

**HWY LABS, INC.  
PRIVACY POLICY**

Last Updated: December, 2020

**1. INTRODUCTION**

Protecting your privacy is really important to us. Accordingly, **Hwy Labs, Inc.** doing business as **Hwy Haul** (“Hwy Haul,” “we,” or “us”) is providing this Privacy Policy (the “Policy”) to explain our practices regarding our collection, use and disclosure of information that we receive when you use our “Platform” and “Services” (as defined in the Hwy Haul Terms of Use). Unless we define a term in this Privacy Policy, all capitalized words used in this Privacy Policy have the same meanings as in our Terms of Use.

**PLEASE READ THIS PRIVACY POLICY CAREFULLY TO UNDERSTAND OUR POLICIES AND PRACTICES REGARDING YOUR INFORMATION AND HOW WE WILL TREAT IT. BY ACCESSING OR USING OUR WEBSITE, PLATFORM AND SERVICES, YOU AGREE TO ACCEPT ALL THE TERMS CONTAINED IN THIS PRIVACY POLICY AND ACKNOWLEDGE AND AGREE WITH THE PRACTICES DESCRIBED HEREIN. IF YOU DO NOT AGREE WITH THE TERMS OF THIS PRIVACY POLICY, PLEASE DO NOT ACCESS AND USE OUR WEBSITE, PLATFORM AND SERVICES.**

**IF YOU HAVE ANY QUESTIONS REGARDING THIS PRIVACY POLICY, PLEASE SEND US AN EMAIL AT PRIVACY@HWYHAUL.COM.**

This policy describes:

- The types of information we collect or that you provide when you purchase, request, download, install, register with, access, or use the Platform and Services.
- Our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies to information we collect through the Platform and our Services, in email, text, and other electronic communications sent through or in connection with the Platform and the Services.

This policy **DOES NOT** apply to information that you provide to or is collected by any third party (see “Third-Party Information Collection”). These third parties may have their own privacy policies, which we encourage you to read before providing information on or through them.

**IF YOU DO NOT AGREE WITH OUR POLICIES AND PRACTICES, DO NOT REQUEST, ACCESS, INSTALL, DOWNLOAD, REGISTER WITH, OR USE THE PLATFORM AND THE SERVICES. IF YOU DO NOT AGREE WITH THE TERMS OF THIS POLICY, PLEASE DO NOT ACCESS AND USE OUR PLATFORM AND SERVICES.**

**BY ACCESSING OUR PLATFORM AND SERVICES, YOU AGREE TO ACCEPT, AND BE BOUND BY ALL THE TERMS CONTAINED IN THIS POLICY AND ACKNOWLEDGE AND AGREE WITH THE PRACTICES DESCRIBED HEREIN. IF YOU DO NOT AGREE WITH THE TERMS OF THIS POLICY, PLEASE DO NOT USE OR ACCESS OUR PLATFORM AND/OR SERVICES.**

All Users of the Platform and the Services will be required to confirm they have reviewed and agreed to the terms of this Privacy Policy by reviewing and clicking through a checkbox when registering and creating an Account on our Platform.

## 2. WHAT INFORMATION DO WE COLLECT?

### **Information You Give Us.**

We collect information you provide directly to us. For example, we collect information when you fill out a form, request to be a carrier, shipper, or driver through the Platform and/or the Services, log into your Account, submit or accept a shipment, request customer support, or communicate with us. When you create a Hwy Haul Account, contact us, or request, access, or use the Platform and the Services, we may ask you to provide information. Any information you provide to us will be stored and this information includes:

- i. Personal Identifiable Information (“PII”). When you register on our Website and create an Account with us we collect information that will personally identify you, i.e., your name, address, telephone number, social security number, service rating and reviews, photograph, employer, job title, or any other identifier.
- ii. Company Information. If the User is a Company or uses our Products and Services on behalf of a Company, you will provide information such as company name, telephone number, email address and physical address.
- iii. Information from Shippers. If you are a shipper using the Platform and the Services and/or you submit a shipment request, we collect details related to your submission, such as the date and time of your request, pick-up and delivery location and time, cargo description and value, rate, identity of shipper and receiver, and other related information about the shipment.
- iv. Location Information. When you use our Platform, we collect your location information. Location information may include your current and expected future location.
- v. Information from Carriers. If you are a carrier, we collect information on your bids on shipments as well as information about your acceptance and fulfillment of shipments, including information regarding the vehicle, driver, insurance, and other legal items.
- vi. For Drivers. If you are a driver transporting shipments on behalf of a carrier, we collect information on your travel to fulfill a shipment delivery, your location, legal information (including CDL number, MC number, and similar information), and insurance information, and other information or files you upload to us.

### **Automatic Information Collection and Tracking.**

When you use or access the Services or Platform, our technology will automatically collect the following:

- i. Usage and Preference Details. When you access and use the Platform and the Services, we may automatically collect certain details of your access to and use of the Platform and the

Services, including, location data, logs, communications between Hwy Haul and Users, and other communication data and the resources that you access and use on or through the Platform and the Services. We collect information about how you interact with our Platform, Services, your preferences, and settings chosen. We may collect and store any correspondence you have with other Users on the Website.

- ii. Device Information. We may collect information about your mobile device and internet connection, including the device's unique device identifier, operating system, IP address, type of browser, mobile network information, and telephone number.
- iii. Stored Information and Files. The Platform and the Services also may access metadata and other information associated with other files stored on your device.
- iv. Location Information. Providing our Services to our Users requires the collection of location information. Depending on the Services you use, we may collect information regarding your precise and/or approximate location through the use of GPS, IP address or WIFI.

### **3. HOW DO WE COLLECT INFORMATION FROM YOU?**

We collect information from and about Users of the Platform and Services in the following ways:

- i. When a User directly provides such information to us either by registering an account on our Website or answering a questionnaire/survey or when requesting customer support services from us;
- ii. Automatically and directly from you or your device when you use the Platform and the Services; and
- iii. From Third Parties, who you allow to collect data from your Services and share it with Hwy Haul. We may also receive information about your location from third parties, such as shippers, carriers, and drivers involved in fulfilling any shipment request.

### **4. HOW WE USE YOUR INFORMATION?**

PLEASE NOTE THAT WE DO NOT SELL, TRADE, OR TRANSFER TO OUTSIDE THIRD PARTY'S ANY OF ITS USERS INFORMATION.

Our main goal is to provide you with enhanced experience when using our Platform and Services. We use the information that you share with us or that we collect from you in the following ways:

- i. To personalize your experience when you use and access our Platform and Services;
- ii. To provide, maintain, operate and continuously improve our Platform and Service offerings;
- iii. To enable you to easily access and use the Platform and the Services;
- iv. To provide you information about our other endeavors and modifications related to Hwy Haul;
- v. To respond to your customer support enquiries and other such related questions and concerns;

- vi. To notify you about your Account and process your registration with the Platform and the Services, including verifying whether your information is valid.
- vii. To help maintain the safety, security, and integrity of the Services. Information may also be collected from drivers and carrier regarding unsafe driving behavior;
- viii. Fulfill our obligations and enforce our rights arising from any contracts entered into between you and us, including the [Carrier Contract](#), [Shipper Contract](#), or any other agreement for billing and collection. Contact and purchase information, and any other necessary information, may be shared with financial or billing companies (or similar entities) for use in processing payments or invoices.
- ix. To provide content, features; and/or advertisements that match your interests and preferences or otherwise customize your experience on our Platform; and
- x. To send you periodic emails offering and informing you about our additional platforms and other special offers and promotions that we think you may be interested in. If you wish to opt out of email marketing, please follow the instructions on the bottom of our emails or contact us at [privacy@hwyhaul.com](mailto:privacy@hwyhaul.com).

## 5. HOW YOUR INFORMATION COULD BE DISCLOSED/SHARED?

Hwy Haul reserves the right to collate non-identifiable anonymous data that is gathered from User's information. We may disclose aggregated information about our Users, and information that does not identify any individual or device specifically.

Additionally, we may disclose personal information that we collect, or you provide in the following ways:

- i. We do not sell, trade, rent, or otherwise transfer personally identifiable information to others, except: (i) as provided in this Policy, (ii) to defend against legal claims or otherwise protect our rights, (iii) as required by law, judicial proceeding, court order, or legal process served on us, (iv) for purposes of law enforcement investigations, (v) to protect rights, property, or safety of our customers, and/or (vi) with your consent;
- ii. We do not collect cookies of any kind from users; however, our ad networks and analytics service providers may collect information about your use of other websites and online services over time through cookies, if those websites and online services also use the same service providers. The information collected in this manner may include IP address, browser characteristics, device IDs and characteristics, operating system version, language preferences, referring URLs, and information about the usage of our Platform. We currently use Google Analytics to collect and process certain website usage data. To learn more about Google Analytics and the methods on how to opt out, please visit the following link as listed here, [www.policies.google.com/privacy/partners](http://www.policies.google.com/privacy/partners);
- iii. To fulfill the purpose for which you provided us your information;
- iv. To our parent, subsidiary, and affiliated businesses and partners, for legal reasons, or in the event of a dispute;
- v. To contractors, service providers, and other third parties providing support to us in our business; and/or

- vi. To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of the Hwy Haul's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding.

## **6. OUR COOKIE POLICY**

Cookies are small pieces of text used to store information on web browsers. Cookies are used to store and receive identifiers and other information on computers, phones, and other devices. Other technologies, including data we store on your web browser or device, identifiers associated with your device, and other software, are used for similar purposes. In this Policy, we refer to all of these technologies as "Cookies." We use cookies to compile data regarding user interactions with ad impressions, and other ad service functions as they relate to our Website.

You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.

## **7. ACCESSING AND CORRECTION YOUR INFORMATION**

You can review and change your personal information by logging into the Platform and visiting your account profile page. You can also request us to make changes to your PII by sending us an email at [privacy@hwyhaul.com](mailto:privacy@hwyhaul.com). However, we reserve the right to deny your request if we believe the change would violate any applicable law or legal requirement.

## **8. THIRD-PARTY INFORMATION COLLECTION**

When you use the Platform and the Services, certain third parties may use automatic information collection technologies to collect information about you or your device. These third parties may include:

- i. Advertisers, ad networks, and ad servers.
- ii. Analytics companies.
- iii. Your mobile device manufacturer.
- iv. Your mobile service provider.

These third parties may use tracking technologies to collect information about you when you use the Platform and the Services. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites, apps, and other online services websites. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

## **9. ANTI- BRIBERY REPRESENTATIONS AND WARRANTIES**

Hwy Haul and its officers, directors, employees, agents, and anyone acting on its behalf (collectively, the "**Representatives**") are in compliance with all applicable anti-bribery and anti-corruption laws, including the US **Foreign Corrupt Practices Act** and Canadian **Corruption of Public Officials Act**.

## **10. CHILDREN UNDER 13**

The Platform and the Services are not intended for children under 13 years of age, and we do not knowingly collect personal information from children under 13. If we learn we have collected or received personal information from a child under 13, we will delete that information. If you believe we might have any information about a child under 13, please contact us at [privacy@hwyhaul.com](mailto:privacy@hwyhaul.com)

## **11. YOUR CALIFORNIA PRIVACY RIGHTS**

California Civil Code Section 1798.83 allows Users of the Platform and the Services that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [privacy@hwyhaul.com](mailto:privacy@hwyhaul.com).

## **12. CALIFORNIA CONSUMER PRIVACY ACT**

This Section supplements the information contained in our Privacy Policy above and applies solely to all visitors, users, and others to our Website, Platform, or Services, who reside in the State of California ("consumers" or "you"). We adopt this Section to comply with the California Consumer Privacy Act of 2018 ("CCPA") and any terms defined in the CCPA have the same meaning when used in this Section.

i. Right to Request Personal Information. Upon request, we will provide you with (i) a list of all Personal Information that we have collected on you, (ii) from whom we obtained such Personal Information, (iii) the reason why we collected such Personal Information, and (iv) with whom (if any) we have shared such Personal Information. If we sell your Personal Information or disclose your Personal Information to third parties, upon request, we will provide you with (i) a list of the Personal Information that we have collected on you, (ii) a list of the Personal Information that we sell or disclose to others on you, and (iii) to whom we have sold or disclosed your Personal Information. A consumer can make such a request only twice in a 12-month period.

We require such Personal Information to be able to provide to you our Services. Unless otherwise specified, we only collect Personal Information from you. We do not use others to provide us with your Personal Information.

ii. Disclosure of Personal Information. We only share your Personal Information with service providers, e.g., billing and collection agents, who enable us to provide our Services to you. We do not sell or give your Personal Information to third parties for purposes unrelated to our provision of Services to you.

iii. Right to have Personal Information Deleted. Upon request, we will delete all of your Personal Information that we have collected on you and will direct our Service Providers to also delete all of your Personal Information. But note that if we do delete all of this Personal Information, you will no longer be able to use our Services.

iv. Non-Discrimination Right. We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- (i) Deny you goods or services.
- (ii) Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- (iii) Provide you a different level or quality of goods or services.
- (iv) Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

v. Financial Incentives. 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.

vi. Contact Information. You may contact us (i) at [privacy@hwyhaul.com](mailto:privacy@hwyhaul.com), (ii) by phone at our toll-free number **1-855-HWY-HAUL**, or (iii) by writing to us at Privacy Officer, at 900 Lafayette St, #307, Santa Clara, CA-95050] to (i) make a Personal Information Request, (ii) lodge a complaint about our use or storage of your Personal Information, (iii) ask us to delete such Personal Information, and/or (iv) discuss our Privacy Policy and/or anything that has to do with it. We will respond within forty-five (45) days of receiving such request or query. Additionally, in order for us to respond to your request or query, we will need to collect information from the requesting party to verify their identity.

vi. Under 16. We will not sell your Personal Information if you are under the age of 16 unless we have the consent of your parent or your guardian nor will we sell it if you ask us not to do so.

vii. Opt Out Right. Upon your request, we will stop selling your Personal Information (sometimes called your Opt Out Right). You may send the request to Opt Out (i) to [privacy@hwyhaul.com](mailto:privacy@hwyhaul.com), (ii) by phone at our toll-free number **1-855-HWY-HAUL**, or (iii) by writing to us at Privacy Officer, 900 Lafayette St, #307, Santa Clara, CA-95050.

### **13. FOR OUR CANADIAN USERS**

This Section supplements the information contained in our Privacy Policy above and applies solely to all visitors, users, and others to our **Website, Platform or Services**, who reside in Canada (“consumers” or “you”). We ensure with the Personal Information Protection and Electronics Document Act of 2000 (“PIPEDA”) and any terms defined in the PIPEDA have the same meaning when used in this Section.

i. Definition of Personal Information. Any information about an identifiable individual. Whatever may be the physical form or characteristics of a particular regime for “business contact information” (name, position, title, address, professional phone number, etc.)

ii. Right to Access Personal Information. You can request to access your personal information we hold about you. We will first confirm whether you have requested such information, explain how we have used your information, provide a list of names with whom your information has been shared and provide a copy of your information in an accessible format and make alternative formats available if requested.

iii. Right to Correction/Limited Right to Deletion. You can request us to correct or delete your information IF you demonstrate that the personal information we hold on you is inaccurate. We will delete or correct your information within thirty (30) calendar days. When we delete/correct your personal information we will inform the third parties with whom we have shared your information.

iv. Right to be Forgotten. Your information will be kept with us for as long as it is required for the fulfillment of the purposes of Hwy Haul platform. Unless we otherwise give you notice, we will retain your Information on the Hwy Haul Platform on your behalf until such times as you or we terminate your User Account.

v. Data Breach Notification. We will send a notification to you as soon as feasible regarding the information of any breach that creates a “real risk of significant harm” to you. We keep a record of every data breach and, on request, provide the Office of the Privacy Commissioner with access to the record.

vi. Canadian Privacy Officer. We have appointed a Canadian Privacy and Data Protection Officer, [Name] [privacy@sealink](mailto:privacy@sealink), to make sure the privacy rights of our Canadian users are protected in compliance with PIPEDA.

vii. Two Factor Authentication. You may enable two-factor authentication on your account to help ensure that only you can access your account. If you do, in addition to entering your password to log in to your account to access the Hwy Haul Platform, we will send a code to your mobile number, which you will need to enter. This added security prevents anyone else from accessing your Hwy Haul account unless they have access to your login information.

viii. Contact Information. You may contact us (i) at [privacy@hwyhaul](mailto:privacy@hwyhaul), or (ii) by writing to us at Privacy Officer, at 900 Lafayette St, #307, Santa Clara, CA-95050 to (i) make a Personal Information Request, (ii) correct or delete your personal information, (iii) discuss our Privacy Policy and/or anything that has to do with it. We will respond within thirty (30) calendar days of receiving such a request or query. Additionally, in order for us to respond to your request or query, we will need to collect information from the requesting party to verify their identity.

## 14. DATA SECURITY



We have implemented measures to help secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls. Any online payment transactions will be encrypted using SSL technology. Payment transactions may also be handled by third parties. Hwy Haul will use commercially reasonable efforts to work with financial and billing companies (or similar entities) with reasonable and acceptable security measures.

The security of your PII also depends on you. You are responsible for keeping your password for the Platform and Services confidential. Avoid sharing your password with others or giving out information in public areas related to the Platform and the Services. Publicly shared information about or relating to your account may weaken the strength of your Account's security.

No security measures are perfect or impenetrable. The transmission of information via the internet and mobile applications or platforms is not completely secure. We cannot control the actions of third parties with whom you may choose to share your account information. Hwy Haul cannot guarantee the security of your personal information transmitted through the Services. The transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures we provide. In the unlikely event of a data security breach, Hwy Haul will notify you of the breach.

## **15. INTERNATIONAL USE**

Our Platform and Services are currently only available in the United States and are intended for use in the United States. Do not register for or use our Services or access our Platform if you reside in Europe. If you register for or use the Platform and the Services from other countries, they have different governing laws with respect to the processing, transporting and storage of personal data and you must comply with all such laws with respect to such transport, storage and processing. Please note that you are transferring your PII from that country to the United States for storage and processing. By providing any information, including PII, to us, you consent to such transfer, storage, and processing and will defend, indemnify and hold us harmless from any and all costs and damages associated with such transfer, storage and process of such personal data.

## **16. CHANGES TO OUR PRIVACY POLICY**

Hwy Haul reserves the right, at its sole discretion, to change or modify this Policy at any time. In the event, we modify this Policy, such modifications shall be binding on you only upon your acceptance of the modified Policy. We will inform you about the modifications via email or comparable means within 15 days of such modification. We will also post the modified version on this page. Your continued use of the Platform and the Services shall constitute your consent to such changes. Hwy Haul may change, modify, suspend, or discontinue any aspect of the Platform and/or Services at any time without notice or liability.

## **17. CONTACTING US**

To ask questions or comment about this Policy and our privacy practices, contact us at:  
Privacy Officer

Email: [privacy@hwyhaul.com](mailto:privacy@hwyhaul.com)

Address: 900 Lafayette St, #307, Santa Clara, CA-95050.

**PLEASE NOTE: IF YOU USE OUR PLATFORM AND/OR SERVICES, YOU HAVE AGREED TO AND ACCEPTED THE PRACTICES DESCRIBED IN THIS POLICY AND THE TERMS AND CONDITIONS SET FORTH IN OUR [TERMS OF USE](#). IF YOU DO NOT AGREE WITH THE TERMS OF THIS POLICY OR THE [TERMS OF USE](#), PLEASE DO NOT ACCESS OR USE OUR PLATFORM AND/OR SERVICES.**