

City Toyota

Privacy Policy

Last Modified: January 1, 2020

Welcome to City Toyota (“City Toyota,” “we,” “us” or “our”). Our dealership takes your privacy seriously and is committed to safeguarding your privacy both online and at our dealership. Because we do gather certain types of information from visitors to our sites and dealership, we have developed a Privacy Policy to help you understand the terms and conditions surrounding the collection and use of that information. 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 at any time. When we collect personal information from visitors, we will make every reasonable effort to avoid excessive or irrelevant collection of data. By using our sites and services (collectively, the “Services”), you acknowledge that you have read and understood 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 text-based format, such as PDF by clicking [here](#).

PLEASE NOTE THE ARBITRATION PROVISION SET FORTH BELOW, WHICH REQUIRES, EXCEPT WHERE AND TO THE EXTENT PROHIBITED BY LAW, YOU TO ARBITRATE ANY CLAIMS YOU MAY HAVE AGAINST CITY TOYOTA 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 may 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	To fulfill or meet the reason you provided the information, e.g., to respond to an inquiry, tell you about specials or new products, or process your order	Disclosure for business purposes to: internet service providers, payment processors Disclosure for marketing purposes to: affiliates, joint marketing partners such as vehicle finance companies Disclosure for safety and warranty purposes to: vehicle manufacturers

Category of Personal Information	Source(s)	Purpose(s)	Disclosure to Third Parties
Personal Information categories contained in customer records	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 marketing purposes to: affiliates, joint marketing partners such as vehicle finance companies 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., to provide targeted advertising, process employment application	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 Disclosure for marketing purposes to: affiliates, joint marketing partners such as vehicle finance companies 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	Disclosure for business purposes to: internet service providers

Category of Personal Information	Source(s)	Purpose(s)	Disclosure to Third Parties
		provide targeted advertising	
Inferences drawn from other personal information	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 marketing purposes to: affiliates, joint marketing partners such as vehicle finance companies

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

- **Usage Information:** Anytime you visit our Services, we may gather certain information regarding the means you use to access our Services. 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 the Services. We use this information to help diagnose problems with our server, administer the Services, and compile broad statistical data. In addition, we gather certain navigational information about where you go on our Services. This information enables us to determine which areas of the Services are most frequently visited and helps us to tailor the Services to the needs and interests of our online visitors. Such information is gathered by us in the aggregate and will not be associated with a specific individual without that individual's consent.
- **Information Voluntarily Provided on the Services:** We may collect information you voluntarily provide to us (i.e., contact information such as name, e-mail address, etc.), schedule service appointments, request information, or use any of the other interactive portions of our Services.
- **Information Provided at Our Dealership:** We may collect information you voluntarily provide to us at our dealership, for example, if you test drive a car, purchase a car, or bring your car in for service. Such information may include contact information, such as your name, e-mail address, payment information, and insurance information, as well as other information about your car. We may collect financial information if you wish to obtain financing for a car purchase.
- **Information Collected from Other Sources:** To help us better understand and respond to your needs and interests, we may in the future receive information about you from other sources, such as third party referral services. We will ask any provider of such information to represent and warrant that the information has been gathered and maintained in accordance with all state and federal laws. Any such information will be maintained by us in accordance with the standards set forth in this Privacy Policy along with other personal information you've provided.

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 the Services.
- 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 information only for as long as necessary for the purpose for which it was collected.

DISCLOSURE OF PERSONAL INFORMATION

We collect and maintain the personal information of our consumers for our use and affiliated companies' use. We do not disclose consumer information to third parties, other than as described below, and never without your consent.

- **Vehicle Manufacturers:** We share personal information about our consumers 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.
- **Agents:** Our dealership may use other companies and individuals, such as dealership management system providers, customer relationship management system providers, and marketing partners to perform certain functions on our behalf. Examples include administering e-mail 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.
- **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 the users of our Services, our Services, 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.

USE OF COOKIES

When visiting our site, our dealership 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. Our dealership uses cookies to provide you with the convenience of not having to reenter information multiple times during your visits to our sites. Cookies can also be utilized to help us provide you with information targeted to your interests, based upon your prior browsing on our sites. 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 sites and use their features, such as accessing secure areas of our sites. 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 may include: information about your browser, network, and device; web pages you visited prior to coming to our sites; IP address; clicks; internal links; pages visited; scrolling; and searches. We use this information to learn about site 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 sites 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. As our sites have been designed to take advantage of the use of cookies, should you configure your browser to decline their use, certain features of our sites 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 the Services. These third parties use cookies and other similar technologies to collect or receive information from our sites 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.

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. We do not sell the personal information of minors under the age of 16. 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.

ACCESSING OUR SERVICES FROM OUTSIDE OF THE UNITED STATES

If you are visiting our Services from a location outside of the U.S., your connection will be through and to servers located in the U.S. Any information you provide during your visit will be processed and maintained on our server and other internal systems located within the U.S. You acknowledge you understand that by providing your personal information to us, your personal information (i) will be used for the uses identified above in accordance with this Privacy Policy, and (ii) may be transferred to the U.S. as indicated above, in accordance with applicable law.

EXTERNAL LINKS

Our Services contain links to other websites. Our dealership is not responsible for the privacy practices or the content of such third party websites. To better protect your privacy, we recommend that you review the privacy policy of any third party website you visit.

PASSWORDS

The personal information record created through your registration with our Services can only be accessed with the unique password associated with that record. To protect the integrity of the information contained in this record, you should not disclose or otherwise reveal your password to third parties. You agree that you are responsible for all acts or omissions that occur on your account while your password is being used. Please let us know immediately if you believe your password or record has been compromised.

SECURITY

Our dealership will take reasonable physical, electronic and managerial measures to safeguard and secure any personal information you provide to us. 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 Services if a security breach occurs. We may also send an e-mail to you at the e-mail 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.

MARKETING OPT-OUT PROCEDURES

Please note that anytime you provide us with your e-mail address, you will be opted-in to receive both marketing and informational communications from our dealership. You may always opt-out of receiving future marketing communications from our dealership. Users may opt-out of receiving such communications through the unsubscribe link provided in each communication. When you unsubscribe from certain marketing communications, you may be given the opportunity to unsubscribe from other marketing communications on an individual level.

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 e-mail at Privacy@CityToyota.com and put "Shine the Light Request" in the subject line of your e-mail.

If you are a California resident, from January 1, 2020 you have the following additional rights:

- You have the **right to know and right to access** 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, and upon request, we will provide this information to you in electronic form.

- You have the **right to request information** about our sale or disclosure for business purposes of your personal information to third parties.
- You have the **right to opt out of the sale of your personal information** to third parties. You can exercise this right through the “Do Not Sell My Personal Information” link in the footers of our websites, when such link becomes available on January 1, 2020.
- 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.

HOW WE RESPOND TO DO NOT TRACK SIGNALS

At this time our Services do not recognize automated browser signals regarding tracking mechanisms, which may include Do Not Track instructions.

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 City Toyota 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:

- City Toyota, at 255 San Pedro Road, Daly City, California 94014, or
- You, at the address we have on file for you.

Both you and City Toyota 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 Modified" date above. If we make material changes to the Privacy Policy, we will notify you by placing a prominent notice on our Services and/or by sending you an e-mail at the e-mail 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.

CONTACTING US

If you have questions concerning this Privacy Policy or the privacy practices of our dealership, you may **CONTACT US** using our contact form, send us an e-mail at Privacy@CityToyota.com, or call 844-976-0165.