

Hydrema U.S., Inc.

PRIVACY POLICY

At Hydrema your privacy is important to us. Our Privacy Policy describes the information we collect, how we collect information, and the reasons we collect information. Many Hydrema Machines come equipped with or can be upgraded to utilize telematics devices, equipment, hardware (“**Telematics Equipment**”) and software (“**Telematics Software**”) which monitors the location, movements, status, activities, statistics, operation, and behaviors of Hydrema Machinery. This Privacy Policy also describes the choices you have with the information we collect, including how you can manage, update, or request to delete information.

Please take a moment to review this Privacy Policy. You may scroll through this Privacy Policy or use the headings below. It is important that you understand this Privacy Policy. By using our Platform, you are agreeing to the terms of this Privacy Policy. If you have any questions or concerns about this Privacy Policy, you may [Contact Us](#) at any time.

Table of Contents

I. [Key Terms & Definitions and Our Privacy Policy](#)

When does our Privacy Policy apply?

When does our Privacy Policy not apply?

Our Privacy Policy and Terms of Service.

II. [Personal Information](#)

What is Personal Information?

What types of Personal Information do we collect?

How do we collect your Personal Information?

How do we use your Personal Information?

How do we share your Personal Information?

Your choices about how we share your Personal Information.

How do I access and correct my Personal Information?

III. [Who may use the Platform and/or the Services?](#)

IV. [Children’s Privacy](#)

V. [Does Hydrema respond to Do Not Track signals?](#)

VI. [Data Security](#)

VII. [California Privacy Rights - Notice to California Residents](#)

Collection of Personal Information.

Categories of Sources from which we have collected Personal Information.

Use of Personal Information collected from California Residents.

Sharing the Personal Information of California Residents.

Disclosures of Personal Information for Business Purposes.

Access Request Rights.

Deletion Request Rights.

Exercising Access and Deletion Rights.

Non-Discrimination.

[VIII. California's Shine the Light Law.](#)

[IX. International Users](#)

Consent to Processing of Personal Information.

What rights do I have?

Automated Decision Making.

[X. Changes to our Privacy Policy](#)

[XI. Contact Us](#)

I. Key Terms & Definitions and Our Privacy Policy

It is helpful to start by explaining some of our key terms and definitions used in this Privacy Policy.

Key Term	Definition
our “Machinery”	Hydrema Machinery, for example, Hydrema Dump Trucks, Backhoe Loaders, Excavators, Rail Excavators, Rail Dump Trucks, and any defense machinery
“Personal Information”	Any information relating to an identified or identifiable individual and any information listed here .
our “Platform”	Our Website, App, Telematics Software, Telematics Equipment and related Telematics Systems and Services.
“Privacy Policy”	This privacy policy.
our “Services”	Any services provided through our Platform.
our “Website(s)”	Our websites at https://www.hydrema.us/
“Hydrema,” “we,” “us,” or “our”	Hydrema U.S., Inc.

When does our Privacy Policy apply?

This Privacy Policy describes the types of information we may collect from you when:

- You visit or use our Platform, including our Website, and/or Telematics Software;
- You use our Machinery;

- We communicate in email, text message and other electronic messages between you and us; and
- We communicate in person, such as on the phone or through video interaction.

When does our Privacy Policy not apply?

This Privacy Policy does not apply to information collected by any other website operated either by us or by a third party, unless the website is listed above or links to this Privacy Policy. It also does not apply to any website that we may provide a link to or that is accessible from our Platform.

Our Privacy Policy and Terms of Use.

This Privacy Policy is incorporated into our Terms of Use, which also apply when you use our Platform.

Dealers.

If you are a dealer that sells, leases or rents Hydrema Machines, in addition to being covered by this Privacy Policy, you are responsible for requiring your customers and end users (collectively “Customers”) are notified of this Privacy Policy. In this regard, you agree to ensure that all Customers are notified of and affirmatively agree to these Terms of Use.

II. Personal Information

What is Personal Information?

Personal information is information from and about you that may be able to personally identify you. We treat any information that may identify you as personal information. For example, your name and email address are personal information. See Categories of Personal Information below for additional details.

What types of Personal Information do we collect?

We may collect and use the following personal information (hereinafter, collectively referred to as “Personal Information”):

Categories of Personal Information	Specific Types of Personal Information Collected
Personal Identifiers	a real or legal name, birth date, email address, shipping address.
Information that identifies, relates to, describes, or is capable of being associated with a particular individual	name, username or online identifier, physical characteristics or description, shipping address, telephone number,

	credit card number, debit card number, any other financial information, fuel level, time zone, location, weight, productivity levels, hours of use, or any other operational information we may collect through our telematics Platform such as maintenance details and machine operating status.
Internet or other electronic network activity information	IP address, cookie data, Machinery mode, Machinery identifiers, OS version, Machinery language, operating system, browser type, fault codes, fuel level and consumption, calibration and configuration data, version control information, distance traveled, browsing history, search history, page view, click activity and information regarding a consumer's interaction with a website, application, advertisement or email.
Geolocation data	Physical location or movements, local time, and local time zone.
User Generated Content	Reviews, preferences, comments, feedback, photos, videos, other posts or uploads
Telematics Log Data	To improve our Machinery and services for you, we may collect certain telematics data regarding the performance, usage, operation, and condition of your Machinery, including: machine identification number; speed information; electrical system functions; software version information; infotainment system data; safety-related

	<p>data and camera images (including information regarding the machine’s SRS systems, braking and acceleration, security, e-brake, and accidents); short video clips of accidents; information regarding the use and operation of certain Hydrema features; and other data to assist in identifying issues and analyzing the performance of the machine. We may collect such information either in person (such as during a service appointment) or via remote access.</p>
<p>Remote Analysis Data</p>	<p>We may be able to dynamically connect to your Machinery to diagnose and resolve issues with it, and this process may result in access to personal settings in the machine (such as contacts, browsing history, and navigation history). This dynamic connection also enables us to view the current location of your machine.</p>
<p>Safety Analysis Data</p>	<p>In order to help improve our products and services, we may collect and store other machine data, including: data about accidents or near accident-like circumstances involving your Machinery; data about remote services; a data report to confirm that your Machinery is online together with information about the current software version and certain telematics data; machine connectivity information; data about any issues that could materially impair operation of your machine; data about any safety-critical issues; and data about each software and firmware update. We may collect such</p>

	information either in person (such as during a service appointment) or via remote access.
Service History	In order to facilitate the servicing of your Machinery, we may collect and process data about the service history of Machinery, such as the customer's name, machine identification number, repair history, any outstanding recalls, any bills due, any customer complaints, and any other information related to its service history.

How do we collect your Personal Information?

We collect most of this Personal Information directly from you. For example, when we speak to you by phone, text message, and email. Additionally, we will collect information from you when you visit and use our Website or App and fill out forms, use our Telematics Software, wear one of our Machinery, or purchase our Services.

We may also collect Personal Information in the following ways:

- **From your Machinery.**
- **From third-party apps** you choose to connect your Machinery to.
- **When You Contact Us.** When you contact Hydrema directly, such as when you contact our Customer Support team, we will receive the contents of your message or any attachments you may send to us, as well as any additional information you choose to provide.

Information Collected Automatically. We will also collect **Internet or Other Electronic Network Activity Information** automatically as you use and navigate through our Platform. We use the following technologies to automatically collect data:

- **Cookies and Other Tracking Technologies.** We and our service providers use a range of data collection technologies such as pixels, web beacons, cookies, and Machinery identifiers, session replay tools, and other tracking technologies whenever you use or interact with our Platform or Services through your computer or Machinery. A "cookie" is a small file or piece of data sent from a website and stored on the hard drive of your computer or Machinery. Some of the cookies we use are "session" cookies, meaning that they are automatically deleted from your hard drive after you close your browser at the

end of your session. Session cookies are used to optimize performance of the Website and to limit the amount of redundant data that is downloaded during a single session.

- **Machinery.** Machinery is equipped with software and technology that collects data as described elsewhere in this Privacy Policy. Hydrema software and technology collects data that we use as described in the “How We Use Your Information,” of this policy.
- **Other third party tools.** We use other third party tools which allow us to track the performance of our Platform. These tools provide us with information about errors, app and website performance, and other technical details we may use to improve our Platform and/or the Services. For more information related to these third-party analytics providers please review [How do we collect your Personal Information?](#)

How do we use your Personal Information?

We may use your Personal Information for the following purposes:

- Operate, maintain, supervise, administer, and enhance our Platform or the Services, including monitoring and analyzing the effectiveness of content on the Platform, aggregate site usage data, and other usage of the Platform and/or the Services such as assisting you in completing the registration process.
- Provide our Products and Services to you.
- Provide you with information, Products, or Services that you request from us or that may be of interest to you.
- Promote, market and advertise our Platform, Products and/or the Services to you. We may use your information to provide interest-based and/or targeted advertising.
- To provide you notices or about your account.
- Contact you in response to a request.
- To notify you about changes to our Platform and/or the Services or any Products we offer or provide through them.
- Fulfill any other purpose for which you provide it.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- Anonymize and aggregate information for analytics and reporting.
- To respond to law enforcement requests, court orders, and subpoenas and to carry out our legal and contractual obligations.
- Authenticate use, detect fraudulent use, and otherwise maintain the security of our Platform and the safety of others.
- To administer surveys and questionnaires.
- To provide you information about goods and services that may be of interest to you, including through newsletters.

- Any other purpose with your consent.
- To monitor your Machinery.
- To advise you on safety information related to your Machinery.

Remote Shutoff and Disabling. The Telematics Software and Equipment may have the capability to remotely disable or shut off your Machinery. Hydrema reserves the right to remotely shut off for disable your Machine in the event and to the extent Hydrema has a legal and lawful basis to do so. If you are a Dealer, you are solely responsible for complying with all applicable laws, statutes and regulations in connection with remotely disabling or shutting off Hydrema Machinery.

How do we share your Personal Information?

We may share Personal Information with third parties in certain circumstances or for certain purposes, including:

- **Our business purposes.** We may share your Personal Information with our affiliates, vendors, service providers, and business partners, including providers and vendors we use for activities such as data hosting and data storage partners, analytics, ad network, advertising, technology services and support, and data security. We may also share your Personal Information with professional advisors, such as auditors, law firms, and accounting firms.
- **With your consent.** We may share your Personal Information if you request or direct us to do so.
- **Compliance with law.** We may share your Personal Information to comply with applicable law or any obligations thereunder, including cooperation with law enforcement, judicial orders, and regulatory inquiries.
- **Business Transfer.** We may share your Personal Information to a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of a bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us about our users are among the assets transferred.
- **To enforce our rights.** We may share your Personal Information to enforce any applicable terms and conditions and Terms of Use, and to ensure the safety and security of our Services and our users.
- **De-identified information.** We may also disclose de-identified information, so that it cannot be reasonably used to identify any individual, with third parties for marketing, advertising, research, or similar purposes.
- **To market our products and services.** We may share your Personal Information with affiliates and third parties to market our products and services.

- **Third Party Analytics.** We may use other data analytics tools to understand and evaluate how visitors interact with our Platform and/or the Services. These tools help us improve our Platform and/or the Services, performance, and your experience.

Your choices about how we share your Personal Information.

We offer you choices on how you can opt out of our use of tracking technology, disclosure of your Personal Information for our advertising to you, and other targeted advertising. **We do not control the collection and use of your information collected by third parties.** These third parties may aggregate the information they collect with information from their other customers for their own purposes. You can learn more about interest-based advertisements and your opt-out rights and options from members of the Network Advertising Initiative (**NAI**) on its website (www.networkadvertising.org) and from members of the Digital Advertising Alliance on its websites (www.aboutads.info and www.privacyrights.info). We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can also opt out of receiving targeted ads from members of the NAI on its website.

Each type of web browser provides ways to restrict and delete cookies. Browser manufacturers provide resources to help you with managing cookies. Please see below for more information.

- [Google Chrome](#)
- [Internet Explorer](#)
- [Mozilla Firefox](#)
- [Safari \(Desktop\)](#)
- [Safari \(Mobile\)](#)
- [Android Browser](#)
- [Opera](#)
- [Opera Mobile](#)

For other browsers, please consult the documentation that your browser manufacturer provides.

If you do not wish to have your email address used by Hydrema to promote our own products and services, you can opt-out at any time by clicking the unsubscribe link at the bottom of any email or other marketing communications you receive from us or logging onto your Account Preferences page. This opt out does not apply to information provided to Hydrema as a result of a product purchase, or your use of our Platform and/or the Services. You may have other options with respect to marketing and communication preferences through our Platform.

You may also see certain ads on other websites because we participate in advertising networks. Ad networks allow us to target our messaging to users through demographic, interest-based, and contextual means. These networks track your online activities over time by collecting information through automated means, including through the use of cookies, web server logs, and web beacons. The networks use this information to show you advertisements that may be tailored to your individual interests.

How do I access and correct my Personal Information?

You may [Contact Us](#) with any questions about the Personal Information we have about you, and to inform us of any changes or errors in any Personal Information we have about you to ensure that it is complete, accurate, and as current as possible or to delete your account. We cannot delete your personal information except by also deleting your account with us. 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.

III. Who may use the Services?

Hydrema operates subject to state and federal regulations, and the Platform and/or the Services may not be available in your state. You represent that you are not a person barred from enrolling for or receiving the Services under the laws of the United States or other applicable jurisdictions in which you may be located. Access to and use of the Platform and/or the Services is limited exclusively to users located in states within the United States where the Platform and/or the Services is available. The Platform and/or the Services are not available to users located outside the United States. Accessing the Platform and/or obtaining the Services from jurisdictions where content is illegal, or where we do not offer the Platform and/or the Services, is prohibited

IV. Children's Privacy

Our Services are not intended for children under 18 years of age. We do not knowingly collect or sell Personal Information from children under the age of 18. If you are under the age of 18, do not use or provide any information on or to the Platform or through any of its features. If we learn we have collected or received Personal Information from a child under the age of 18 without verification of parental consent, we will delete it. If you are the parent or guardian of a child under 18 years of age whom you believe might have provided use with their Personal Information, you may [Contact Us](#) to request the Personal Information be deleted.

V. Do Not Track signals

Some web browsers have a "Do Not Track" feature. This feature lets you tell websites you visit that you do not want to have your online activity tracked. These features are not yet uniform across browsers. Our Platform is not currently set up to respond to those signals.

VI. Data Security

We have taken steps and implemented administrative, technical, and physical safeguards designed to protect against the risk of accidental, intentional, unlawful, or unauthorized access, alteration, destruction, disclosure, or use. The Internet is not 100% secure and we cannot guarantee the security of information transmitted through the Internet. Where you have been given or you have chosen a password, it is your responsibility to keep this password confidential.

The sharing and disclosing of information via the internet is not completely secure. We strive to use best practices and industry standard security measures and tools to protect your data. However, we cannot guarantee the security of Personal Information transmitted to, on, or through our Services. Any transmission of Personal Information is at your own risk. We are not responsible for the circumvention of any privacy settings or security measures contained on our Platform, in your operating system, or Machinery.

VII. California Privacy Rights - Notice to California Residents

If you are a California resident, certain Personal Information that we collect about you is subject to the California Consumer Privacy Act (CCPA).

Please note that the CCPA does not apply to, among other things:

- Information that is lawfully made available from federal, state, or local government records;
- Consumer information that is de-identified or aggregated;
- Medical information governed by the Confidentiality of Medical Information Act (Part 2.6 (commencing with Section 46) of Division 1) (CMIA) or protected health information that is collected by a covered entity or business associate governed by the privacy, security, and breach notification rules issued by the United States Department of Health and Human Services (HHS), Parts 160 and 164 of Title 45 of the Code of Federal Regulations, established pursuant to the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191) (HIPAA); or
- A provider of health care governed by the CMIA or a covered entity governed by the privacy, security, and breach notification rules issued by HHS, established pursuant to HIPAA, to the extent the provider or covered entity maintains patient information in the same manner as medical information or protected health information under CMIA or HIPAA.

Collection of Personal Information.

Currently and in the last 12 months, we have collected and/or disclosed Personal Information about you when you visit our Platform and/or obtain the Services, including information about you that you provide to us, and information we automatically collect from you or your computer or Machinery as you use our Platform and/or the Services. Please refer to the section titled [Personal Information](#) for additional information and details.

Categories of Sources from which we have collected Personal Information.

We collect Personal Information directly from you, for example when you provide it to us, when you contact us through our Platform, when you create a Hydrema account; and indirectly from you automatically through your computer or Machinery as you use our Platform and/or the Services. We may also collect Personal Information about you from our advertising partners and service providers.

Use of Personal Information collected from California Residents.

We do not sell your Personal Information and have not done so in the prior 12 months from the effective date of this Policy. We may use or disclose the personal information we collect for our business purposes described elsewhere in this Privacy Policy (for example, please refer to "[How do we use your Personal Information?](#)" and "[How do we share your Personal Information?](#)").

Sharing the Personal Information of California Residents.

Hydrema may disclose your Personal Information to a third party for one or more business purposes. When we disclose Personal Information for a business purpose, such as to service providers, we enter a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract.

Disclosures of Personal Information for Business Purposes.

We may disclose your Personal Information for our business purposes, such as your contact information, other information you have provided to us, and unique identifiers that identify you to us or to our service providers, such as companies that assist us with marketing and advertising. Please refer to "[What types of Personal Information do we collect?](#)" and "[How do we collect your Personal Information?](#)" for additional information and details.

We disclose your Personal Information to certain third parties such as our third-party service providers, including companies that assist us with marketing and advertising. For additional information please refer to "[How do we use your Personal Information?](#)" and "[How do we share your Personal Information?](#)".

Access Request Rights.

California residence have the right to request that Hydrema disclose certain information to you about our collection and use of your Personal Information over the past 12 months for the above business and commercial purposes. To submit an access request, see [Contact Us](#). 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 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.
- 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.

Deletion Request Rights.

California residents have the right to request that Hydrema delete 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 certain exceptions apply.

Exercising Access and Deletion Rights.

To exercise the access and deletion rights described above, please submit a verifiable consumer request to us by contacting us as set forth at the end of this Policy.

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your Personal Information. You may also make a verifiable consumer request on behalf of your minor child. You may only make a verifiable consumer request for access twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Non-Discrimination.

We will not discriminate against you for exercising any of your CCPA rights. We will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts and 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 different level or quality of goods or services.

VIII. California's Shine the Light Law.

California Civil Code Section 1798.83 (California's "Shine the Light" law) permits users of our Platform and/or the Services that are California residents and who provide Personal Information in obtaining products and services for personal, family, or household use to request certain information regarding our disclosure of Personal Information to third parties for their own direct marketing purposes. If applicable, this information would include the categories of Personal Information and the names and addresses of those businesses with which we shared your Personal Information with for the immediately prior calendar year (e.g. requests made in 2021 will receive information regarding such activities in 2020). You may request this information once per calendar year. To make such a request, please [Contact Us](#) using the information below.

IX. International Users

This Privacy Policy applies to our US operations. Personal Information collected through our Platform, Machines and operations in the US is stored and processed in the US. Please consult the applicable privacy policies on our other jurisdiction and country specific websites for a description of our privacy practices in other jurisdictions and countries. Hydrema has appointed a Data Protection Officer in the EEA in compliance with the General Data Protection Regulations. Hydrema and its subsidiary, Hydrema, LTD, and its Data Protection Officer may be contacted in any manner set forth below in [Contact Us](#).

X. Changes to our Privacy Policy

We may update our Privacy Policy periodically to reflect changes in our privacy practices, laws, and best practices. We will post any changes we make to our Privacy Policy on this page with a notice that the Privacy Policy has been updated on our Website's homepage or our App's home screen. If we make material changes to our practices with regards to the Personal Information we collect from you, we will notify you by email to the email address specified in your account and/or through a notice on the Website's home page or the App's home screen. The date this Privacy Policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically accessing the App or visiting our Website and reviewing this Privacy Policy to check for any changes.

XI. Contact Us

If you have any questions, concerns, complaints or suggestions regarding our Privacy Policy or otherwise need to contact us, you may contact us at the contact information below or through the "Contact Us" option on the Platform.

How to Contact Us:

Hydrema US, Inc.

4515 Hemingway Trail

Cumming, GA 30041

Telephone: (404) 614-1747

Email: