

EquipmentShare Privacy Policy

Last updated January 1, 2020

Statement of Commitment

EquipmentShare.com INC ("EquipmentShare") provides an online marketplace for equipment rentals and sales. This Privacy Policy describes EquipmentShare's commitments to you with respect to EquipmentShare's use of information collected in our marketplace. This privacy policy applies to <http://equipmentshare.com>.

Changes to this Privacy Policy

EquipmentShare may revise this Privacy Policy from time to time. Please note, if we make any material changes to our Privacy Policy, we will provide you with notice concerning the changes either on this page or through some other reasonable method.

What Information Do We Collect?

In this Privacy Policy, we use the term "personal information" to mean information that specifically identifies an individual (such as a name, address, telephone number, mobile number, email address, or other account number). Personal information also includes demographic information such as date of birth, gender, geographic area and preferences when that information is linked to other personal information that identifies the individual. Personal information does not include "aggregate" information, which is data we collect about the use of the EquipmentShare marketplace or about a group or category of products, services or users, if all personal information has been removed. This website is also not intended to be used by those under the age of 18.

Direct Collection

Upon making your first rental or upon making your equipment available for rent on the EquipmentShare marketplace, we will ask you for certain personal information including your name, contact information, state driver's license number, and the last four digits of your social security number (the latter is not stored) for identity verification purposes. When you lend equipment on EquipmentShare we additionally will ask for information regarding your equipment and the necessary financial information to facilitate payment to you and to process any filings required by applicable tax authorities.

We collect contact information, your resume/C.V., race and ethnicity, gender, disability status, and veteran status when you apply online for a job with Equipment Share.

Indirect Collection – Cookies and Other Technology

We use technologies like cookies and pixel tags to provide, improve, protect and promote our services. For example, cookies help us with things like remembering your username for your next visit, understanding how you are interacting with our Services, and improving them based on that information. You can set your browser to not accept cookies, but this may limit your ability to use our services.

We reserve the right to review and store the communications you make through the site, including your postings on site pages and your communications to other members using the EquipmentShare's messaging capabilities. We may use those communications for internal purposes, including to better understand how members use EquipmentShare, as well as for security purposes. Notwithstanding the foregoing, we are not obligated or required to review any communications and make no commitment to do so or to take any specific action with respect to those communications.

EquipmentShare also logs each visit to each web page on the site. The log may contain information such as the browser type you used, your Internet Protocol address, and the date and time of day of the visit. We may also log your cookie's identification number and the URL of the last site you visited. This log information is important for security, audit, quality improvement, as well as for monitoring the health of our services.

If your equipment or equipment you rent through EquipmentShare includes an GPS device, EquipmentShare will log and retain information recorded by the GPS device, such as location and other aspects of your use of the equipment

during a rental period. If the GPS device is operated by a third party service, that service may record information about your use of the equipment. The third party service will be solely responsible to you for its use of such information.

Our website permits you to use a third party social networking platform such as Facebook, LinkedIn, Instagram and Twitter. These plug-ins allow you to follow us on those services. When you use social networking platforms and plugins, you share your information with them and their privacy notice applies to their disclosure of such information. In addition, they may be able to collect information about you, including your activity or may notify your connections on the social networking platform about your use of our website. Such services may allow your activity to be monitored across multiple websites for purposes of delivering more targeted advertising. Please note that their own privacy policies apply and we encourage you to read them. We may add new social networking plugins and buttons to our website from time to time.

How Do We Use Your Information

EquipmentShare will use your personal information solely for its internal business purposes in connection with the provision of the EquipmentShare marketplace. That includes use of your information: to facilitate our administration and operation of the marketplace; to understand better how our users engage with the marketplace; to verify your account information; to process your requests and transactions; to provide you with information or services you request; and to inform you about other promotions or products or services we think will be of interest to you. EquipmentShare will use third party services to verify the personal information you provide to us and to obtain additional related information and corrections where applicable. You hereby authorize EquipmentShare to request, receive, use and store such information for a reasonable period of time. In addition, you agree that personal information provided by you may be linked together or merged with other personal information so that we may better understand your account information and your use of the marketplace. In any case, this Privacy Policy governs any information we maintain about you and your use of the marketplace.

We use information you submit when applying for a job with us solely for job fulfillment purposes.

Retention

We will maintain records for a reasonable period concerning your registration with and use of EquipmentShare, including any correspondence you have with us or other members.

How We Share Your Personal Information

EquipmentShare does not sell, trade, or rent your personal information to others. We will not share the personal information we collect from you through the marketplace with third parties except as described in this Privacy Policy.

EquipmentShare enables equipment owners to offer and rent their equipment to other individuals. If you agree to a rental transaction through EquipmentShare, we may provide your personal information to the other party in that transaction as reasonably necessary to facilitate the rental. For example, EquipmentShare may provide your mobile phone number to facilitate communication or your photograph to facilitate identification.

If you apply for a job, we may share your personal information with a service provider to conduct a background check.

In addition to information verification providers described above, we may share personal information with vendors and service providers who are engaged by or working with us in connection with the operation of our site and marketplace and who need access to such information to carry out their work for us. In some cases, the service provider may be directly collecting the information from you on our behalf. EquipmentShare will endeavor to choose service providers that are well established and who have agreed to protect the confidentiality of any personal information the service provider receives. EquipmentShare is not responsible for the act or omissions of its service providers.

If EquipmentShare offers or promotes services in conjunction with another company, and you request those services (or additional information about them), you consent to our sharing your personal information with those parties. In those cases, we will only share the information reasonably needed to provide you with the applicable service. We may also share personal information with third parties when you give us your consent to do so. Information that is shared with third parties as described in this paragraph is subject to the privacy policies of those parties, which may differ from this Privacy Policy. EquipmentShare is not responsible for the acts or omissions of those third parties. We encourage you to become familiar with their practices before disclosing information directly to them.

EquipmentShare may compile aggregate information about how you and others use our services. Aggregate data helps us understand trends and our users' needs so that we can better consider new features or otherwise tailor our marketplace.

EquipmentShare may disclose personal information in the good faith belief that we are lawfully authorized or required to do so, or that doing so is reasonably necessary or appropriate to comply with the law or with legal process or authorities, respond to any claims, or to protect the rights, property or safety of EquipmentShare, our users, our employees or the public. That includes actions we may take to protect EquipmentShare or our users from fraudulent, abusive, inappropriate or unlawful use of our site or marketplace. Information about our users, including personal information, may also be disclosed or transferred as part of, or during negotiations of, any merger, sale of company assets, financing or acquisition or in any other situation where personal information may be transferred as one of the business assets of EquipmentShare.

You understand that when you use the site, information you post in your profile or in any other area of the site will be available to other users and in some cases may be publicly available.

How We Protect Your Information

We have endeavored to put into place reasonable security measures in an effort to protect personal information while it is under our control. We are not responsible for any unauthorized disclosure of personal or other information caused by any third party. Your account information is accessible online through the use of a password. To protect the confidentiality of personal information, you must keep your password confidential and not disclose it to any other person. You are responsible for all uses of our web site by any person using your password. Please advise us immediately if you believe your password has been misused.

Your Choice and Consent

The more we know about you, the better our ability to serve you and provide products and services that are of real value. Our website is a voluntary information channel that is open to you at all times. You always have a choice regarding the tools that you use and the information that you provide. We don't ask questions for the sake of asking questions, but do so because it is pertinent to our ability to serve and know you better. You always have the right to access your personal information and to modify or delete it as you wish.

You may disable browser cookies in your browser or set your browser to warn you when a cookie is being sent. You may lose some features or functionality when you disable cookies. Remember, also, that disabling cookies is browser specific. If you log on using Google Chrome, you must also disable cookies in Safari if you use that browser at a different time.

How to Update Your Information or Opt-Out of Emails

If you wish to opt-out of marketing and promotional emails, please contact us at support@equipmentsshare.com. You may not opt-out of receiving service-related emails. If you would like to update your contact information, please use your Profile Page. If you have any trouble using the Profile Page, please contact customer service at support@equipmentsshare.com.

Users in California

California Civil Code Section 1798.83 permits our website visitors who 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 customerservice@equipmentsshare.com. Please make sure to state that you are a California Resident.

Do Not Track

Do Not Track (DNT) is a privacy preference that users can set in their web browsers. While the United States Federal Trade Commission has endorsed DNT, our Website does not support DNT codes. However, except in the case of analytics cookies, remarketing and other features of Google Display Advertising described above, our Website limits tracking to the internal uses described above. Except in the case of analytics cookies our Website does not track your use across multiple websites, however, other websites to which we link may. Please review their privacy policies to understand how you may be tracked.

California Consumer Privacy Act

This Privacy Notice for California Residents supplements the information contained in above in our general privacy policy and applies solely to all visitors, users, and others who reside in the State of California.

Your Rights

The California Consumer Privacy Act ("CCPA") grants State of California residents the following rights, to:

- 1) Know what personal information is being collected about them;
- 2) Know whether their personal information is sold or disclosed and to whom;
- 3) Say no to the sale of their personal information;
- 4) Access their personal information;
- 5) Have their personal information deleted; and
- 6) Have the right to equal service and price, even if they exercise their privacy rights under this law.

Categories of Personal Information We Collect

We collect information that identifies you, your household or your device or is reasonably capable of being connected with or linked to you, your household, or your device ("Personal Information"). Personal information does not include public information available from government records, de-identified or aggregated information or information that is protected by certain laws such as HIPAA for health related information and the Gramm-Leach Bliley Act (GLBA) for certain financial information.

We collect the following categories of Personal Information:

- Identifiers
 - First and last name
 - Email address
 - Mailing address
 - Telephone number
 - Mobile number
 - Date of birth
 - Gender
 - Geographic area
 - Title
 - Internet Protocol (IP) Address
- Personal Information Listed in the California Customer Records Statute
 - The above identifiers
 - Credit card information
 - State driver's license number
 - Last four digits of social security number
- Characteristics of Protected Classifications
 - Age
 - Gender
 - Race and ethnicity (for job applications)
 - Disability Information (for job applications)
 - Veteran Status (for job applications)
- Commercial Information
 - Transaction information
 - Information about equipment you are interested in renting
 - Rental dates
- Biometric Information
 - Not collected
- Internet or Other Electronic Network Activity Information
 - Cookies
 - Domain name
 - Browser type
 - Operating system
 - Usage data including visit dates
- Geolocation Data
 - Information that tells us from where you access our website
 - GPS information from equipment you rent

- Sensory Data
 - Not-collected
- Professional or Employment-Related Information (for job applicants only)
 - Resumé/CV
 - LinkedIn Profile and Website
- Non-public Education Information (for job applicants only)
 - Resumé/CV
- Inferences Drawn from Other Personal Information
 - Information about use of equipment during a rental period

Categories of Sources of Personal Information

We collect information from the following categories of sources:

- Directly from you. For example when you register as a user or login as a guest to complete a rental transaction, when you apply for a job, and when you use out chat feature.
- From third parties. For example, when we offer or promote services in conjunction with another company and they provide contact information to us. We may also receive information from a service provider when you apply for a job with us and we run a background check.

How We Share Your Personal Information

We share information in each of the above categories as follows:

- All categories of information
 - We will share information in all of the above categories if our company is sold or we engage in a merger or other such transaction.
 - We will share information in all of the above categories of information in connection with a law enforcement request that is compliant with the California Electronic Communications Privacy Act.
- Identifiers
 - We share identifiers with service providers who use that information only to provide services to us such as website development and operating, sending postal mail or email, analyzing website use, job applications, processing payments and processing data.
 - We share identifiers with equipment owners who rent their equipment to individuals
- Personal Information Listed in the California Customer Records Statute
 - We share identifiers and payment information with our payment service providers
 - We share identifiers with equipment owners who rent their equipment to individuals
- Commercial Information
 - We share commercial information with equipment owners who rent their equipment to individuals
- Geolocation Information
 - We share geolocation information with equipment owners who rent their equipment to individuals
- Internet or Other Electronic Network Activity Information
 - We share this information with our data analytics providers

How We Use Your Information

See "How Do We Use Your Information" above to learn how we use your information. We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

How We Retain and Store Your Personal Information

We retain your personal information for as long as necessary to fulfill the purpose(s) for which we collected it and to comply with applicable laws. We use reasonable security precautions to protect your information while in storage.

Requests to Know

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, 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 (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - sales, identifying the personal information categories that each category of recipient purchased; and
- disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

Requests to Delete

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, 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:

1. Complete the transaction for which we collected the personal information, provide a service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise performing our contract with you. This includes fulfilling a shipping transaction or request, processing an overcharge claim, and processing a cargo claim.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug online services to identify and repair errors that impair existing intended functionality.
4. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
5. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
6. Comply with a legal obligation.
7. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

How To Submit a Request to Know or a Request to Delete

To request this information please submit a verifiable consumer request to us by either:

- Calling us at 1.888-80-Rents or
- Emailing us at customerservice@equipmentshare.com and asking for a Consumer Request Form
- Completing a CCPA Consumer Request Form through your EquipmentShare account

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. To designate an authorized agent, email us at customerservice@equipmentshare.com and we will provide you with a form to make a designated agent request.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. To make a request, you must:

If you have a user account:

- Log into your user account and use our authentication process to verify your identity.
- Complete and submit the CCPA Consumer Request Form (if a form is not yet available when you log in, email us and we will provide you with a form)
- Describe your request with sufficient detail that allows us to understand, evaluate and respond to it.

If you login as a guest:

- Call or email us to receive a CCPA Consumer Request Form

- Complete the CCPA Consumer Request Form
- Provide sufficient information that allows us to reasonably verify that you are the person about whom we collected personal information or that you are an authorized representative
 - If you request the categories of information we collect, we require your first and last name and your email address.
 - If you request the specific information or to have your information deleted, we require your first and last name, email address and information about your two most recent shipments with us.
- Describe your request with sufficient detail that allows us to understand, evaluate and respond to it.

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

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

We will try to respond to your request within forty-five (45) days of when we receive it. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. We will deliver our written response by mail or electronically, at your option. Any disclosures we provide will only cover 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, specifically by electronic mail communication.

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.

An amendment to the CCPA provides an exemption to the Right to Know and Right to Delete for personal information between a business and a person who is acting as an employee, director, officer, or contractor of a company, partnership, sole proprietorship, nonprofit, or government where the information is used in the context of a business transaction. This exemption is currently set to expire on January 1, 2021. Until that date, we will not respond to requests to know or delete that meet this exemption.

How To Submit an Opt-Out Request

We do not sell your information to third parties for money. We do provide your information to third parties for marketing purposes as described above and you may opt-out of that sharing.

To exercise the right to opt-out, you (or your authorized representative) may submit a request to us by visiting the following Internet Web page link:

[HYPERLINKED URL with the title "Do Not Sell My Personal Information"]

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize personal information sharing with third parties. However, you may change your mind and opt back in to personal information sharing with third parties at any time by:

[OPT-IN INSTRUCTIONS OR URL LINK]

We will only use personal information provided in an opt-out request to review and comply with the request. We will act upon your opt-out request within 15 days of receipt.

Non-Discrimination

We will not discriminate against you for exercising any of 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.

Your Nevada Privacy Rights

Nevada law (SB 220), permits customers in Nevada to opt-out of the sale of certain kinds of personal information. A sale under Nevada law is the transfer of this personal information to third parties for monetary consideration so these third parties can then re-sell or license the sold information. We do not sell your personal information to third parties as defined in Nevada law. If you are a Nevada resident and wish to opt-out of the sale of your personal information should we change our practices in the future, you must send a request by email to customerservice@equipmentshare.com

How to Contact EquipmentShare

By phone or by email, we're always available to you:

EquipmentShare

1-888-80-Rents

Email: customerservice@equipmentshare.com