

New York State STOP-DWI Foundation

Privacy Policy

Effective Date: July 22, 2014

Your privacy is important to the New York State STOP-DWI Foundation (“Foundation”, “we”, or “us”), and we are committed to protecting the privacy of your information. This Privacy Policy describes the type of information we may collect or that you may provide when you download the Have A Plan Application (the “Application”) and our practices for collecting, using, maintaining, protecting and disclosing that information. This Privacy Policy applies only to information we collect in the Application and/or in electronic communications sent through, or in connection with, this Application.

Please read this Privacy Policy carefully to understand our policies and practices regarding your information and how we treat it. If you do not agree with our policies and practices, do not download, register with or use this Application. By downloading this Application, you expressly consent to our collection, use, disclosure and retention of your information as described in this Privacy Policy.

We provide the Application for your personal use. You are authorized to download the Application via the iTunes App Store, the Android Market or any other mobile application store for which we provide the Application (collectively, the “App Stores”). The App Stores are not partners or representatives of the Foundation and the Foundation is not responsible for the acts or omissions of the App Store with regard to the collection or use of your information.

We may update this Privacy Policy from time to time. We will provide you with advance notice of changes to this Privacy Policy by posting the amended terms on this page. Your continued use of the Application after we make changes is deemed to be acceptance of those changes, so please check periodically for updates.

1. **Information Collected from You by the Foundation.** We may collect information that you provide to us through the Application. You may choose to utilize certain features of the Application, including the “Impairment Estimator”, which require the provision of specific information, including your gender, weight, drinking hours, drinks consumed and drug use. Utilization of the Impairment Estimator is optional, and you are not required to utilize this feature in order to use the Application.
2. **Information Automatically Collected Through the Application.** The Foundation may automatically collect information about you when you use the Application. When you access the Application through your mobile device, we will automatically collect information such as your device ID, usage details of your access to and use of the Application, stored information and files and device type. The Application may also attempt to use your smartphone’s geo-location data to connect with your smartphone’s map feature so that you can access certain Application features, such as the “Don’t Drive, Get a Ride” feature. You will receive a prompt on the Application requesting your permission each time the Application seeks to use your geo-location information. You may choose to decline such request, and the Application will not use your geo-location information, but as a result, some of the features of the Application, such as the “Don’t

Drive, Get a Ride” feature, will not be available to you without access to such information.

3. **Cookies.** We may automatically collect information from you when you use the Application using “cookies”. Cookies are small files placed on your smartphone. It may be possible to refuse to accept mobile cookies by activating the appropriate setting on your smartphone. However, if you select this setting you may be unable to access certain parts of our Application.
4. **Information you Provide about other Individuals.** The “Have A Plan” feature on the Application allows you to input contacts to use as designated drivers. In order to use the “Have A Plan” feature you will need to provide your designated drivers’ names and contact information which will be stored on your smartphone, and not by the Foundation. This information will be used for the sole purpose of contacting this individual if you choose to use the “Have A Plan Feature.”
5. **Information Provided to Us by Social Networking Services.** To the extent you may log in to the Application through a third party social networking service, such as Facebook, Twitter, Vimeo or YouTube, you give us permission to access, store and use any information that you permit the applicable third party social networking service to share with us in accordance with the privacy settings that are applicable to your account with that social networking service. We encourage you to review, and if necessary, adjust, your privacy settings on the applicable social networking service before logging in to the Application through a social networking service. Information that we receive from a third party social networking service is stored and used by us in accordance with this Privacy Policy.
6. **Collection of Information by Third Parties.** We may also provide social media features through the Application that enable you to share information with your social networks and to interact with the Application on various social media sites. Your use of these features may result in the collection or sharing of information about you by these sites, depending on the feature. We encourage you to review the privacy policies and settings on the social media sites with which you interact to make sure you understand the information that may be collected, used, and shared by those sites.

The Application may include links to other websites, and other content from third-party businesses, and other third parties, such as your mobile device manufacturer and/or your mobile service provider, may use automatic information collection technologies to collect information about you or your device. We do not have access to or control over web beacons or cookies that these third parties may use. We are not responsible for the privacy practices of these third parties and we encourage you to read their privacy policies.

7. **Use of Information by the Foundation.** The Foundation may use information that we collect about you through the Application to:
 - provide access to the Application and to provide you with requested services and customer support and to process and respond to your inquiries;
 - personalize, customize, measure, and improve our services, content, and otherwise to enhance your experience of the Application;
 - prevent, detect, and investigate potentially prohibited or illegal activities;

- analyze the accuracy, effectiveness, usability, or popularity of the Application;
 - generate and review reports and data about our user base and service usage patterns;
 - compile aggregate data for internal business purposes
 - resolve disputes and troubleshoot problems;
 - provide you with other services requested by you as described when we collect the information;
 - may send push notifications to your mobile device to provide updates about the Application and other relevant messages. You can manage push notifications from the “Settings” page from your mobile device’s settings page; and
 - as otherwise stated in this Privacy Policy.
8. **The Foundation’s Disclosure of Information to Third Parties.** The Foundation may disclose your information to the following third parties:
- A. **Our Service Providers:** We may share your information with third party contractors or service providers who provide certain services to us or on our behalf, such as operating and supporting the Application. These service providers will only have access to the information needed to perform these limited functions on our behalf and are required to provide your information with at least the same level of protection and security as we use for the Application.
 - B. **Successors that Acquire Our Business or Assets:** If the Foundation becomes involved in a merger, acquisition, sale of assets, securities offering, bankruptcy, reorganization, dissolution, or other transaction, or if the ownership of all or substantially all of our business otherwise changes, the Foundation may share or transfer your information to a third party or parties in connection with the applicable transaction.
 - C. **Our Affiliates:** We may share some or all of your information with our parent company, subsidiaries and corporate affiliates, joint venturers, or other companies under common control with us. We will require these entities to comply with the terms of this Privacy Policy with regard to their use of your information.
 - D. **Law Enforcement Authorities:** To the extent permitted by law, we may share your information with law enforcement, governmental agencies, or authorized third parties, in response to a verified request relating to a criminal investigation or alleged illegal activity or any other activity that may expose us, you, or any other Application user to legal liability, or to protect our rights or property, or during emergencies when safety is at risk.
9. **Security.** The Foundation uses reasonable efforts to protect the information you provide to the Foundation or submit through the Application against loss, theft and unauthorized use, disclosure, or modification. However, we cannot guarantee or warrant the security of any information you transmit to the Foundation or submit through the Application and you do so at your own risk. You should use caution whenever submitting information via the Application or online and take special care in deciding what information you send to us via email.

10. **No Use by Children.** The Application is not intended for use by children under the age of thirteen (13). We will never knowingly collect information directly from children under the age of thirteen (13) without verifiable parental consent. If you are under the age of thirteen (13), please do not provide us with information of any kind whatsoever. If we become aware that a user is under the age of thirteen (13) and has submitted information to the Application without verifiable parental consent, we will remove his or her information from our files. We encourage parents and guardians to spend time with their children online and to be familiar with the websites they visit. If you have reason to believe that we may have accidentally received information from a child under the age of thirteen (13), please contact us immediately at info@stopdwi.org.
11. **Use of Information Outside of Your Country of Residence.** If you are located outside of the United States and choose to use the Application or provide your information to us, your information will be transferred, processed and stored in the United States. U.S. privacy laws may not be as protective as those in your jurisdiction. Your agreement to the terms of this Privacy Policy followed by your submission of information in connection with the Application represents your agreement to this practice. If you do not want your information transferred to or processed or stored in the United States, you should not use the Application.
12. **Retention of Your Information.** We retain information for active Application accounts as long as it is necessary and relevant for our operations. In addition, we may retain information from closed accounts to comply with the law, prevent fraud, resolve disputes, troubleshoot problems, assist with any investigation and take other actions permitted by law. The information we retain about you will be handled in accordance with this Privacy Policy.
13. **How to Contact Us.** If you have any questions about the Privacy Policy or our use of the information we collect from you in connection with the Application, you may contact us by email at info@stopdwi.org.