"). This Privacy Notice is intended to describe how Drivably handles information that you provide, or that we learn about the individuals who: visit our website, contact us by mail, email or telephone or in person, or who provide us with information through any other means. We recommend that you carefully review this notice before providing us with any information. By accessing and using the Services, you agree to this Privacy Notice and our Terms of Use.

BY VISITING OR USING THE SERVICES, YOU EXPRESSLY CONSENT TO THE PROCESSING OF YOUR PERSONAL INFORMATION ACCORDING TO THIS PRIVACY POLICY. IF YOU DO NOT AGREE WITH OUR POLICIES AND PRACTICES, YOUR CHOICE IS TO NOT USE THE SERVICES. YOUR PERSONAL INFORMATION MAY BE PROCESSED IN THE COUNTRY WHERE IT WAS COLLECTED AS WELL AS OTHER COUNTRIES (INCLUDING THE UNITED STATES) WHERE LAWS REGARDING PROCESSING OF PERSONAL INFORMATION MAY BE LESS STRINGENT THAN THE LAWS IN YOUR COUNTRY. BY UPLOADING PERSONAL INFORMATION TO THE SERVICES YOU WARRANT THAT YOU HAVE THE RIGHT TO TRANSFER SUCH INFORMATION OUTSIDE YOUR COUNTRY AND INTO THE UNITED STATES.

### **Children's Privacy**

The Drivably website and Services are not intended for children under the age of 18 and Drivably does not knowingly collect any information from children under 18 years old through its website. If the parent or guardian of a child under 18 believes that the child has provided us with any information, the parent or guardian of that child should contact us if they want this information deleted from our files. If Drivably obtains knowledge from any source that it has information about a child under 18 in retrievable form in its files, we will delete that information from our existing files.

### **What Information does Drivably Collect and How is it Used?**

#### *Personal Information*

Drivably will only collect Personal Information that you voluntarily provide to us or our service providers. The Personal Information we may collect includes, among other things, your name, mailing address, e-mail address, telephone number, payment information and your interest in specific types of products and/or services.

#### *Purchase Information*

Drivably uses Stripe, a secure payment provider, to process your payments if you use the Services to make a purchase. Your payment information is subject to the privacy policy and terms of use of Stripe. We recommend you review these policies before uploading any credit card information. Drivably does not have access to your credit card information and does not store this information on our servers.

### *Non-Personal Information*

Like most website operators, Drivably collects non-personally-identifying information of the sort that web browsers and servers typically make available, such as the browser type, language preference, referring site, and the date and time of each visitor request when visitors use the Services. Drivably's purpose in collecting non-personally identifying information is to better understand how Drivably's visitors use the Services. From time to time, Drivably may release non-personally-identifying information in the aggregate, e.g., by publishing a report on trends in the usage of its Services. Drivably also collects potentially personally-identifying information like Internet Protocol (IP) addresses and may collect statistics about the behavior of visitors to the Services. For instance, Drivably may monitor the Services to help identify spam. We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking).

In addition to log data, we may also collect information about the device you're using to access the Services, including the type of device, the operating system, device settings, device identifiers and crash data. Whether we collect some or all of this information often depends on what type of device you're using and its settings. To learn more about the information your device makes available to us, please review the policies of your device manufacturer or software provider.

We do not collect personal information automatically, but we may tie this information to personal information about you that we collect from other sources or you provide to us.

In addition, we may use third party services such as Google Analytics that collect, monitor and analyze this type of information in order to increase the Services' functionality. These third party service providers have their own privacy policies addressing how they use such information.

### **How we use your information**

We use the information we collect to provide you full access and functionality of the Services. Accordingly, your information may be used for the following purposes: (i) to provide and improve our services, features and content; (ii) to administer your use of our services and accounts; (iii) to enable users to enjoy and easily navigate the Services; (iv) to better understand your needs and interests; (v) to fulfill requests or to respond to questions or comments you may make; (vi) to personalize your experience; (vii) to provide you with announcements, notifications and advertisements related to your interests and use of the Services and other communications such as electronic newsletters, promotional e-mails or similar messaging; (viii) to provide service

announcements; (ix) to protect against users seeking to hack into the Services; (x) to assess the level of general interest in the Services and (xi) for any other purpose with your consent.

## **With Whom Do We Share Your Information?**

### *Personal Information and Purchase Information*

Drivably may share Personal Information, including Purchase Information, with certain third parties such as our agents, service providers and other representatives acting on our behalf. For example, we may share Personal Information or Purchase Information with third parties to perform services on our behalf.

The third parties with whom we conduct business are authorized to use your information only to perform the service for which they are hired. They are required to abide by the terms of our Privacy Notice including taking reasonable measures to ensure your personal information is secure. On occasion, we contract with trusted third-party providers who would receive your Personal Information and conduct anonymized aggregate analyses of the data. Through our contractual arrangements, we require our contracting partners to maintain adequate security of Personal Information provided to them. We do not permit such third parties to sell your Personal Information to other third parties.

### *Other Ways We May Share your Personal Information*

We may disclose non-personally identifiable aggregated information about our users without restriction.

Other than to its employees, contractors and affiliated organizations or as described above, we disclose personally-identifying only when required to do so by law, or when we believe in good faith that disclosure is reasonably necessary to protect the property or rights of Drivably, third parties or the public at large. If you send us a request (for example via chat, a support email or via one of our feedback mechanisms), we reserve the right to publish it in order to help us clarify or respond to your request or to help us support other users.

In addition, in some cases we may choose to buy or sell assets. In these types of transactions, user information is typically one of the business assets that is transferred. Moreover, if Drivably or substantially all of its assets were acquired, or in the unlikely event that Drivably goes out of business or enters bankruptcy, user information would be one of the assets that is transferred or acquired by a third party. You acknowledge that such transfers may occur, and that any acquirer of Drivably may continue to use your personal and non-personal information only as set forth in this policy. Otherwise, we will not rent or sell potentially personally-identifying and personally-identifying information to anyone.

We may also disclose your personally-identifying information if you expressly consent to the disclosure.

## **Security**

We are committed to protecting your Personal Information. We regularly test our facilities and use a variety of security technologies and procedures to help protect your personal information from unauthorized access, use or disclosure.

## **We Do Not Sell Your Personal Information**

Drivably does not, to the best of our knowledge, sell or rent personal information that we have collected or retain about you to any other third-party for any purpose. Accordingly, we do not offer individuals the ability to “opt-out” of the selling or renting of personal information because we do not engage in those practices.

## **Our Data Retention Criteria**

The period during which we store your personal information varies depending on the purpose for the processing. For example, we store personal information needed to provide you with products and services, or to facilitate transactions you have requested, for so long as you are a customer of Drivably. We store your personal information for marketing purposes until you have opted-out of receiving further direct marketing communications in accordance with applicable law. In all other cases, we store your personal information for as long as is needed to fulfill the purposes outlined in this Privacy Statement, following which time it is either anonymized (where permitted by applicable law), deleted or destroyed.

## **Our Use of Cookies and Analytical Tools**

Cookies are text files containing small amounts of information which are downloaded to your hard disk or to your browser's memory when you visit one of our Sites. Cookies are useful because they help arrange the content and layout of our Sites and allow us to recognize those computers or other devices that have been to our Sites before. Cookies do many different jobs, such as allowing our Sites to remember your preference settings and helping us to enhance the usability and performance of our Sites and your experience using them. Our Sites also may contain electronic images known as web beacons – sometimes called single-pixel gifs – that allow us to count the number of users who have visited specific pages. We may also include web beacons in promotional e-mail messages or newsletters in order to determine whether messages have been opened and acted upon.

### Setting your cookie preference

You can usually modify your browser settings to decline cookies and you can withdraw your consent at any time by modifying the settings of your browser to reject or disable cookies or by opting out of specific cookies through the opt-out options shared below. If you choose to decline cookies altogether, you may not be able to fully experience the features of the Sites that you visit.

## Our use of web analytics

We use different analytic tools which serve the purpose of measuring, analyzing and optimizing our marketing measures and provide you with customized advertisements that could be of particular interest to you. In particular, we use the following tools:

- **Google Analytics** uses cookies which enable an analysis of your use of the Sites. The information collected (IP address, browsing activities and other data linked to your usage of the Sites) is usually transferred to a Google server in the USA and stored there. You can prevent Google Analytics from recognizing you on return visits to the Sites by disabling cookies on your browser. To see how you can opt-out of certain Google features, visit: [Google Analytics Opt Out Link](#).
- **Google Tag Manager** helps to manage website tags through a single interface. The tool itself (implementing the tags) triggers other tags that may themselves collect (personal) data. However, Google Tag Manager does not access this data.

## **Your Rights and Responsibilities**

You are permitted, and hereby agree, to only provide personal information to Drivably if such personal information is accurate, reliable, and relevant to our relationship and only to the extent such disclosure will not violate any applicable data protection law, statute, or regulation.

You may have certain rights under applicable data protection law with respect to personal information about you that is collected through the Sites or when you contact or otherwise engage with us. To exercise any of these data privacy rights, please contact us, or have your authorized agent contact us, in accordance with the “Contact Us” section listed below. In the event you submit, or your authorized agent submits on your behalf, a data request, you (and your authorized agent) hereby acknowledge and agree, under penalty of perjury, that you are (or the authorized agent of) the consumer whose personal information is the subject of the request. We will respond to any data requests within the timeframes required by law, and we may charge a fee to facilitate your request where permitted by law.

**Marketing.** You have the right to opt-out of receiving electronic direct marketing communications from us. All electronic direct marketing communications that you may receive from us, such as e-mail messages, will give you an option of not receiving such communications from us in the future.

**California Privacy Rights.** California Civil Code Section § 1798.83 permits users of the Sites that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. Pursuant to the California Consumer Privacy Act of 2018, as amended (“CCPA”), California residents may have certain

data privacy rights, such as the right to be notified about what personal information categories are collected about you, and our intended use and purpose for collecting your personal information. You have the right to request access to your personal information and, to the extent feasible, request that it be transmitted in certain forms and formats. You may have the right to request that we (and any applicable service provider) delete your personal information. You have the right not to be subject to discrimination for asserting your rights under the CCPA. If you make, or an authorized agent on your behalf makes, any request related to your personal information, Drivably will ascertain your identity to the degree of certainty required under the CCPA before addressing your request. Drivably may require you to match at least three pieces of personal information we have previously collected from you before granting you access or otherwise responding to your request.

***Do Not Track.*** Some web browsers may transmit “do-not-track” signals to the Sites with which the user communicates. Because of differences in how web browsers incorporate and activate this feature, it is not always clear whether users intend for these signals to be transmitted, or whether they even are aware of them. We currently do not take action in response to these signals.

### **Nevada Privacy Disclaimer**

Pursuant to Nevada law, a Nevada “consumer” (as the term is defined therein), may, at any time, submit a verified request through a designated request address to an “operator” directing the operator not to make any sale of his or her personal information that the operator has collected or will collect about the consumer. For clarity purposes, Drivably does not sell or exchange your personal information for monetary consideration to a third party for the third party to license or sell the information to additional persons or parties.

### **Links to Third Party Websites**

The Services may contain links to other sites that are not operated by us. If you click on a third party link, you will be directed to that third party's site. We strongly advise you to review the Privacy Policy of every site you visit.

We have no control over, and assume no responsibility for the content, privacy policies or practices of any third party sites or services.

### **Changes to This Privacy Policy**

We may occasionally update this Privacy Statement. When we do, we will revise the "last updated" date at the top of the Privacy Statement and take such additional steps as may be required by law.

### **Contact Us**

If you have questions regarding this Privacy Statement, our handling of your personal information, or would like to request more information or exercise a data right, please contact us using on the webpage at [hello@drivably.com](mailto:hello@drivably.com) or by telephone at (480) 702-1010.