

ADR Privacy Worksheet for Auto Dealers

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I. Dealership Data Section

The Federal Trade Commission (FTC) has developed rules that require a new approach to advising consumers with regard to dealer privacy policies and privacy notices. The Agency has developed model privacy forms that dealers may use, and when used correctly, provide a "safe harbor" from enforcement actions by the FTC. This worksheet is for the purpose of correctly customizing those documents to detail your dealership's privacy policy and take advantage of the safe harbor notice provisions that you are entitled to.

PLEASE NOTE: It is your responsibility to make sure that the information you enter on the worksheet is accurate and depicts the actual privacy policies and practices of your dealership.

Please complete this worksheet and return it to ADR. We will review your responses and call or email you to go over any open issues. Once we complete the worksheet, a proof will be emailed to you for your approval. When you are satisfied that the information properly reflects your privacy policy, we will produce your order.

UD Number _____ Contact Person _____

Dealership Name _____ Phone No. _____

Address _____

Email Address _____

1. Will more than one dealership be using this Privacy form? Yes No

If Yes, list the names and UD numbers of the other dealerships _____

Please provide the phone number and email address you would like us to use in contacting your dealership with questions about this worksheet and your privacy policy, if they are different from those listed above.

Phone number _____ email address _____

Do you want your corporate logo to appear on the privacy notice? Yes No

If Yes, please provide a digital copy of your logo by email.

II. Definitions As Used In This Worksheet

Affiliate: Companies related by common ownership, such as an entity that owns your dealership, an entity owned by your dealership, or an entity that is owned by the same entity that owns your dealership.

Nonaffiliate: Companies not related by common ownership or control. They can be financial and nonfinancial entities.

Joint Marketing: A formal agreement between nonaffiliated entities that, together market financial products and services to the consumer, such as an agreement between your dealership and another entity where you jointly offer, endorse or sponsor a financial product or service.

Outside Marketer: An entity which markets or helps the dealership to market your products and services, such as an entity that does blast faxes, mass mailing, telephone solicitations, etc.

Opt Out: Is the option your customers have to advise you of the information that they do not want your dealership to share.

Nonpublic personal information: Is any financial information that a consumer can be personally identified with that is not publically available, such as their social security number, a driver's license number, and/or the amount that your customer paid for a motor vehicle.

III. Information on Collection and Sharing

One of the critical statements of "facts" in the model form is that all financial institutions (dealerships) need to share customers' nonpublic personal information that they collect in order to run their everyday business, which means that all such dealerships must provide privacy notices to their customers.

The model form requires that dealerships list, in addition to the mandatory Social Security Number, five of the following examples of types of information that the dealership collects. The first five that we list, we believe to be collected by most motor vehicle dealers. Please select exactly five of the following:

- | | |
|---|--|
| <input type="checkbox"/> Income | <input type="checkbox"/> Medical-Related debts |
| <input type="checkbox"/> Payment History | <input type="checkbox"/> Medical Information |
| <input type="checkbox"/> Credit History | <input type="checkbox"/> Retirement Assets |
| <input type="checkbox"/> Credit Card or Other Debt | <input type="checkbox"/> Wire Transfer Instructions |
| <input type="checkbox"/> Employment Information | <input type="checkbox"/> Mortgage Rates and Payments |
| <input type="checkbox"/> Credit Scores | <input type="checkbox"/> Transaction or Loss History |
| <input type="checkbox"/> Transaction History | <input type="checkbox"/> Credit-Based Insurance Scores |
| <input type="checkbox"/> Account Balances | <input type="checkbox"/> Insurance Claim History |
| <input type="checkbox"/> Assets | <input type="checkbox"/> Investment Experience |
| <input type="checkbox"/> Overdraft History | <input type="checkbox"/> Purchase History |
| <input type="checkbox"/> Account Transactions | <input type="checkbox"/> Risk Tolerance |
| <input type="checkbox"/> Checking Account Information | |

Does your dealership share your customers':

1. personal information with outside marketers for your marketing purposes? Yes No
2. personal information for joint marketing purposes? Yes No
3. transaction and experience information for your affiliates' everyday business purposes? Yes No
4. **creditworthiness information** for your affiliates' everyday business purposes? Yes No
5. **personal information with nonaffiliates to market to your customers?** Yes No
6. **personal information with nonaffiliates for them to market to your customers?** Yes No

Note: If you answered "Yes" to any of the last three questions (4, 5, or 6) above, you are required to provide your customer with an "opt out" notice which means that you must complete Section V. "Providing Opt Out Notices" on page three.

IV. Sources of Customer Information

Of the options listed below, you must choose five (*and only five*) as examples of how your dealership collects consumer information and the type of information that is collected.

We collect consumer personal information, for example, when they:

- | | |
|--|---|
| <input type="checkbox"/> give us their income information | <input type="checkbox"/> give us their contact information |
| <input type="checkbox"/> provide employment information | <input type="checkbox"/> give us their wage statements |
| <input type="checkbox"/> give us their employment history | <input type="checkbox"/> show their government-issued ID |
| <input type="checkbox"/> apply for financing | <input type="checkbox"/> show their driver's license |
| <input type="checkbox"/> apply for a lease | <input type="checkbox"/> provide their mortgage information |
| <input type="checkbox"/> provide their account information | <input type="checkbox"/> use their credit or debit card |
| <input type="checkbox"/> pay us by check | <input type="checkbox"/> seek financial or tax advice |

Do you collect information about your customers from either your affiliates or from credit bureaus?

- Yes No

If the answer is No, do you collect information from other companies? Yes No

V. Providing Opt Out Notices

This section must be completed if you answered "Yes" to any of the questions numbered 4, 5, or 6 in Section III on page 2.

Will you be providing a telephone number for your customers to "opt out"? Yes No

If your answer is Yes, please provide the telephone number here: _____

Is the telephone number a toll free number? Yes No

Will you be providing a web address for your customers to "opt out"? Yes No

If you answer is Yes, please provide the web address here: _____

Will you be providing mail-in opt out notices? Yes No

If your answer is Yes, will the dealership name and address be the same as that on the first page of this Worksheet? Yes No

If your answer is No, provide the dealership name and mailing address that you wish to use:

NOTE: If you are including a mail in opt out, it will be provided on a separate sheet at additional cost.

Do you want your customer's limits on sharing (check one):

- to apply to everyone in a joint transaction, or
 to have the option for the parties to opt out separately?

In your disclosure you must not begin sharing new customers' information in less than 30 days. If you want to extend that number beyond 30 days, please enter the number of days here: _____

VI. Affiliate, Nonaffiliate and Joint Marketing Information

Information regarding affiliates (*Companies related to your dealership by common ownership or control*):

Select one:

- We have no affiliates
- We do not share information with our affiliates
- We share with our affiliates

If you share with your affiliates, please check one of the following two statements:

Our affiliate(s), with which we share our customer information, has (have) the same corporate identity as this dealership, or

Our affiliates have different corporate identities from this dealership and an illustrative list of those affiliates is as follows: *(provide examples of affiliate names)*

Information regarding nonaffiliated third parties (*Companies not related to your dealership by common ownership or control.*)

Select one:

- We do not share with nonaffiliated third parties.
- We share with the following categories of nonaffiliated third parties. Please provide an example listing *(they can be financial or nonfinancial companies—examples include; mortgage companies, insurance companies, direct marketing companies, and nonprofit organizations)*:

Joint Marketing (Agreements between your dealership and nonaffiliated companies to market together using customers' personal information.)

Select one:

- We do not engage in joint marketing.
- We joint market with the following list of categories of companies *(such as credit card companies)*:

VII. Additional Information That May Be Required

You have the option of including not more than 30 additional words of information about the safeguard practices you use to protect customers' personal information.

Do you want to add such information? Yes No

If Yes, check one or both of the following examples, or add your own text not to exceed 30 words:

We also maintain other physical, electronic and procedural safeguards to protect your information.

We limit access to your information to those employees who need to know.

I want to provide my own text as follows: _____

Other important information (optional)

Does your dealership want to add a place for your customer to acknowledge receipt of your privacy information? Yes No *(We recommend that you answer Yes to this question)*

Does your dealership want to include statements regarding state and/or international privacy information in your privacy notice? Yes No

If you answered Yes to this question, please provide the statements below:

NOTE: In most instances, if you choose the telephone or web page Opt Out, the information you provide in this worksheet will result in a two-sided, single sheet, 8 1/2" X 11" Model Form Notice to be provided to your customers. If you choose to use a mail-in Opt Out notice, or if you have an extensive listing of companies in Section VI, that could result in an additional sheet.