

# Privacy policy

## General Provisions:

1. The administrator of users' personal data is Traficar limited liability company with its registered office in Krakow, ul. Rzemieślnicza 26, entered into the Register of Entrepreneurs of the National Court Register, under KRS no: 0000592539, VAT no: 6751529371, REGON State Statistical No: 363258160 (hereinafter referred to as Traficar).
2. This Privacy Policy sets out the rules for the processing of personal data obtained via the website [www.traficar.pl](http://www.traficar.pl), hereinafter referred to as the Website, and the Traficar mobile application, and also constitutes an information clause regarding the processing of personal data by Traficar as part of the vehicle rental business.
3. The GDPR is the Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46 / EC (General Regulation on Data Protection). The GDPR defines the rules for the processing of user's personal data, which are used by Traficar.
4. Traficar has appointed a Data Protection Officer who can be contacted by calling + 48334861986 and by e-mail at [iod@traficar.pl](mailto:iod@traficar.pl). You can contact the Data Protection Officer in all matters relating to the processing of personal data and the exercise of rights related to data processing.

## Use of the Website and mobile application:

5. Traficar takes special care to respect the privacy of users using Traficar services.
6. The use of the Traficar mobile application and registration of a user account are described in the Regulations for the use of the Traficar service, available at this [link](#).
7. In connection with the user's use of the Website and the mobile application, Traficar collects data to the extent necessary to provide individual services offered, as well as information about the user's activity. The detailed rules and purposes of processing personal data collected during the use of the Website and the mobile application by the user are described below.
8. Traficar collects information on how users use the Website and the mobile application (including the IP address or other identifiers and information collected via cookies or other similar technologies). This information is used:
  - a. in order to provide electronic services in the scope of providing users with the content collected on the Website and the mobile application -

then the legal basis for processing is the necessity of processing to perform the contract,

- b. for analytical and statistical purposes, then the legal basis for processing is the legitimate interest of Traficar, consisting in conducting analyses of users' activity, as well as their preferences in order to improve the functionalities and services provided;
  - c. in order to conduct marketing in the field of products and services provided by Traficar and to present an appropriate offer, advertising and promotion, including profiling to determine the preferences or needs of the user - and the legal basis for data processing is the legitimate interest of Traficar.
9. User activity on the Website and in the mobile application, including his personal data, is recorded in system logs. The information collected in the logs is processed primarily for purposes related to the provision of services. Traficar also processes them for technical and administrative purposes, for the purposes of ensuring the security of the IT system and managing this system, as well as for analytical and statistical purposes - in this respect, the legal basis for processing is the legitimate interest of Traficar.
  10. Traficar processes the users' data provided in the contact form in order to respond to submitted inquiries, and these data will be processed on the basis of the consent granted to the processing of data in order to answer the question, as well as on the basis of the legitimate interest of communicating with the user, handling his inquiry, and also for analytical and statistical purposes (keeping statistics of inquiries submitted by users in order to improve the functionality of the Website and the mobile application) and to defend against possible claims. The data provided in the contact form will be processed for the period necessary to answer the submitted inquiry, no longer than for a period of 6 months from the date of the last contact, unless longer processing is necessary to defend against any claims.
  11. The data provided when subscribing to the newsletter (e-mail address) is used to send the newsletter, and the legal basis for their processing is the consent given by providing an e-mail address for this purpose. The data will be processed for the duration of the newsletter, unless the user resigns from receiving it earlier. However, unsubscribing from the newsletter does not lead to the deletion of data from the database. The data will still be stored in the mailing system to defend against any claims related to sending the newsletter, in particular to demonstrate consent to receive the newsletter, which is a legitimate interest of Traficar.
  12. Providing personal data for the purpose of sending the newsletter and provided in the contact form is voluntary and is not necessary for the conclusion and performance of contracts with Traficar.
  13. If the user publishes any personal data of other people on the Website or in the mobile application (including their name, address, telephone number or e-mail address), they may do so only if they do not violate the law and personal rights of these people.

14. Information collected by Traficar in connection with the use of the Website and the mobile application may be processed in an automated manner, including in the form of profiling, however, it will not have any legal effects on users or affect their situation in any way. In particular, automated processing, profiling and any other data processing for statistical purposes will be based on anonymised data.
15. Traficar may transfer user data to suppliers based in a third country in connection with the use of tools used for statistical, reporting and advertising purposes that store personal data on servers located in third countries, in particular in the USA. The suppliers of these tools guarantee an adequate level of personal data protection through appropriate compliance mechanisms provided for by the GDPR, in particular by joining the Privacy Shield program or using standard contractual clauses. The providers of these tools do not use the collected data to identify the user, nor do they combine this information to enable identification.
16. Other rules regarding data processing on the Website and in the mobile application can be found below.

### **Provision of vehicle rental services:**

17. Traficar processes the following categories of personal data: name and surname, address, telephone number, e-mail address, PESEL number, date of birth, gender, data contained in the driving license, location and route, transaction history, user's bank account number, NIP (tax identification number), business address, company name, and in the case of users who are foreigners from outside the United Kingdom of Great Britain and Ireland or from outside the European Union or the Schengen area - also the address of residence in Poland and the number and expiry date of the identity document, including the date of the card's expiry date stay.
18. User data will be processed for the purpose of:
  - a. conclusion and performance of the vehicle rental contract and the provision of electronic services, including through access to the mobile application, presentation of the vehicle rental offer at the user's request before the conclusion of the contract, and the legal basis for processing is the necessity to process data to perform the contract;
  - b. implementation of the legitimate interest of Traficar, consisting in:
    - i. securing the property entrusted by Traficar, in particular for the purpose of locating the rented vehicle in the event of its loss, misappropriation or theft, and verification of the proper performance of the contract by the Lessee,
    - ii. establishing and pursuing claims or defending against claims,
    - iii. protection of Traficar against abuse, in order to verify the user's identity and the user's right to drive,

- iv. testing the quality of services provided by Traficar by contacting the user by e-mail or telephone for this purpose,
- v. conducting marketing in the field of products and services provided by Traficar and in order to present an appropriate offer, including profiling to determine the preferences or needs of users;
- vi. conducting analyses and reports for statistical purposes.
- c. marketing of products and services of Traficar Strategic Partners, on the basis of the user's consent, and the provision of data is voluntary and is not necessary for the conclusion and performance of contracts with Traficar. The list of Traficar Strategic Partners and their offers and promotions is available in the "Promotions" tab on the Traficar website and in the mobile application;
- d. verification of the user's payment credibility in the National Debt Register Biuro Informacji Gospodarczej S.A. (KRD BIG), and the verification will be made in order to conclude the contract and on the basis of the legitimate interest of Traficar to verify the customer before concluding the contract (more on this in point 27 below);
- e. fulfilment of legal obligations imposed on Traficar, in particular tax regulations, accounting regulations regarding the storage of tax and accounting documents.

19. Data storage period:

- a. Personal data will be processed for the duration of the contract until the account is deleted on the website. The period of personal data storage may be extended each time by the limitation period for claims, if the processing of personal data is necessary to pursue any claims or to defend against such claims by Traficar;
- b. In the case of data processing based on the consent obtained - the data will be processed no longer than 3 years from the date of the last marketing contact;
- c. In the case of data processing on the basis of a legitimate interest for marketing purposes - the data will be processed for the duration of the legitimate interest of Traficar, but not longer than 3 years from the last marketing contact, unless the user objects to data processing for marketing purposes;
- d. In the case of processing the data indicated in the driving license and the data provided along with the verification fee by the institution running the bank account assigned to the payment card provided by the user - the data will be processed for a period of two business days;
- e. In the case of data processing due to legal obligations incumbent on Traficar - until the data storage obligation resulting from the provisions expires;
- f. In the case of testing the quality of services, the data will be processed for this purpose for no longer than 1 month from the end of the last vehicle rental by the user.

20. Providing personal data is voluntary, but necessary for the conclusion and implementation of contracts between the user and Traficar. Providing personal data for marketing purposes is voluntary and is not necessary for the conclusion and performance of contracts with Traficar.
21. The User has the right to lodge a complaint with the supervisory body, i.e. the President of the Office for Personal Data Protection.
22. The user has the right to access the data and rectify, delete or limit processing, as well as the right to object, request the cessation of processing and the right to transfer data. You can exercise the above rights by reporting to the Personal Data Inspector.
23. If the basis for the processing of the user's data is the consent, the user may withdraw the consent at any time, which, however, will not affect the lawfulness of the processing which was carried out on the basis of consent before its withdrawal. The consent may be withdrawn by contacting the Personal Data Inspector.
24. User data may be made available to entities processing personal data on behalf of Traficar, i.e. entities providing Traficar with services related primarily to customer service (including a technical hotline and technical department), debt collection, marketing activities, public relations, a non-cash payment operator cooperating with Traficar, in order to make payments, to the company Krajowy Rejestr Długów Biuro Informacji Gospodarczej S.A. and HOLDING 1 S.A. in the event of consent to the processing of data for marketing purposes by this entity.
25. The user's data will be made available to the company EXPRESS sp. z o.o. sp.k. in order to implement the legitimate interest of this entity, consisting in indicating to the competent authorities the person who is obliged to pay the additional fee specified in art. 13f of the Act on Public Roads or the fulfilment of the legal obligation by this entity pursuant to Art. 78 sec. 4. The Road Traffic Act. The above applies when Express sp. z o.o. sp. k. has transferred the vehicle for use to Traficar sp. z o.o., which is entitled to return the vehicle to the user. The EXPRESS information clause can be found at this [link](#).
26. The operating parameters of the vehicle or its components, i.e. speed, operation of brake and gas pedals, driving dynamics, speed and frequency of gear changes, overloads, acceleration, operation of safety systems, will be used to build a user profile of the Traficar service and its profiling. The processing of the above data is an integral part of the service and is necessary for the performance of the contract. In addition, the purpose of processing this data is to increase the safety of the user and other road users, reduce the potential costs of the use of the rented vehicles that are not in accordance with the regulations, and to pursue claims related to the conclusion and performance of the contract by Traficar and to defend against such claims against Traficar, and the legal basis for processing is a legitimate interest of Traficar. These data may affect the performance of the current and future service by Traficar, in particular the possibility of refusing to provide

services by Traficar, in accordance with the provisions of the Regulations for the use of Traficar services. The collected data will not be used for automated decision making.

27. Traficar is entitled to verify the user's payment credibility in cooperation with the National Debt Register Biuro Informacji Gospodarczej S.A. (KRD BIG). Traficar is entitled to make the conclusion of a contract with the user conditional on its verification in KRD BIG. The basis for the verification of the consumer's payment credibility by applying to KRD BIG with a request for disclosure of economic information is the authorization granted by the consumer. The authorization is granted through the consent of the user to verify his payment credibility in KRD BIG. The legal basis for the above action is 24 sec. 1 of the Act on the provision of economic information and exchange of economic data. If the consumer does not consent to verification, Traficar has the right to refuse to conclude a contract with the user. In order to obtain information about the user's payment credibility, Traficar will process the user's PESEL or NIP number. Traficar is entitled to store the obtained data for up to 90 days from its acquisition.