

Kentucky Trailer Privacy Policy Notice for California Residents

Issued: December 31, 2019

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Kentucky Trailer is committed to serving the needs of its customers. As part of our service, we, like most businesses, need to collect information about individuals who interact with our enterprise. We are committed to respecting and maintaining the privacy of the personal information that individuals provide to us. This notice explains our privacy practices with respect to California residents and the rights of California residents from whom we collect information and how they may exercise those rights with our company.

1. Our Contact Details

This privacy policy is issued on behalf of R.C. Tway Company, LLC (d/b/a “Kentucky Trailer”), 3400 Robards Court, Louisville, KY 40218.

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If you have questions about this policy or our use of your personal information, you may contact us at dianna.raisor@kytrailer.com or call toll free at 1-888-598-7245.

You can also write to us at the following address:

Kentucky Trailer
Attention: Privacy
3400 Robards Court
Louisville, KY 40218

2. About Kentucky Trailer

Kentucky Trailer, including operations occurring under its related trade and brand names (*e.g.*, “Kentucky Trailer Services,” “Kentucky Trailer Technologies,” “Advanced Mobility,” and “SMIT”) (collectively, “Kentucky Trailer,” “we,” “us,” “our,” or the “Company”), designs and manufactures trailers and vehicles and related technologies and solutions in service of the specialty trailer, custom transport, and mobilized business markets. We respect your privacy and take our responsibility to protect your privacy seriously.

3. Scope of this Privacy Policy

This Privacy Policy (“Policy” or “Notice”) explains how we collect and use information of California residents and the rights that California residents have under the California Consumer Privacy Act of 2018 (the “CCPA”) and how they can exercise such rights. As used in this Policy, “you” or “your” refers only to California residents who provide personal information to Kentucky Trailer. This Policy overlaps with our general Privacy Statement, which applies generally to non-California residents and can viewed [here](#), and the Privacy Notice for our online store, which can be viewed [here](#). But for clarity, this Notice describes our policy and the rights only of California residents, not residents of other jurisdictions. It addresses information that we collect and use when you:

- use or visit our website, including providing information to us through our website;

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- provide information to us in connection with employment or an application for employment; or
- interact with us through phone, email, fax, postal mail, courier, or face-to-face.

We refer to these uses and interactions as our “Services.”

Although we might link to third-party websites, software, or services, this Policy applies only to *our* Services. Please refer to the privacy policies on any third-party websites, software, or services to learn how they use your personal information.

We encourage you to read this Policy carefully to understand our policies and practices regarding your information and how we will treat it if you elect to use our Services. We understand your use of our Services to mean that you accept and consent to the use of your information as described here.

4. Summary of How We Use Your Personal Information

The table below lists categories of information we collect, how we use such information, and with whom we might share such information. In Section 5 of this Policy following this table, we explain in further detail the categories of information we collect. We welcome any questions you might have after reading these parts of the Policy. Please raise them with us by emailing at dianna.raisor@kytrailer.com or call toll free at 1-888-598-7245

HOW WE USE PERSONAL INFORMATION COLLECTED		
Type of Information We Collect	How We Use It	Who We Share It With
User information (e.g., user contact information, payment)	(1) to provide our products and Services (2) to communicate with you about our products and services (3) to authenticate you and tailor content	With our service providers, including Salesforce CRM, to help us deliver and improve the Services

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information, user identifiers, user comments, etc.)	(4) to improve our products and create new products (5) for our internal accounting, security, and operational purposes (6) for purposes required by law	
<u>Business account contact information</u> (<i>e.g.</i> , business name, position, telephone number, address, email, etc.)	(1) to provide our products and Services (2) to communicate with you about our products and Services (3) to authenticate you and tailor content (4) to improve our products and create new products (5) for our internal accounting, security, and operational purposes (6) for purposes required by law	With our service providers, including Salesforce CRM, to help us deliver and improve the Services
<u>Usage information</u> (<i>e.g.</i> , indicators of engagement with our website or usage of Services, IP address, device identifier, etc.)	(1) to facilitate your use of our website and to improve the performance of and user experience with our website (2) to monitor the regions where website users are located for language translation services and usage optimization (3) for our internal accounting, security, and operational purposes (4) for purposes required by law	We do not share Usage Information with third parties

5. Information We Collect

In general, the information we collect is of two types: (a) User Information and (b) Usage Information. We also collect business account information and social media information from some persons under the circumstances described below.

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We collect information from you in several ways. You provide us with certain identifying information when you submit a customer inquiry, either online or through other means, when you complete a “Contact Us” form on our website, when you register to receive our news bulletins or business announcements, or when you interact with our business representatives. If you contact our customer support on the telephone, we may collect User Information from you during your call to provide our Services to you. ***If you do not want us to collect this information, please do not provide it, but you may not be able to take advantage of our Services or certain features of our Services.*** For example, where we need to collect information to provide Services to you and you fail to provide that information when requested, we may not be able to provide the Services. Examples of information we directly collect from you include:

User information. “User Information” means information collected about users of the Services and includes names and contact information, such as email address, telephone number, associated companies or businesses, job title, street address, city, state/province, zip code, and any other information you provide. It also includes any content you store on our Services, including requests, questions, comments or reviews you share with us or others who use our Services. User information also includes information that you provide to us to make purchases, such as payment information, identifiers, and delivery address. If you contact our customer support, the User Information we collect may also include recordings of your communications with customer support.

Business Account Contact Information. This means business contact information that is very similar to or might be the same as User Information, such as name, title, job function, business name, business address, business e-mail address, and business phone number that we collect about people we serve or work with, including actual and prospective customers, alliance and channel partners, contractors, vendors and other parties interested in our business and Services.

Usage Information. We collect information about your interactions with our website. Usage Information includes your IP address, which may indicate the location from which you are accessing our website. Usage Information also

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might include information about the device(s) you use to access our website. This information enables us to, among other things, improve our Services and your experience, see which areas and features of our Services are popular and count visits, administer our website, track how you engage with our websites and other Services, learn about the systems, browsers, and apps you use to interact with our Services, and gather demographic information about our user base as a whole. This includes how often the Services are used, the events that occur within the application, aggregated usage, performance data, any exceptions that occur within the software and the source from which the application was downloaded. We identify user location through IP address in attempt to ensure availability of appropriate language translation services for our website.

To collect and utilize Usage Information, we use cookies and similar technologies, such as web beacons. This information includes standard information from your browser, your IP address, and the actions you take including the pages you view and the links you click. These cookies do not necessarily personally identify you and can be controlled in your Internet browser including the “Do Not Track” option. We utilize session-based cookies that collect how visitors are interacting with the website, the pages that are visited, and if there are errors on specific pages. The links to social media pages are not tracked by our website but by the social media companies that you visit.

Other third-party information. We receive information about you from third parties who support our Services including our payment processor, and customer relationship management software provider. We may add this third-party-provided information to the information we collect on you from our Websites.

Job Applicant and Employee Information. For individuals who inquire about or submit applications for employment with the Company or who are employees, we may collect the following categories of information: name, mailing and residential address, telephone number(s), email address(es), age, gender or sex, race, ethnicity, or national origin, Social Security number, driver’s license number, or other government-issued ID number, employment history

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information, bank account information, and information obtained through a credit history evaluation.

6. How We Use the Information We Collect

Other than providing personal information and any necessary Usage Information to our service providers to manage customer accounts and facilitate purchases through our website, we do not share information collected from you with parties outside of Kentucky Trailer, and we do not sell your information.

We use your personal information for a number of purposes that we believe to be consistent with your expectations when you interact with us and our Services:

- **To provide Services and support.** We use your personal information to provide and manage the Services, communicate with you about our Services, and fulfill any contractual obligations we otherwise have with you. In addition, we use your personal information to support your use of the Services and to ensure the quality and security of the Services.
 - In response to your inquiry, request, or purchase, we use your personal information to provide reports, consulting services, educational services, training, maintenance, technical support, customer support, or other support services.
 - We may record calls for support and keep records of your communications and ours to provide and improve customer service to you and others.
 - We also use personal information to manage any account or files that you open with us and to verify your identity.
 - We use your personal information to otherwise support provision of the Services.
 - We may use your personal information when needed to perform accounting functions.

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- We use your personal information to provide relevant product information via our website. We may also provide you with information about third parties and their terms of use and privacy policies when you purchase their applications on the Websites.
- **For online forums, online events, and in-person events.** We may use your information to facilitate your participation in online forums such as our blog. We may also do so to facilitate your participation in live or online events such as training seminars or conferences.
- **Prevent improper or illegal activity.** We use personal information to protect, investigate, and deter against fraudulent, unauthorized, or illegal activity on or relating to our Services.
- **To meet legal requirements.** Kentucky Trailer may be required to use or discloses your personal information when necessary to comply with legally mandated reporting, subpoenas, court orders, or other legal process requirements.
- **To market and improve our products and services and to create new products and services.** We use your personal information to:
 - conduct marketing activities to inform you about our products, services, and events.
 - conduct surveys about our Services and your use of our Services.
 - Administer, contests or sweepstakes, to send promotional emails, process entries, notify participants of the winners, comply with applicable laws and regulations for the contests, sweepstakes and rewards, and to deliver rewards.
 - Further, we may use information for analytics purposes and to operate, maintain and improve our products and Services. We may also use information to create new products and services.
- **For Job Applicants and Employees.** We use information collected from job applicants and employees to evaluate and keep track of candidates

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for employment, administration of human resources responsibilities (e.g. payroll, tax withholding), and reporting obligations.

- **Other purposes.** We may use your information for any other legal, business or marketing purposes that are compatible with this Policy.

7. “Do Not Track Requests.” Your web browser and mobile device may allow you to adjust your browser settings so that “do not track” (“DNT”) requests are sent to the websites you visit. Kentucky Trailer respects your wishes and will not track user activity once DNT signals have been activated. *However*, implementation of DNT settings might interfere with or limit your ability to receive our Services through interaction with our website.

8. How We Share Your Information with Third Parties. Kentucky Trailer may disclose your information in the following circumstances:

Services Providers. We share personal information collected from customer in only limited circumstances: with our customer resource management service provider, Salesforce CRM, and with the payment processor for our online store. Onward transfers to third-party service providers who are our processors will be made in accordance with applicable data protection laws. These third-party processors are only authorized to use your information as necessary to provide the respective service.

- **Transfer or Assignment in Connection with Business Transfers or Bankruptcy.** In the event of a business transition, such as a merger, acquisition, reorganization, bankruptcy or other sale of all or a portion of our assets, any information owned or controlled by us may be one of the assets transferred to third parties. Kentucky Trailer may provide notice of such a business transition via prominent notice on our Website(s). We reserve the right, as part of this type of transaction, to transfer or assign your information and other information we have collected from customers and users of the Services to third parties. Other than to the extent ordered by a bankruptcy or other court, or as otherwise agreed to

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by you, the use and disclosure of all transferred information will be subject to this Policy. However, any information you submit or that is collected after this type of transfer may be subject to a new privacy policy adopted by the successor entity in compliance with applicable laws and regulations.

- **Response to Subpoenas or Court Orders; Protection of Our Rights; Safety.** As required or permitted by law, regulation, legal process or other legal requirement, or when we believe in our sole discretion that disclosure is necessary or appropriate, to respond to an emergency or to protect our rights, protect your safety or the safety of others, investigate fraud, comply with a judicial proceeding or subpoenas, court order, law-enforcement or government request, including without limitation to meet national security or law enforcement requirements, or other legal process and to enforce our agreements, policies and terms of use.
- **Publicly Posted Content.** If you post comments, images, and other content to a location which is public-facing, including any public-facing Websites, Apps, storage locations, or social media, your posted information will be publicly viewable.
- **With Your Consent.** We may share some or all of your information to any other third party with your affirmative consent. For instance, we display personal testimonials of satisfied customers on our Websites in addition to other endorsements. With your consent we may post your testimonial along with your name. If you wish to update or delete your testimonial, you can contact us at the address shown at the top of this policy.
- **Anonymized Data.** We may share information that has been anonymized with others for their own uses, in accordance with applicable laws and regulations.

9. Third-party Features and Websites

As stated above, our website may contain links to or features from other websites. This Policy covers the processing of information by Kentucky Trailer

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for our Services and does not cover the processing of information by such third-party websites or features. We not responsible for the privacy policies, cookie policies, terms of use and/or practices of third parties that you have accessed from our Services. We encourage you to be aware when you leave our Services and to read the privacy policy, cookie policy, terms of use and other statements on that third-party site or for that third-party service.

10. Security; Breach; PCI DSS

Kentucky Trailer takes reasonable and appropriate precautions to help protect your information. We believe that these precautions take into due account the risks involved in the processing and the nature of the information. However, given the nature of the internet and the fact that network security measures are not completely protective or impenetrable under all circumstances, we cannot guarantee the security of your information.

When registering for access to a secure area of one of our Services, such as by creating a customer account through our online store, we will ask you to select a username and password. We recommend that you do not divulge your password to anyone. We will never ask you for your password in an unsolicited phone call or in an unsolicited email. Also, remember to sign out of the Service and close your browser window, your software, application or other Service when you have finished your work. This is to ensure that others cannot access your information and correspondence when accessing your computer.

If you make a payment through our website, a third-party processor will process your transaction, and we require third-party service providers to our Services who process customer credit cards also comply with the requirements set forth in the Payment Card Industry Data Security Standards (PCI DSS).

Any sharing of your information with third-party processors who are operating at our instruction will be made in accordance with applicable data protection laws. These third-party processors will be required to comply with appropriate security and breach notification measures to protect your information.

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We have put in place procedures to deal with any suspected personal information breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

If you have any questions about the security of our Services, you can contact us using the contact information at the top of this policy.

11. Accessing, Correcting, Updating & Retaining Your Information

You may access, modify, amend, restrict or remove your Kentucky Trailer account information by logging into your Kentucky Trailer account and accessing your Kentucky Trailer account information.

Furthermore, you are entitled to request information about the personal information we store about you at any time. You may also request to correct, update or remove information about yourself at any time. For any such request you may contact us at the address shown at the top of this policy.

You will not have to pay a fee to access your information; however, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We will retain your information and the data we process on behalf of our customers as necessary to fulfill the purposes for which we have collected the information, for as long as your Kentucky Trailer account is active, as needed to provide you our Services or to comply with legal or regulatory obligations. We will retain and use this information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. If you delete any of your Kentucky Trailer account information, we may retain certain information if required by law or for legitimate business purposes or to complete our contractual obligations to you.

If you become an inactive customer, or if we close or suspend your Kentucky Trailer account, we will continue to adhere to the then current Policy when we collected your information so long as we retain it in our possession. We may delete any or all of your information at any time without notice to you for any reason or no reason unless otherwise required by law or contract to retain it.

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We may need to request specific information from you to help us confirm your identity and ensure your right to access your information (or to exercise any of your other rights). This is a security measure to ensure that your information is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

We will attempt to respond to any request to access your information within 45 days. It may take us longer if your request is complex or you have made multiple requests. In such circumstances we will notify you and keep you apprised of our progress.

12. Preferences and Opting-Out

Our Services provide visitors and customers the opportunity to opt-out of receiving specific types of communications from us at the point where we request information about the visitor or customer and in communications themselves. If you have previously signed up to receive information about our Services, you may unsubscribe or opt out of all future marketing communications from us that do not relate to products or services you have already ordered by removing your contact and other information from our marketing and communications databases by (a) e-mailing us or (b) clicking the unsubscribe link on any email marketing communication you receive.

13. California Residents' Rights under the CCPA

A. We Do Not Sell Personal Information

As explained above, we do not sell your information to third parties. We provide personal information collected from customers under strict restrictions to our customer resource management service provider and our payment processor. Our service providers are restricted from making use of customer information outside of providing services to us.

B. California Residents' Rights of Access to Specific Information.

California residents have the right to request that we disclose certain information to them about our collection and use of your personal information

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over the past 12 months. Once we receive and confirm your verifiable consumer request (*see* Exercising Consumer Rights, below), 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.

C. Deletion Request Rights

California residents have the right to request that we delete any of your personal information that we collect from them, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (*see* Exercising Consumer Rights, below), 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:

- Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise of free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.

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- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- 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.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

D. The Right to Opt-Out – The Right to Stop the Sale of Personal Information

California residents have the right to opt out of any sale of your information to a third party, *i.e.*, to prevent a transfer of information to a third party that is not restricted in certain ways from making use of the information. But as we explained above, we do not sell your information.

E. Exercising Consumer Rights

To exercise the rights described above, please submit a verifiable consumer request to us by one of the following methods:

- Emailing us at dianna.raisor@kytrailer.com; or
- Calling us toll free at 1-888-598-7245.

We are in the process of developing the functionality for customers to submit requests via an interactive webform or through accounts established with us.

Only you, or a person registered with the California Secretary of State that you authorize 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. You may only make a

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verifiable consumer request for access or data portability twice within a 12-month period.

To verify the identity of an individual making a request, a two-step process will need to be completed. A verifiable consumer request must:

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

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

F. Response Timing and Format

We will endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time, we will inform you of the reason and extension period in writing.

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.

Any disclosures we provide will cover only 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.

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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.

G. Non-Discrimination

We will not discriminate against you for exercising 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.

However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time. However, we do not currently provide any financial incentives.

H. Shine the Light Disclosure

We have not shared any personal information with other companies for their direct marketing use within the immediately preceding calendar year. Accordingly, California's "Shine the Light" law, Cal. Civil Code § 1798.83 to § 1798.84, does not apply to us and we have not established any mechanism for you to request information on our sharing of information for third parties' marketing purposes.

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14. Use by Children

We do not knowingly process personal information for which we determine the purposes and means of processing about children under the age of 13 without advance parental consent. If you are the parent or guardian of a child under 13 years of age and believe that your child has directly disclosed information to us, then please contact us so that we may delete the child's information.

15. Changes to this Policy

We review this policy at least annually and reserve the right to modify this Policy at any time, so we encourage you to review it frequently. If we make a material change to this Policy, we will note any updates to this Policy prior to the changes taking effect and post any modifications or changes to the Policy on our Website(s). It is your responsibility to keep current your contact information that we have on file. If you continue to use our Website(s) after we updated this Policy, we understand this to mean that you are agreeing to the processing of personal information as described in the updated Policy.