

The Toll Roads

PRIVACY POLICY

Effective: January 2022

Your Privacy and Personal Information are Important to Us.

Our work isn't just about roads; it's about the people who drive them. We care about how your information is collected, used, stored, shared and protected and we appreciate your interest in our Agency-wide commitment to privacy.

This Privacy Policy explains our policies and practices with respect to the information – including Personal Information – we collect from, about, and concerning you through TheTollRoads.com ("Website"), The Toll Roads App ("App"), your use of The Toll Roads, and your interactions with us.

Your continued use of our Website, App, and The Toll Roads constitutes your acceptance of this Privacy Policy, Terms of Use and the practices they describe. We may change or add to our Privacy Policy, so we encourage you to carefully review it periodically.

WHO WE ARE

The Transportation Corridors Agencies ("TCA") are two separate California joint powers authorities: the Foothill/Eastern Transportation Corridor Agency ("F/ETCA") and the San Joaquin Hills Transportation Corridor Agency ("SJHTCA"). Collectively in this Policy, TCA, F/ETCA, and SJHTCA are referred to as "we," "our," and "us."

We operate The Toll Roads (State Routes 73, 133, 241, and 261) in Orange County, California.

INFORMATION WE COLLECT

We collect a variety of information from users of our Website, App, The Toll Roads and interoperable facilities. This information may include Personal Information as well as Anonymous and/or Aggregate Data. We do this as part of our general business operations, to provide services, respond to requests, offer customer support, and to fulfill legal and contractual obligations. How you interact with us will dictate the types of information we collect from or about you.

As described below:

- Information is automatically collected when you use our Website, App, and/or The Toll Roads.
- Information that you provide to us when creating or managing an Account or when communicating with us.
- We may also acquire information from other entities, including our Service Providers, third parties, government agencies, and other toll agencies and operators.

Information Automatically Collected from You: When You Visit Our Website or App

When you visit our Website or use our App, certain information about you and your visit is automatically logged.

The Website and App may automatically collect the following information – which may include Personal Information – about your visit:

- Information sent by your browser whenever you visit our Website [for example, your computer's Internet Protocol ("IP") address, the type of operating system and web browser you use, and related information].
- Certain information about your activities on our Website (such as the pages you visit, the time and date of your visit, the time spent on those pages, and other statistics).

For additional detail on how we may collect information automatically, please review the Cookies and Similar Technologies section below.

Information Automatically Collected from You: When You Use The Toll Roads

When you use The Toll Roads, we will automatically collect certain information, which may be Personal Information, including:

- The toll road used, along with the date, time, and lane of travel
- Hardcase Transponder and/or Sticker Transponder unique identifier (e.g., the transponder number), occupancy setting, and transponder type
- Vehicle classification information, such as axle count, to determine toll rate
- Vehicle type information (such as motorcycle or clean air vehicle)
- Photographs of your vehicle in order to capture license plate images (which may

also identify the vehicle's make, model, color, license plate number, and state and which may on occasion capture incidental images of the front seat occupants).

- The name and address of the registered owner of a vehicle, along with the vehicle make, model, and year (when attempting to collect a toll and/or processing a violation).

Information You Provide Directly to Us

Through your use of our Website, App, and interactions with us – including creating or managing an Account or contacting us – you may provide us with the following categories of information, which may include Personal Information, such as:

- Identifiers like your name and other similar information (for example, first and last names, email address[es], mailing address[es], phone number[s]).
- Names of individuals you authorize to manage, give, and/or receive information regarding your account and transactions.
- Account numbers as assigned by us.
- Hardcase Transponder and/or Sticker Transponder numbers as assigned by us.
- Transaction and payment information (described in detail in the Information About Your Transactions with Us section below).
- Information about the vehicle you would like registered to your account (for example, the vehicle type, license plate number, state of registration, year, make, model, color, and clean air vehicle expiration date).
- Data entered when paying and/or calculating a toll on our Website or App.
- Responses to surveys and promotional events (such as responses to questions and interactions with us on social media or through surveys we may provide to you).
- Correspondence and communications information (for example, we will keep records of information provided by you when you contact us, including audio and electronic information).

For purposes of operation and management of The Toll Roads, including facilitating the processing and enforcement of unpaid toll transactions, we may also gather alternate addresses and alternate contact information. On our behalf, third parties may gather alternate addresses, alternate contact information, and, in situations involving unresolved toll violations, your social security number.

Information About Your Transactions with Us

When you make a payment to us, we collect your payment and use information, such as the date, type, amount, and category of any payment. Additionally, when you provide financial, credit or debit card payment information, we collect relevant data for processing payment, such as your name, billing address, checking account number/ card number, and expiration date.

When our system processes a transaction to your Account, the transaction records show usage of The Toll Roads by vehicle license plates or Hardcase and/or Sticker Transponders registered to your Account or their use on other toll or parking facilities, including information identifying the location, the date and the time the transaction occurred, and the toll amount. Similar information is required to process a toll via our Website and/or App without an account using our Pay Toll Now payment option in order to properly link a transaction to your vehicle and your payment.

Information We Collect About You from Other Sources

Outside of our direct interactions with you, we may collect information – including Personal Information – from other sources to communicate information to you and in order to carry out our business functions including billing, accounting, enforcement, operation, and management of The Toll Roads.

We may collect information – including Personal Information – from the following sources (collectively "Other Sources"):

- Service Providers
- Law enforcement
- Government records or other publicly accessible directories and sources
- Public record and information service providers
- Departments of Motor Vehicles

We may collect the following categories of information – including Personal Information – from Other Sources:

- Identifiers like your name and other similar information (for example, first and last names, email address[es], mailing address[es], and phone number[s]).
- Your social security number to enforce unpaid toll violations.
- Information sent by your web browser (such as your IP address, the type of operating system and web browser you use, and related information).
- TheTollRoads.com Website browsing activity (for example, the pages you visit, the time and date of your visit, the time spent on those pages, and other statistics).

- Understand how users are engaging with us and improve our products or services.
- Communicate with you.
- Performing our contractual obligations to you as a user of our services.
- Detecting security incidents and protecting TCA against malicious, deceptive, fraudulent, or illegal activity, including identity theft.

Information We Collect About You from Other Toll Agencies and Operators

Where applicable, we receive information – including Personal Information – from other toll agencies and operators, and any private contractors and/or vendors of those toll agencies and operators.

We collect the following information – including Personal Information – from other toll agencies and operators:

- Transponder type (for example, hardcase, sticker, non-revenue, valid, invalid)
- Hardcase/Sticker Transponder unique identification number(s)
- Transponder protocol
- Vehicle type (such as motorcycle or clean air vehicle)
- License plate number, plate type, and state
- Plate start date and plate end date to identify when plate was active in a FasTrak account
- Unique plate ID to update plate records
- FasTrak Account number
- Toll transaction data
 - o Date, time, axle count, and toll amount
 - o Toll bridge, facility, lane, road, and/or tunnel name
 - o Toll point entry and exit, where applicable
 - o Transponder occupancy indicator setting
 - o Transponder protocol
 - o Vehicle type (such as Clean Air Vehicle or not)
 - o Unique transaction number to identify the transaction
 - o Fees charged and fee type (such as HOV Only misuse or Occupancy declaration mismatch)
 - o Toll amount posted to FasTrak account
 - o Statements and images to verify transaction/account validity
- Correction Data
 - o Correction date
 - o Correction reason (such as axle count adjusted, ignore original transaction, location corrected, or toll adjusted)
 - o Reason for resubmitting a transaction or correction
 - o Count of corrections
 - o Count of resubmittals
 - o Corrected data (such as corrected transponder id, corrected plate number, corrected plate state, corrected transaction number, corrected toll amount, corrected date, corrected plaza, corrected lane, corrected occupancy, corrected protocol, corrected vehicle type, corrected plate type, corrected fee)

INFORMATION STORAGE AND RETENTION

We process and store data in the United States and in other locations for processing, back-up and recovery purposes. If you live outside of the United States, you understand and agree that we may transfer your Personal Information to the United States. Our Website, App, and The Toll Roads' operations are subject to United States laws, which may not afford the same level of protection as those in your country.

We will retain your Personal Information for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. Please note that retention periods may vary (usually between 18 and 54 months) depending on the type of information, how it is used, and relevant legal requirements in accordance with applicable law.

HOW WE USE THE INFORMATION WE COLLECT

Depending on how you interact with us, we may use all, some, or none of the information collected from or concerning you, your owned or rented vehicle(s), or your computer or device for the following purposes:

- Perform our services, including maintaining or servicing accounts, providing customer services, processing transactions, verifying information, and providing The Toll Roads services.
- Accounting, enforcement, operation, and management of The Toll Roads.

The information we collect, along with Anonymous Data and Aggregate Data, are used to understand how users are engaging with us, to generate aggregated Travel Pattern Data and other analysis and data for The Toll Roads.

Where you are a subscriber to our electronic toll collection system and have provided your express, written consent, TCA may, either directly or through a Service Provider, communicate information about products and services offered by TCA using your name, address, and electronic mail address.

HOW WE DISCLOSE INFORMATION WE COLLECT

We do not sell or otherwise monetize your Personal Information. We may share your information with our Service Providers, other toll agencies and operators, and other third parties to help us maintain and operate our Website and App, manage The Toll Roads and related services, and otherwise facilitate the processing and enforcement of toll transactions. We may also share your information where required to do so by law.

The Entities We May Disclose Information To

As part of the provision of our services, the operation of our Website and App, and to enforce payment of toll transactions, we may, depending on the circumstances and transactions involved, disclose information, including Personal Information, to:

- Service Providers
- Financial institutions (such as our bank and merchant processor)
- Parking entities (for example, to allow use of your Hardcase or Sticker Transponder to pay parking fees where that service is offered by TCA)
- Government agencies (such as a Department of Motor Vehicles or the Franchise Tax Board)
- Collection service provider when necessary to enforce payment of violations
- Our legal counsel
- Law enforcement
- Courts
- Interoperable toll agencies

We may share your Personal Information with third parties when you separately consent, direct, or request such sharing, as permitted under applicable law.

Information We Disclose

In order to provide you with services related to The Toll Roads, our Website, our App, enforcement of toll transactions, and other services, we disclose Personal Information to our Service Providers, government entities, and other third-party entities. We disclose the following categories of information, including Personal Information:

- Identifiers like your name and other similar information (for example, an email address, mailing address, or phone number).
- License plate information (such as license plate number, state, type, and front and rear images of the license plates).
- Vehicle information (for example, the vehicle's make, model, year, color, number of axles, and vehicle type [for example motorcycle or clean air vehicle]).
- Hardcase Transponder and Sticker Transponder information (such as the transponder's unique identifying number, occupancy setting, type of transponder, protocol for each transponder, and account number associated with the transponder).
- Payment information (for example, check deposits, credit card type, credit card number, expiration date, amount of the transaction, payment due, payment due date, outstanding balance, and transaction date and time).
- Account information (such as account type, account number, account balance, transponder number[s], account notes, and/or vehicle[s] associated with a Hardcase or Sticker Transponder and/or account number).
- Information related to use of toll facilities (for example, toll amount due, transaction date/time, and the route, lane, or toll point used).
- Information related to unpaid tolls/violations (such as plate number, toll and penalty amount due, amount paid, transaction date/time, and Travel Pattern Data noting the route, lane, or toll point used).
- Social Security Number as necessary to enforce unpaid tolls through the Franchise Tax Board.

Disclosures Related to Interoperability

Pursuant to state and federal requirements related to interoperability, we may, with respect to our electronic toll collection system, share data with another transportation agency. For purposes of this policy, "interoperability" means the sharing of data, including Personal Information, across multiple transportation agencies for the sole purpose of creating an integrated transit fare payment system, integrated toll payment system, or both.

In satisfying the requirements for interoperability, we may provide the following information – including Personal Information – about a vehicle's use of a toll facility to other transportation agencies or to support your ability to use that facility:

- Transponder type (for example, hardcase, sticker, non-revenue, valid, invalid)
- Hardcase/Sticker Transponder unique identification number(s)
- Transponder protocol
- Vehicle type (such as motorcycle or clean air vehicle)
- License plate number and state
- FasTrak Account number
- Toll transaction data
 - o Date, time, axle count, and toll amount
 - o Toll facility/route name
 - o Toll point entry and exit, where applicable
 - o Transponder occupancy indicator setting
 - o Transponder protocol
 - o Vehicle type (such as Clean Air Vehicle or not)

Disclosure Required by Law

We may disclose Personal Information pursuant to a request from law enforcement or pursuant to other legal or regulatory processes or requests, or as otherwise required by the law.

To the extent legally authorized, we may share your information with third party entities such as:

- Other toll agencies and operators
- Contractors facilitating the operation and management of The Toll Roads
- Entities or individuals that facilitate the collection and enforcement of tolls and penalties that you incurred or for which you are responsible
- Entities or individuals that facilitate communications with you
- Officials in response to a duly executed search warrant

COOKIES AND SIMILAR TECHNOLOGIES

Our Website and App may place a "cookie" on your computer in order to allow you to use the Website. A "cookie" is a piece of data stored on the user's device, containing information about the user's access and/or browsing history of a website. A cookie file contains information that can identify information such as the IP address of the computer and network that a visitor uses to browse the Website, network traffic patterns, and browser software and operating system versions in order to customize the browsing experience and functionality of the Website. Cookies are stored on your device, not on our Website. Most cookies are "session cookies," meaning they are automatically deleted at the end of a session and do not retain information for use by other websites you may visit. We may also use "web beacons" or "pixel tags" to compile usage information related to your access and/or use of our Website in order to understand the most frequently used portions or features. We may use certain third-party services, such as Google Analytics, to help us analyze how people use the website. We use this information to evaluate your and other users' use of the website, to compile reports on website activity, and to provide other services relating to website activity, events, and Internet usage. To find out more about Google Analytics' privacy principles, visit the Google Analytics Privacy page at <https://support.google.com/analytics/answer/6004245?hl=en>.

Some web browsers may have features that can notify you when you receive a cookie or prevent cookies from being sent. If you disable cookies, however, you may not be able to use certain functions of our Website or it may not perform as expected.

SOCIAL MEDIA SHARING

The Website may offer social sharing features or other integrated tools, which let you share information you provide via the Website with other media, and vice versa. The use of such features enables the sharing of information with your friends or the public, depending on the settings you establish with the third party that provides the social sharing feature.

The fact that we link to or provide integrated tools for sharing with social media sites is not an endorsement, authorization, or representation of our affiliation with that social media site, nor is it an endorsement of their privacy or information security policies or practices. The collection or processing of your information as a result of any social sharing is governed by the agreements and privacy policies of such other social platform, not us, and you should review and approve your information, rights and preferences with such other platform(s).

A NOTE TO PARENTS AND CHILDREN UNDER 13

We recognize the importance of protecting the privacy of children. Our Website is not intended for children under the age of 13 and we ask that they not use the Website. We do not purposefully or knowingly solicit or collect any information – including Personal Information – from children under the age of 13. We expect all information provided by online users to be truthful and correct regarding age.

If a parent or guardian becomes aware that a child under 13 has provided us with Personal Information, the parent or guardian should contact us, and we will delete such information from our files within a reasonable time.

- Website: <https://secure.thetollroads.com/customer/contact.do?cmd=goto>
- Email: PrivacyPolicy@TheTollRoads.com
- In Person: The Toll Roads, 125 Pacifica, Ste. 120, Irvine, CA 92618
- Phone: (949) 754-3469

REVIEW OR REQUEST CHANGES TO YOUR PERSONAL INFORMATION

We take reasonable steps to ensure that all Personal Information we collect is maintained as submitted by you to us, so that our records reflect your information for its intended purposes, which may include customer correspondence, compliance and legal considerations, auditing, security and fraud prevention, and preserving or defending our rights.

To update, correct and/or request to remove your Personal Information, please contact us:

- Website: <https://secure.thetollroads.com/customer/contact.do?cmd=goto>
- Email: PrivacyPolicy@TheTollRoads.com
- In Person: The Toll Roads, 125 Pacifica, Ste. 120, Irvine, CA 92618
- Phone: (949) 754-3469

We will make reasonable efforts to incorporate the changes to your information that we hold as soon as practicable. You may cancel or modify any communications you have elected to receive, such as emails, newsletters, etc., by following the unsubscribe instructions contained within the applicable communication medium. We will retain your Personal Information only for as long as it is necessary for the purposes identified in this Privacy Policy or as authorized by applicable law.

ABOUT THE PRIVACY POLICY AND HOW WE WILL NOTIFY YOU OF ANY MATERIAL CHANGES TO IT

Our Privacy Policy may be accessed on the homepage of the Website, in the menu of our App, or by email upon request. We reserve the right to modify the Privacy Policy at any time. If we make material changes to the Privacy Policy, we will notify you by means of a notice posted on the home page of the Website, via email or mail, as available, or any combination thereof.

TRANSPORTATION AGENCY AND TOLL COLLECTION SYSTEM NOTICE

Pursuant to California Streets and Highways Code Section 31490, we have included in this Privacy Policy the types of information collected, the categories of third parties with whom the information may be shared, the process for you to review or update your information, and how we will notify you of changes to the Privacy Policy along with the effective date.

NON-UNITED STATES DATA PROTECTION LAWS

Our Services are intended for use by individuals located in the United States. If you are a user located outside of the United States, you understand and consent to having any information processed in the United States. United States data protection and other relevant laws may not be the same as those in your jurisdiction. This includes the use of cookies and other tracking technologies as described above. As a result, please read this Privacy Policy with care.

Rights of EU Data Subjects

The European Union (EU) data protection law known as the General Data Protection Regulation (GDPR) give individuals in the EU more control over their Personal

Information and regulate businesses that store Personal Information.

If the processing of your Personal Information is subject to the GDPR, whenever we use or share your Personal Information, we ensure that we have identified a legal basis under which such processing may occur. As described in more detail in the How We Use the Information We Collect section above, when we use your Personal Information in connection with a request, order, transaction, or to provide you with services that you requested (such as the use of the Website or App or to register for events), we do this because it is necessary for the performance of an agreement with you.

Furthermore, to the extent the GDPR is implicated, where we use your Personal Information in relation to improvement, development, or marketing of our products or services, for reasons of safety and security, or to satisfy regulatory requirements, other than in connection with our agreement or request, we do this on the basis of our (or a third party's) legitimate interests or with your consent, as required.

If you are an EU data subject and if your use of our Website or App is governed by the GDPR, subject to the local and legal and regulatory requirements of the United States, you have the right to:

- Request access to your Personal Information (commonly known as a "data subject access request").
- Request correction of the Personal Information that we hold about you (though we may need to verify the accuracy of the new data you provide to us).
- Request erasure of your Personal Information:
 - Where there is no good reason for us continuing to process it or where you have successfully exercised your right to object to processing (see below).
 - Where we may have processed your information unlawfully or where we are required to erase your Personal Information to comply with local law.
 - Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which you will be notified of, if applicable, at the time of your request.
- Object to processing of your Personal Information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your Personal Information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- Request restriction of processing of your Personal Information. This enables you to ask us to suspend the processing of your Personal Information in the following scenarios:
 - (a) if you want us to establish the data's accuracy;
 - (b) where our use of the data is unlawful but you do not want us to erase it;
 - (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise, or defend legal claims; or
 - (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your Personal Information to you or to a third party. We will provide to you, or a third party you have chosen, your Personal Information in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your Personal Information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent. You will not have to pay a fee to access your Personal Information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

In order to exercise your rights under the GDPR, please contact us using the information provided in the How to Contact Us section below. Please put the statement "GDPR Privacy Rights" in the subject line of your request and include your name, country or region, and enough information to allow us to respond to your request in the body of your email.

We may need to request specific information from you to help us confirm your identity

and ensure your right to access your Personal Information (or to exercise any of your other rights). This is a security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it. We may also contact you to ask for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within a reasonable time period, generally one month, depending on the complexity of the request.

For our users located in the European Union or the European Economic Area, if you feel that, after reaching out to us with your question or concerns, you have not received a satisfactory response, you have the option to contact your country's Data Protection Authority ("DPA") or similar regulatory body. To find contact information for your country's DPA or similar body, please refer to the list provided on the website of the European Commission.

CONTACT US

If we need to contact you, we will do so by any available method, including email or by postal mail sent to the information provided by you. You must notify us if you change your email address or other contact information.

- Website: <https://secure.thetollroads.com/customer/contact.do?cmd=goto>
- Email: PrivacyPolicy@TheTollRoads.com
- In Person: The Toll Roads, 125 Pacifica, Ste. 120, Irvine, CA 92618
- Phone: (949) 754-3469

GLOSSARY

Aggregate Data: Aggregate Data is information that relates to a group or category of individuals, from which individual identities have been removed, that is not linked or reasonably linkable to any individual, including via a device.

Anonymous Data: Anonymous Data is any data or information for which specific identifying information has been removed.

App: The Toll Roads App, which is operated by TCA.

FasTrak/FasTrak Account: A FasTrak® account is an account that uses a Hardcase or Sticker Transponder to register toll uses and process toll payments.

F/ETCA: The Foothill/Eastern Transportation Corridor Agency ("F/ETCA"), a California joint powers authority, operates the toll facilities on California State Routes (SR) 133, 241, and 261.

Hardcase Transponder: A device in a hard-plastic shell that communicates via short range radio frequency with another device mounted at a fixed point on a tolled facility to collect tolls automatically and electronically.

Personal Information: As used in this policy, Personal Information means any information that relates directly or indirectly related to an identified or identifiable individual. Personal Information does not include Anonymous or Aggregate Data (as defined above). (Please note that this definition is provided solely for purposes of giving notice to individuals of the information that we may collect. It is not an admission that the information actually constitutes Personal Information for any other purpose or under any particular law.)

Service Providers: TCA relies on third party vendors (such as companies that specialize in IT service management, information management, mailing services, image review, legal counsel, credit card processing, vehicle renting and leasing) and other entities to provide support and assistance for its general operations, financial operations, other operations, enforcement, management, and any products or services it may offer.

SJHTCA: The San Joaquin Hills Transportation Corridor Agency ("SJHTCA"), a California joint powers authority that operates the toll facilities on State Route (SR) 73.

Sticker Transponder: A device in a flexible plastic strip that communicates via short range radio frequency with another device mounted at a fixed point on a tolled facility to collect tolls automatically and electronically.

The Toll Roads: State Routes (SRs) 73, 133, 241, and 261, which are operated by TCA.

Travel Pattern Data: When you use The Toll Roads, we collect your Hardcase or Sticker Transponder and/or vehicle license plate information, the number of axles on your vehicle. When you pass through a tolling location, we record the route, lane, tolling point, transaction, and calculate the toll. The license plate number and/or transponder, in conjunction with the route, tolling point(s), lane used, date and time of your drive constitutes your Travel Pattern Data. Locations, dates, and times traveled do not constitute Travel Pattern Data if the information (1) is dissociated from any specific individual to create Anonymous Data; or (2) is combined with other data to create Aggregate Data.

Website: TheTollRoads.com, which is operated by TCA.