

# Privacy Notice Addendum for California Residents

Effective Date: January 3, 2024

## 1. Introduction

This Privacy Notice Addendum for California Residents (the “California Privacy Addendum”) supplements the information contained in CNH Industrial America LLC’s (“Company,” “our,” “we,” or “us”) Privacy Notice and describes our collection and use of Personal Information (as defined below). This California Privacy Addendum applies solely to all visitors, users, and others who access our websites and reside in the State of California (“Consumers” or “you”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 as amended by the California Privacy Rights Act of 2020 (collectively, the “CCPA”) and any terms defined in the CCPA have the same meaning when used in this notice.

## 2. Scope of this California Privacy Addendum

This California Privacy Addendum applies to information that we collect on our Websites that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with you or your device (“Personal Information”). However, publicly available information that we collect from government records and deidentified or aggregated information (when deidentified or aggregated as described in the CCPA) are not considered Personal Information and this California Privacy Addendum does not apply.

This California Privacy Addendum does not apply to employment-related Personal Information collected from our California-based employees, job applicants, contractors, or similar individuals (“Personnel”). Please contact your local human resources department if you are part of our Personnel and would like additional information about how we process your Personal Information.

This California Privacy Addendum also does not apply to certain Personal Information that is excluded from the scope of the CCPA, like Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA) (which may be collected if you have loan, credit card, or other financial account with us), and the Driver’s Privacy Protection Act of 1994.

## 3. Information We Collect About You and How We Collect It

Company’s Websites collect, and over the prior twelve (12) months have collected, the following categories of Personal Information about Consumers:

Category	Applicable Pieces of Personal Information Collected
<b>A. Identifiers.</b>	A real name; alias, postal address; unique personal identifier; online identifier; Internet Protocol address; email address; account name.
<b>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</b>	A name; address; telephone number. <i>Some Personal Information included in this category may overlap with other categories.</i>
<b>D. Commercial information.</b>	Records of personal property, products, or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
<b>F. Internet or other similar network activity.</b>	Browsing history; search history; information on a Consumer’s interaction with a website, application, or advertisement.
<b>G. Geolocation data.</b>	Physical location or movements.

Company will not collect additional categories of Personal Information without providing you notice.

## 4. Sources of Personal Information

We collect Personal Information about you from the sources described in our Privacy Notice.

## 5. Purposes for Our Collection of Your Personal Information

We only use your Personal Information for the purposes described in our Privacy Notice.

See also Section 7 below to learn more about the **“Sale” of Your Personal Information for Monetary or Other Valuable Consideration** and the **“Sharing” of Your Personal Information for Cross-Context Behavioral Advertising**.

Company will not use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

**6. Third Parties to Whom Do We Disclose Your Personal Information for Business Purposes**

Company may disclose your Personal Information to third parties for one or more business purposes. When we disclose Personal Information to non-affiliated third-parties for a business purpose, we enter a contract that describes the purpose, requires the recipient to both keep that Personal Information confidential and not use it for any purpose except for the purposes for which the Personal Information was disclosed and requires the recipient to otherwise comply with the requirements of the CCPA. The CCPA prohibits third parties who purchase the Personal Information we hold from reselling it unless you have received explicit notice and an opportunity to opt-out of further sales.

In the preceding twelve (12) months, Company has disclosed the following categories of Personal Information for one or more of the business purposes described below to the following categories of third parties:

<b>Personal Information Category</b>	<b>Categories of Non-Service Provider and Non-Contractor Third Party Recipients</b>
<b>A. Identifiers.</b>	Advertisers and advertising networks; business partners; affiliates, parents, and subsidiary organizations of Company; social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.
<b>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</b>	Advertisers and advertising networks; business partners; affiliates, parents, and subsidiary organizations of Company; social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.
<b>D. Commercial information.</b>	Advertisers and advertising networks; business partners, affiliates, parents, and subsidiary organizations of Company.
<b>F. Internet or other similar network activity.</b>	Social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.
<b>G. Geolocation data.</b>	Affiliates, parents, and subsidiary organizations of Company; social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.

We disclose your Personal Information to the categories of third parties listed above for the following business purposes:

- Auditing related to counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance with this California Privacy Addendum and other standards.
- Helping to ensure security and integrity of our products, services, and IT infrastructure to the extent the use of the Personal Information is reasonably necessary and proportionate for these purposes.
- Debugging to identify and repair errors that impair existing intended functionality on the Websites.
- Short-term, transient use, including, but not limited to, nonpersonalized advertising shown as part of your current interaction with us. Our agreements with third parties prohibit your Personal Information from disclosure to another third-party and from using your Personal Information to build a profile about the you or otherwise alter your experience outside your current interaction with us.
- Performing services on behalf of us, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on behalf of us.
- Undertaking internal research for technological development and demonstration.
- Undertaking activities to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by us.

In addition to the above, we may disclose any or all categories of Personal Information to any third-party (including government entities and/or law enforcement entities) as necessary to:

- comply with federal, state, or local laws, or to comply with a court order or subpoena to provide information;
- comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities;
- cooperate with law enforcement agencies concerning conduct or activities that we (or one of our service providers') believes may violate federal, state, or local law;
- comply with certain government agency requests for emergency access to your Personal Information if you are at risk or danger of death or serious physical injury; or
- exercise or defend legal claims.

**7. To Whom Do We Sell or Share Your Personal Information**

**“Sale” of Your Personal Information for Monetary or Other Valuable Consideration**

As noted in our general Privacy Notice, we do not sell your Personal Information as the term “sell” is commonly understood to require an exchange for money. However, the use of advertising and analytics cookies on our Websites are considered a “sale” of Personal Information as the term “sale” is broadly defined in the CCPA to include both monetary *and other valuable consideration*. Our “sale” would be limited to our use of third-party advertising and analytics cookies and their use in providing you behavioral advertising and helping us understand how people use and interact with our Websites. Our “sales” of your Personal Information in this matter is subject to your right to opt-out of those sales (see [Your Choices Regarding our “Sale” or “Sharing” of your Personal Information](#)). The CCPA prohibits third parties who purchase the Personal Information we hold from reselling it unless you have received explicit notice and an opportunity to opt-out of further sales.

**“Sharing” of Your Personal Information for Cross-Context Behavioral Advertising**

Company may “share” your Personal Information for the purpose of cross-context behavioral advertising, subject to your right to opt-out of that sharing (see [Your Choices Regarding our “Sale” or “Sharing” of your Personal Information](#)). Our “sharing” for the purpose of cross-context behavioral advertising would be limited to our use of third-party advertising cookies and their use in providing you cross-context behavioral advertising (i.e., advertising on other websites or other mediums). When the recipients of your Personal Information disclosed for the purpose of cross-context behavioral advertising are also permitted to use your Personal Information to provide advertising to others, we also consider this disclosure as a “sale” for monetary or other valuable consideration under the CCPA.

In the preceding twelve (12) months, Company has “sold” for monetary or other valuable consideration, or “shared” for the purpose of cross-context behavioral advertising, the following categories of Personal Information to the following categories of third parties:

Personal Information Category	Sold or Shared	Business Purpose for Sale or Sharing (as appropriate)	Categories of Third Parties To Whom Your Personal Information is Sold or Shared
<b>A. Identifiers.</b>	Sold and Shared	<ul style="list-style-type: none"> <li>• To provide analytics services to Company so we may further understand our audience and how our website is used.</li> <li>• To advertise our products and services to you on other websites and in other mediums.</li> </ul>	Social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.
<b>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code §</b>	No	N/A	N/A

<b>1798.80(e).</b>			
<b>D. Commercial information.</b>	Sold and Shared	<ul style="list-style-type: none"> <li>To provide analytics services to Company so we may further understand our audience and how our website is used.</li> <li>To advertise our products and services to you on other websites and in other mediums.</li> </ul>	Social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.
<b>F. Internet or other similar network activity.</b>	Sold and Shared	<ul style="list-style-type: none"> <li>To provide analytics services to Company so we may further understand our audience and how our website is used.</li> <li>To advertise our products and services to you on other websites and in other mediums.</li> </ul>	Social media companies; Internet cookie information recipients, such as analytics and behavioral advertising services.
<b>G. Geolocation data.</b>	No	N/A	N/A

***Sale of Personal Information of Minors Under the Age of 16***

Our Websites are generally not meant to be used by children under the age of 16. Therefore, we do not “sell” the Personal Information of users who we know are minors under the age of 16 for monetary or other valuable consideration and we do not “share” such Personal Information for cross-context behavioral advertising without affirmative consent as required by the CCPA.

**8. Consumer Data Requests**

The CCPA provides California residents with specific rights regarding their Personal Information. This section describes your CCPA rights and explains how to exercise those rights. You may exercise these rights yourself or through your Authorized Agent. For more information on how you or your Authorized Agent can exercise your rights, please see [Exercising Your CCPA Privacy Rights](#).

- Right to Know.** You have the right to request that Company disclose certain information to you about our collection and use of your Personal Information over the past 12 months (a “**Right to Know**” request). This includes: (a) the categories of Personal Information we have collected about you; (b) the categories of sources from which that Personal Information came from; (c) our purposes for collecting this Personal Information; (d) the categories of third parties with whom we have shared your Personal Information; and (e) if we have “sold” or “shared” or disclosed your Personal Information, a list of categories of third parties to whom we “sold” or “shared” your Personal Information, and a separate list of the categories of third parties to whom we disclosed your Personal Information to. You must specifically describe if you are making a Right to Know request or a Data Portability Request. If you would like to make both a Right to Know Consumer Request and a Data Portability Consumer Request you must make both requests clear in your request. If it is not reasonably clear from your request, we will only process your request as a Right to Know request. You may make a Right to Know or a Data Portability Consumer Request (or a combined Consumer Request) a total of two (2) times within a 12-month period at no charge.
- Access to Specific Pieces of Information (Data Portability).** You also have the right to request that Company provide you with a copy of the specific pieces of Personal Information that we have collected about you, including any Personal Information that we have created or otherwise received from a third-party about you (a “**Data Portability**” request). If you make a Data Portability Consumer Request electronically, we will provide you with a copy of your Personal Information in a portable and, to the extent technically feasible, readily reusable format that allows you to transmit the Personal Information to another third-party. You must specifically describe if you are making a Right to Know request or a Data Portability request. If you would like to make both a Right to Know Consumer Request and a Data Portability Consumer Request you must make both requests clear in your request. If it is not reasonably clear from your request, we will only process your request as a Right to Know request. We will not disclose any Personal Information that may be subject to an exception under the CCPA. If we are unable to disclose certain pieces of your Personal Information, we will describe generally the types of personal information that we were unable to disclose and provide you a description of the reason we are unable to disclose it. You may make a Right to Know or a Data

Portability Consumer Request (or a combined Consumer Request) a total of two (2) times within a 12-month period at no charge.

- **Correction.** You have the right to request that we correct any incorrect Personal Information about you to ensure that it is complete, accurate, and as current as possible. You may request that we correct the Personal Information we have about you as described below under [Exercising Your CCPA Privacy Rights](#). In some cases, we may require you to provide reasonable documentation to show that the Personal Information we have about you is incorrect and what the correct Personal Information may be. We may also not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect or if the Personal Information is subject to another exception under the CCPA.
- **Deletion.** You have the right to request that Company delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your Consumer Request (see [Exercising Your CCPA Privacy Rights](#)), we will delete (and direct our service providers to delete) your Personal Information from our records, unless an exception applies pursuant to the CCPA. Some exceptions to your right to delete include, but are not limited to, if we are required to retain your Personal Information to complete the transaction or provide you the goods and services for which we collected the Personal Information or otherwise perform under our contract with you, to detect security incidents or protect against other malicious activities, and to comply with legal obligations. We may also retain your Personal Information for other internal and lawful uses that are compatible with the context in which we collected it.
- **Non-Discrimination.** We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not do any of the following as a result of you exercising your CCPA rights: (a) deny you goods or services; (b) charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties; (c) provide you a different level or quality of goods or services; or (d) suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

#### Exercising Your CCPA Privacy Rights

To exercise the rights described above, please submit a request (a “**Consumer Request**”) to us by either:

- Calling us at toll free customer service number (866) 639-4563;
- Emailing us at [Privacy-NA@cnhind.com](mailto:Privacy-NA@cnhind.com); or
- Completing the online [Privacy Request Form](#).

If you (or your Authorized Agent) submit a Consumer Request to delete your information online, we may use a two-step process in order to confirm that you want your Personal Information deleted. This process may include verifying your request through your email address on record, calling you on your phone number on record (which may include an automated dialer), sending you a text message and requesting that you text us a confirmation, and/or sending you a confirmation through US mail. By making a Consumer Request, you consent to us contacting you in one or more of these ways.

If you fail to make your Consumer Request in accordance with the ways described above, we may either treat your request as if it had been submitted with our methods described above or provide you with information on how to submit the request or remedy any deficiencies with your request.

Only you, or your Authorized Agent that you authorize to act on your behalf, may make a Consumer Request related to your Personal Information. To designate an Authorized Agent, see [Authorized Agents](#) below.

All Consumer Requests must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an Authorized Agent of such a person. This may include verification of your contact information that we may have on record by matching at least 2 pieces of Personal Information that we have determined to be reliable for the purposes of verifying a consumer. We reserve the right to modify the verification process as necessary or to request additional pieces of Personal Information for verification purposes, each based on the sensitivity of your Personal Information.
- Describe your request with sufficient detail that allows us to properly 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 which Personal Information relates to you or the individual for whom you are making the request as their Authorized Agent.

Making a Consumer Request does not require you to create an account with us. However, we do consider requests made through your password protected account sufficiently verified when the request relates to Personal Information associated with that specific account.

We will only use Personal Information provided in a Consumer Request to verify the requestor's identity or authority to make the request.

#### **Authorized Agents**

You may authorize your agent to exercise your rights under the CCPA on your behalf by registering your agent with the California Secretary of State or by granting them power of attorney to exercise your rights in accordance with applicable laws (an "Authorized Agent"). We may request that your Authorized Agent submit proof of identity and that they have been authorized exercise your rights on your behalf. We may deny a request from your Authorized Agent to exercise your rights on your behalf if they fail to submit adequate proof of identity or adequate proof that they have the authority to exercise your rights.

#### **Response Timing and Format**

We will respond to a Consumer Request within ten (10) days of its receipt. We will generally process these requests within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

In response to a Right to Know or Data Portability Consumer Request, we will provide you with all relevant information we have collected or maintained about you on or after January 1, 2022. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For Data Portability Consumer Request, 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, such as a CSV file.

We do not charge a fee to process or respond to your Consumer Request unless it is excessive, repetitive, or manifestly unfounded. We reserve the right to consider more than two (2) total Right to Know or Data Portability Consumer Requests (or combination of the two) in a twelve (12) month period to be repetitive and/or excessive and require a fee. If we determine that your Consumer Request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

### **9. Your Choices Regarding our "Sale" or "Sharing" of Your Personal Information**

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#### **"Sale" of Your Personal Information**

You have the right to direct us to not sell your Personal Information for monetary or other valuable consideration at any time (the "right to opt-out"). Consumers who opt-in to Personal Information sales may opt-out of future sales at any time.

#### **"Sharing" of Your Personal Information**

You have the right to direct us to not share your Personal Information for the purposes of cross-context behavioral advertising, which is showing advertising on other websites or other media based on your browsing history with our Websites (the "right to opt-out"). Consumers who opt-in to our sharing of Personal Information for these purposes may opt-out of future such sharing at any time.

#### **How You May Opt-Out of Our Sale or Sharing of Your Personal Information**

To exercise the right to opt-out of the "sale" of your Personal Information for monetary or other valuable consideration and of "sharing" your Personal Information for the purposes of cross-context behavioral advertising, you (or your authorized representative) may adjust your cookie preferences by visiting the Website and clicking the **Do Not Sell or Share My Personal Information** link at the footer of the Website.

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize Personal Information sales. However, you may change your mind and opt back into the sale of Personal Information at any time by visiting the Website and clicking the **Do Not Sell or Share My Personal Information** link at the footer of the Website.

You do not need to create an account with us to exercise your opt-out rights. You may be required to provide us with additional contact information so that we may verify your request to opt-in to the sale of your Personal Information. We will only use Personal Information provided in an opt-out request to review and comply with the request.

If you (or your Authorized Agent) submit a request to opt-in to our “sale” or “sharing” of your Personal Information, we will use a two-step process in order to confirm that you want to opt-in for such “sale” or “sharing” of your Personal Information. This process may include verifying your request through your email address on record, calling you on your phone number on record (which may be through the use of an automated dialer), sending you a text message and requesting that you text us a confirmation (which may be through the use of an automated dialer), and/or sending you a confirmation through US mail. By making a Consumer Request, you consent to us contacting you in one or more of these ways.

#### **Browser Privacy Control Signals**

You may also exercise your right to opt-out of the “sale” of your Personal Information for monetary or other valuable consideration and “sharing” your Personal Information for the purposes of cross-context behavioral advertising by setting the privacy control signal on your browser, if your browser supports it. We currently recognize and support the following privacy signals sent by browsers:

- Global privacy control (for more information on how to configure your browser to send this signal, please see <https://globalprivacycontrol.org/>).

When we receive one of these privacy control signals, we will opt you out of any further “sales” or “sharing” of your Personal Information when you interact with our Websites through that browser and on that device. We will only be able to propagate your choice to opt-out to your account if you are currently logged in when we receive the privacy control signal from your browser. When we are able to propagate your choice to your account, you will be opted out of “sale” or “sharing” of your Personal Information on all browsers and devices on which you are logged in, and for both online and offline “sales” and “sharing.” In the event you have affirmatively opted-in to our “sale” and “sharing” of your Personal Information as described above and we receive a privacy control signal from your browser, we will request further instructions from you before you are opted out of any further “sale” or “sharing.”

When we receive a privacy control signal, we may also process it in a frictionless manner, which prohibits us from: (a) charging you a fee or requiring any valuable consideration; or (b) changing your experience with our products and services. You may configure the privacy control signal to operate in a frictionless manner by consulting the documentation for your browser or plug-in that provides the privacy control signal. If your privacy control signal conflicts with any settings in your account, we will comply with the privacy control signal and not “sell” or “share” your personal information.

#### **10. Changes to This California Privacy Addendum**

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Company reserves the right to amend this California Privacy Addendum at our discretion and at any time. When we make changes to this California Privacy Addendum, we will post the updated addendum on the Website and update the addendum’s effective date. **Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.**

#### **11. Contact Information**

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If you have any questions or comments about this California Privacy Addendum, the ways in which Company collects and uses your information described above and in the Privacy Notice, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Phone:** (866) 639-4563

**Email:** [Privacy-NA@cnhind.com](mailto:Privacy-NA@cnhind.com)

**Postal Address:** CNH Industrial America LLC  
Attn: North America Data Privacy Manager  
711 Jorie Blvd  
Oak Brook, IL 60523