

TRACY FORD

PRIVACY POLICY

Last Updated: January 1, 2020

Welcome to Tracy Ford (“**Tracy Ford**,” “**we**,” “**us**” or “**our**”). Our dealership takes your privacy seriously and is committed to safeguarding your privacy both online and at our dealership. This Privacy Policy discloses the types of information we gather, how it is used and shared, and how you can gain access to and edit any personal information that we’ve collected about you. By using our website and services (collectively, the “Services”), you acknowledge that you have read, understood and agree to the terms and conditions of this Privacy Policy. If you do not agree to the terms and conditions of this Privacy Policy, please do not use the Services.

Those with disabilities may also access this Privacy Policy in an alternative format and may use our Audio Eye Toolbar, accessible by clicking the blue ‘accessibility options’ icon found on every page of our website.

Your use of the Services is also governed by our [Terms of Use](#).

PLEASE NOTE THE ARBITRATION PROVISION SET FORTH BELOW, WHICH, EXCEPT WHERE AND TO THE EXTENT PROHIBITED BY LAW, REQUIRES YOU TO ARBITRATE ANY CLAIMS YOU MAY HAVE AGAINST ANTIOCH AUTO CENTER ON AN INDIVIDUAL BASIS. ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS OR CONSOLIDATED CAPACITY.

INFORMATION COLLECTED

“Personal information” is information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. We have collected the following categories of information from and about you in the preceding 12 months:

Category of Personal Information	Source(s)	Purpose(s)	Disclosure to Third Parties
Identifiers	Directly from you Indirectly from you (e.g., from observing your actions on our Services) From third party service providers, such as data analytics providers or	To fulfill or meet the reason you provided the information, e.g., to respond to an inquiry or process your order	Disclosure for business purposes to: internet service providers, payment processors Disclosure for safety and warranty purposes to: vehicle manufacturers

Category of Personal Information	Source(s)	Purpose(s)	Disclosure to Third Parties
	social media platforms		
Personal Information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	Directly from you	To fulfill or meet the reason you provided the information, e.g., to respond to an inquiry or process your order	Disclosure for business purposes to: internet service providers, payment processors Disclosure for safety and warranty purposes to: vehicle manufacturers
Protected classification characteristics under California or federal law	Directly from you	To fulfill or meet the reason you provided the information, e.g., if provided, voluntarily	N/A
Professional or employment-related information	Directly from you	To fulfill or meet the reason you provided the information, e.g., to process employment applications	Disclosure for business purposes to: background check providers
Commercial information	Directly from you	To fulfill or meet the reason you provided the information, e.g., to respond to an inquiry or process your order	Disclosure for business purposes to: payment processors, delivery services Disclosure for safety and warranty purposes to: vehicle manufacturers
Internet or other similar network activity	Indirectly from you (e.g., from observing your actions on our Services) From third party service providers, such as data analytics providers	To fulfill or meet the reason you provided the information, e.g., to provide targeted advertising	Disclosure for business purposes to: internet service providers
Geolocation data	Directly from you Indirectly from you (e.g., from observing your actions on our Services)	To fulfill or meet the reason you provided the information, e.g., to respond to an inquiry, process your order, or provide targeted advertising	Disclosure for business purposes to: internet service providers
Inferences drawn from other personal information	Indirectly from you (e.g., from observing your actions on our Services)	To fulfill or meet the reason you provided the information, e.g., to provide targeted	N/A

Category of Personal Information	Source(s)	Purpose(s)	Disclosure to Third Parties
	From third party service providers, such as data analytics providers or social media platforms	advertising	

The following are additional explanations about our data collection that may be helpful to you.

- **Information Provided on Our Website:** We may collect information you voluntarily provide to us—for example, your name, email address, phone number, etc.—when you use our website, such as when you request information through a contact form, live chat with us or submit an employment application.
- **Information Provided at Our Dealership:** We may collect information you voluntarily provide to us—for example, name, email address, payment information and insurance information—when you visit our dealership, such as when you test drive a car, purchase a car, or bring your car in for service. We may collect financial information if you wish to obtain financing for a car purchase.
- **Usage Information:** When you visit our website, we may gather certain information regarding the means you use to access the website. This information may include the type and version of your browser, your service provider, your IP address and any search engine you may have used to locate our website.
- **Information Collected from Other Sources:** We may receive information about you from other sources, such as third party referral sites. We will ask any provider of such information to represent and warrant that the information has been gathered and maintained in accordance with all applicable laws. Any such information will be maintained by us in accordance with the standards set forth in this Privacy Statement along with your other personal information.

USE & RETENTION OF INFORMATION COLLECTED

We use the information we collect from you for the following purposes:

- To provide our Services.
- To tailor your experience on our website.
- To improve user experiences by making our Services easier to use and navigate.
- To send you marketing communications.
- To respond to your requests and inquiries.
- To comply with legal and/or safety requirements.
- For other legitimate business purposes.

We retain your personal information only for as long as necessary for the purpose for which it was collected.

COOKIES

When visiting our website, we and our third party analytics partners, may use a browser feature known as a “cookie.” Cookies are small files placed on your hard drive that assist us in providing you with a customized browsing experience. Cookies can also be used to help us provide you with information targeted to your interests, based upon your browsing behavior. Different cookies are used to perform different functions, which we explain below:

- **Essential:** Some cookies are essential in order to enable you to move around our website and use their features, such as accessing secure areas of our website. Without these cookies, we cannot enable appropriate content based on the type of device you are using.
- **Analytics:** Personal information collected via cookies for analytics purposes, for example, to learn about website traffic and activity. In particular, we use Google Analytics to measure how you interact with our sites. For more information about Google Analytics and how it collects and processes data, please go to “How Google uses data when you use our partners' sites or apps”, located at <https://policies.google.com/technologies/partner-sites>. Google also provides instructions on opting-out of Google Analytics at <https://tools.google.com/dlpage/gaoptout>.
- **Targeted Advertising:** Cookies may be placed by our third-party advertising companies. These companies may use aggregated statistics about your use of our website and third party media in order to provide you with advertisements about goods and services that you may be interested in. If you would like to opt-out of such advertising practices on the particular device on which you are accessing this Privacy Policy, please go to <http://optout.aboutads.info/>.

The “help” section of the toolbar on most browsers will inform you on how to prevent your browser from accepting new cookies, how to have the browser notify you upon the receipt of a new cookie, or how to disable the use of cookies completely. If you decline cookies, certain features of our website may not function correctly.

THIRD-PARTY ADVERTISING

As stated above, we may use advertisers, third party ad networks and other advertising companies to serve advertisements on our website. These third parties use cookies and other similar technologies to collect or receive information from our website and elsewhere on the Internet and use that information to provide you with targeted ads. The Network Advertising Initiative offers a means to opt-out of a number of advertising cookies. Please visit www.networkadvertising.org to learn more. Note that opting-out does not mean you will no longer receive online advertising. It does mean that the company or companies from which you opted-out will no longer deliver ads tailored to your preferences and usage patterns.

SHARING AND DISCLOSURE OF INFORMATION

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

- **Vehicle Manufacturers:** We share personal information with vehicle manufacturers for safety and warranty purposes. Except as disclosed by the vehicle manufacturer in writing, such information will not be used or shared beyond the vehicle manufacturer or any of its affiliates, partners, or dealerships, for any other purpose.
- **Service Providers:** We may use third party service providers, such as dealership management system providers, customer relationship management system providers, and marketing partners to perform certain functions on our behalf. Examples include administering email services and running special promotions. Such parties only have access to the personal information needed to perform these functions and may not use or store the information for any other purpose. Subscribers or website visitors will never receive unsolicited e-mail messages from agents working on our behalf.
- **Business Transfers:** In the event that our dealership undergoes a direct or indirect reorganization process including, but not limited to, mergers, acquisitions, and sales of all or a particular portion of its business assets, consumer information may be one of the business assets transferred as part of the transaction.
- **Compliance with Law/Safety:** Our dealership may disclose specific personal information based on a good faith belief that such disclosure is necessary to comply with or conform to the law or that such disclosure is necessary to protect Antioch Auto Center, the users of our Services, our website, or the public.
- **With Consent:** Other than as set forth in this Privacy Policy, you will be notified when any personal information about you may be shared with third parties, and you will be given the opportunity to decline to share that information.

COLLECTION AND USE OF INFORMATION FROM CHILDREN

Our Services are not intended for children. We do not knowingly collect personal information from children, and none of our Services are designed to attract children. In the event that we learn that a person under the age of 13 has provided personal information to us, we will delete such personal information as soon as possible.

THIRD-PARTY LINKS

Our website contains links to other sites. We are not responsible for the privacy practices or content of such other sites. If you have any questions about how these other sites use your information, you should review their policies and contact them directly.

SOCIAL MEDIA WIDGETS

Our website includes social media features, such as the Facebook Like button. These features may collect personal information such as your IP address, which page you are visiting on our site, and may set a cookie to enable the feature to function properly. Social media features are either hosted by a third party or hosted directly on our website. Your interactions with these features are governed by the privacy policy of the company providing the feature.

MARKETING OPT-OUT PROCEDURES

When you sign up to receive marketing communications we may send you newsletters, offers, promotions and other similar communications. You may always opt-out of receiving future marketing communications from our dealership through the unsubscribe link provided in each communication. We will process your unsubscribe request as soon as possible.

Additionally, we may send you information regarding our Services, such as information about changes to our policies and other notices and disclosures required by law. Generally, users cannot opt out of these communications, but they will be primarily informational in nature, rather than promotional.

YOUR CALIFORNIA PRIVACY RIGHTS

California Civil Code Section 1798.83 permits visitors to the Services who are California residents to request certain information, once a year, regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send us an email at Opt_out@tracyford.com and be sure to put “Shine the Light Request” in the subject line of your email.

If you are a California resident, from January 1, 2020 you have the following rights. To the extent that these rights apply to you, the following rights are provided:

- You have the **right to know** and request information about the categories and specific pieces of personal information we have collected about you, as well as the categories of sources from which such information is collected, the purpose for collecting such information, and the categories of third parties with whom we share such information. You also have the right to know if we have sold or disclosed your personal information. You may also request a copy of the personal information we have collected.
- You have the **right to request information** about our sale or disclosure for business purposes of your personal information to third parties.
- **We do not sell your personal information** to third parties..
- You have the **right to request the deletion** of your personal information, subject to certain legal exceptions.
- You have the **right to not be discriminated against** for exercising any of these rights.

If you would like to exercise one or more of the above rights, please contact us using the contact information provided below. You may also designate an authorized agent registered with the California Secretary of State to make a request on your behalf. The authorized agent must be registered by the California Secretary of State and must have written permission to submit requests on your behalf. Whenever feasible for verification, we will match the identifying information provided by you to the personal information already maintained by us. If, however, we cannot verify your identity from the information already maintained by us, we may request additional information.

DO NOT TRACK SIGNALS

At this time, there is no commonly accepted response for Do Not Track signals initiated by browsers, therefore we do not respond to them.

INTERNATIONAL DATA TRANSFERS

We are located in the US. If you choose to provide us with information, please understand that your personal information may be transferred to the US and that we may transfer that information to our affiliates and subsidiaries or to other third parties, across borders, and from your country or jurisdiction to other countries or jurisdictions around the world. If you are visiting from the EU or other regions with laws governing data collection and use that may differ from US law, please note that you are transferring your personal information to the US and other jurisdictions which may not have the same data protection laws as the EU. We put in place appropriate operational, procedural and technical measures in order to ensure the protection of your personal information. You acknowledge you understand that by providing your personal information: (i) your personal information will be used for the uses identified above in accordance with this Policy; and (ii) your personal information may be transferred to the US and other jurisdictions as indicated above, in accordance with applicable law.

SECURITY

We implement reasonable security measures to ensure the security of your personal information. Please understand, however, that no data transmissions over the Internet can be guaranteed to be 100% secure. Consequently, we cannot ensure or warrant the security of any information you transmit to us and you understand that any information that you transfer to us is done at your own risk. If we learn of a security systems breach we may attempt to notify you electronically so that you can take appropriate protective steps. By using the Services or providing personal information to us, you agree that we can communicate with you electronically regarding security, privacy and administrative issues relating to your use of the Services. We may post a notice via our website if a security breach occurs. We may also send an email to you at the email address you have provided to us in these circumstances. Depending on where you live, you may have a legal right to receive notice of a security breach in writing.

ASSIGNMENT

In the event that all or part of our assets are sold or acquired by another party, or in the event of a merger, you grant us the right to assign the personal information collected via the Services.

DISPUTE RESOLUTION AND AGREEMENT TO ARBITRATE

Except where and to the extent prohibited by law, by using the Services, you and we agree that, if there is any controversy, claim, action, or dispute arising out of or related to your use of the Services or the breach, enforcement, interpretation, or validity of this Privacy Policy or any part of it (“Dispute”), both parties shall first try in good faith to settle such Dispute by providing written notice to the other party describing the facts and circumstances of the Dispute and

allowing the receiving party 30 days in which to respond to or settle the Dispute. Notice shall be sent to:

- Tracy Ford, at 3500 Auto Plaza Way, Tracy, CA 95304, or
- You, at the address we have on file for you.

Both you and we agree that this dispute resolution procedure is a condition precedent that must be satisfied before initiating any litigation or filing any claim against the other party. IF ANY DISPUTE CANNOT BE RESOLVED BY THE ABOVE DISPUTE RESOLUTION PROCEDURE, YOU AGREE THAT THE SOLE AND EXCLUSIVE JURISDICTION FOR SUCH DISPUTE WILL BE DECIDED BY BINDING ARBITRATION ON AN INDIVIDUAL BASIS. ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS OR CONSOLIDATED CAPACITY. Other rights that you and we would otherwise have in court will not be available or will be more limited in arbitration, including discovery and appeal rights. All such disputes shall be exclusively submitted to JAMS (www.jamsadr.com) for binding arbitration under its rules then in effect, before one arbitrator to be mutually agreed upon by both parties.

The arbitrator, and not any federal, state, or local court or agency, shall have exclusive authority to resolve any dispute arising under or relating to the interpretation, applicability, enforceability, or formation of this Privacy Policy, including any claim that all or any part of this Privacy Policy is void or voidable.

CHOICE OF LAW

This Privacy Policy has been made in and shall be construed in accordance with the laws of the State of California, without giving effect to any conflict of law principles. Any disputes or claims not subject to the arbitration provision discussed above shall be resolved by a court located in the State of California and you agree and submit to the exercise of personal jurisdiction of such courts for the purpose of litigating any such claim or action.

CHANGES TO THIS PRIVACY POLICY

We reserve the right to change this Privacy Policy from time to time. When we do, we will also revise the “Last Updated” date above. If we make material changes to the Privacy Policy, we will notify you via a prominent notice on our website and/or via an email at the email address we have on file for you. We encourage you to periodically review this Privacy Policy to keep up to date on how we are handling your personal information.

CONTACT US

If you have any questions, comments or concerns about this Privacy Policy or our privacy practices, please contact us using the [Contact Form](#) or at:

Tracy Ford
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Tracy, CA 95304
1-844-975-0001
Opt_out@tracyford.com