

## PRIVACY STATEMENT

Last updated on 12/26/2019

National Express LLC, and its affiliated companies and subsidiaries (collectively, National Express LLC) are committed to protecting your privacy. Our services (“Services”) include operating the <https://www.nelc.com/website> and affiliated websites (“Sites”) and providing a variety of transportation services across the country, including transportation services public and private school districts, shuttle operations for universities and corporations, and public transit for municipalities.

This Privacy Statement applies to our Sites where this Statement is posted, and governs data collection and National Express LLC’s use of the data.

This Privacy Statement describes how we collect, use, protect, and disclose the information that we collect and/or receive about you. It also explains your privacy rights, and how you can manage the privacy of your Personal Information. Please note that this Privacy Statement does not govern the practices of third parties, including our partners, third party business facilitation partners, and/or advertisers, even when those services are branded as, or provided on behalf of, National Express LLC. Information collected from you by others, such as third party websites that you access through links on our Sites, are governed by those entities’ privacy policies.

## INFORMATION WE COLLECT

**Information collected directly from you:** National Express LLC collects your Personal Information. “Personal Information” means data about a particular individual or household that identifies, relates to, describes, could be reasonably linked with, or could be used to identify that person or household (or from those and other information either in our possession or likely to come into our possession). It also includes other information that may be associated with your Personal Information, such as your Usage Data (defined below), location, preferences or interests, if that information can be used to identify you or your household.

The Personal Information we collect from you may include your e-mail addresses, name, home or work address or telephone number when you contact us and provide us with that information. We may also collect “Usage Data” generated by the use of our Sites or from the website infrastructure itself (for example, your IP address or the duration of a page visit). We may also collect anonymous demographic information for the purposes of improving our site design and content and to measure visitor access. Examples of this type of information include ZIP codes, preferences, interests, browser type and IP addresses. In addition, if we send you email marketing communications we also use technologies to measure whether the content is effective by determining which emails have been opened. For more information see section [Use of Cookies and Other Technologies](#)

Information we have collected from you within the last 12 months:

- Name
- Email address
- Home address
- Work address
- Telephone number
- IP address
- Zip code
- Demographic information
- Browser type

**Personal Information obtained from other sources:** National Express, LLC may obtain Personal Information about you from third parties. We may combine this information with the information we collect from you to help us tailor our communications to you and to improve our services.

We may obtain Personal Information from third parties, such as data aggregators and public databases, or social networks that you use to connect with us. The Personal Information we obtain may include your name, demographic information, interests, and publicly-observed data, such as from social media, online activity, and shopping behavior. We may also obtain your Personal Information through cookies and similar technologies. For more on this, see Use of Cookies and Other Technologies below.

Personal Information we have obtained from third parties within the last 12 months:

- Name
- Address
- Phone number
- Email
- Demographic information
- Payment card information when provided to us during the procurement of services

Categories of third parties from whom we have obtained your Personal Information within the last 12 months:

- Employment search and fulfillment vendors
- Benefits services providers
- Customer entities

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## USE OF COOKIES AND OTHER TECHNOLOGIES

Our Sites use first and third-party cookies, for technical, analytical and advertising purposes, and to facilitate easy sharing of content on social network platforms. First party cookies refer to cookies that are set by our site, and we are the only ones with access to this information. On the other hand, third party cookies or requests allow third parties to have access to the information collected.

**What are cookies and why do we use them?** Cookies are files that are downloaded on your computer or mobile device when you visit certain websites. Cookies allow a website to complete certain functions such as identify a user session, recall your preferences (e.g. language), gather information about your browsing habits or show you advertising adapted to your preferences. Essential cookies are those that are necessary to allow a website to complete certain functions, such as allowing you to securely navigate the site. Non-essential cookies are analytics cookies used for advertising and tracking so we can measure how you interact with the website content. We use essential cookies for our legitimate interest in implementing features that allow you to successfully use the site. We ask for your consent for the use of non-essential cookies.

Cookies that we use:

- HubSpot Analytics and tracking (non-essential). These cookies are used for advertising purposes. They allow us to keep track of what ads you have seen, and help us deliver ads that are relevant to your browsing habits. These cookies track who came to our site and continue to track you after you exit the website, serving you ads on other sites you visit later. These cookies collect information such as IP address, browser type, domain name, or when you visited our website.
- Advertising Google Analytics (non-essential). These cookies are used for advertising and analytical purposes. These cookies allow us to measure the number of Visits to the website and hence understand your website experience and segment visitors who are new to the site from those who are returning. These cookies track your behavior such as visits and interactions with our website. These cookies collect information such as IP address, most visited pages, how you reached the site, or number of users that share content.
- Security Cloudflare (essential). This cookie is used to identify trusted web traffic. It does not correspond to any user id in the web application, and does not store any personally identifiable information.

We also provide links to our social network accounts and have included sharing buttons on our Site(s) to facilitate easy sharing content on social network platforms such as Facebook, Twitter, LinkedIn and Google+. If you access these pages or use the sharing buttons, cookies from these platforms will be downloaded to your computer for different purposes such as tracking, analytics or advertising. We have no control over these cookies.

**With whom do we share this information?** Information collected through Google Analytics is shared with Google and its partners who may combine it with other information you've provided to them or they've collected from your use of their services. This information will be stored in Google's servers in the United States of America according to their privacy practices. In addition, we use HubSpot to collect information that will be used to analyze website visitors' interaction. National Express LLC is then able to use the information for marketing and advertising. However, National Express controls the information collected.

Information collected when you share content or access to social media platforms such as Facebook, Twitter, LinkedIn, Google+ will be associated with your account when you are logged into these social

networks. By clicking on the symbol of the social network, new cookies and information about you will be collected through these platforms according to the respective privacy policies for those platforms.

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#### YOUR COOKIE CHOICES

You may set your browser to block or otherwise control what cookies your browser or mobile device accepts via your browser or mobile device settings. Additionally, you can choose to modify your settings and delete those cookies that are otherwise stored on your device at any time. Please consult the instructions provided by your browser or your mobile device's manufacturer to determine how you can limit the placement of and/or remove cookies or other technologies. Please note, however, that limiting or disabling the use of cookies and other technologies may impact or adversely affect your ability to perform certain transactions on, use certain functionalities of, and access certain content on our Website.

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#### OTHER TECHNOLOGIES USED

When we send you email marketing communications we use a software technology called clear gifs that help us better manage the subscription service by informing us what content is effective. Clear gifs are tiny graphics with a unique identifier embedded in emails and let us know for instance, which emails have been opened by recipients. You can always opt-out of our marketing communications by using the unsubscribe link located at the bottom of our email communications or you can contact us.

#### HOW WE USE YOUR INFORMATION

National Express, LLC collects, processes (or asks our service providers to process on our behalf), and uses your Personal Information for business and commercial purposes to provide the Services we offer. This may include:

- Operating the Site(s) and deliver the services you have requested.
- Responding to your comments, questions or requests for customer support.
- For recruitment purposes, when you apply for a job using our website.
- Contacting you via surveys to conduct research about your opinion of current services or of potential new services that may be offered.
- Marketing and Advertising purposes, including delivery of customized content based on your preferences, mail, e-mail communications, as well as information that you may have provided via surveys or feedback we requested through the website.
- Protecting the security or integrity of the Site(s).
- Enforcing our Terms and Conditions
- For those reasons to which you have consented.

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#### SHARING INFORMATION

National Express, LLC does not sell your Personal Information to any third party without your permission. However, National Express, LLC may disclose your information in a number of ways as part

of our Services. For instance, we may share your information with our third party service providers that facilitate the functions of our Websites, such as our web hosting and cloud storage providers. We may also provide your Personal Information to service providers or contractors to perform functions on our behalf, including assisting us in providing Services to you or our partners. We may also disclose or share your information for the following purposes:

- Between National Express LLC affiliates and subsidiaries when such disclosure is necessary to deliver our services and fulfill the purposes indicated in this Privacy Statement.
- In the recruitment process your personally identifiable information may be transferred to National Express LLC's customers, for instance when it is required by contract.
- To third party service providers ("Business Facilitator Partners") that National Express LLC has retained to perform a business, professional or technical support function for us, such as to help us perform statistical analysis, perform marketing or advertising activities, support our recruiting website, send you email or postal mail, provide customer support, or arrange for deliveries.
- To respond to judicial process or provide information to law enforcement authorities, regulatory agencies, or other government officials, or to otherwise comply with a legal obligation.
- As part of the sale, acquisition, merger, consolidation, reorganizations, bankruptcy, or other corporate change involving National Express LLC, its affiliates, or its subsidiaries.
- As otherwise described to you at or before the point of collection.
- To protect and defend National Express LLC's rights and property.
- To prevent or investigate possible wrongdoing in connection with the Services.
- To protect the personal safety of individuals or the public.
- To protect against legal liability.

Categories of third parties and Personal Information to whom National Express LLC may have disclosed Personal Information within the last 12 months

- Business Facilitation Partners
- National Express LLC affiliated vendors

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#### CATEGORIES OF PERSONAL INFORMATION SOLD

National Express, LLC does not sell individuals' Personal Information without their permission. National Express, LLC has not sold Personal Information to third parties in the past 12 months. Please note that a "sale" of Personal Information does not include those instances when such information is part of a merger, acquisition, or other transaction involving all or part of our business. If we sell all or part of our business or make a sale or transfer of assets or are otherwise involved in a merger or other business transaction, we may transfer your Personal Information to a third party as part of that transaction. If such transaction materially affects the manner in which your Personal Information is processed, we will notify you of such change prior to its implementation.

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#### PUBLIC FORUMS



Please keep in mind that if you directly disclose personally identifiable information or personally sensitive data through National Express LLC public message boards, this information may be collected and used by others.

#### DATA RETENTION

National Express LLC will retain and use your Personal Information to the extent necessary to provide our Services to you, comply with our legal obligations (for example, if we are required to retain your information in accordance with applicable laws), resolve disputes and enforce our legal agreements and policies.

We will also retain Usage Data for internal analysis purposes. Usage Data is generally retained for a shorter period of time, except when this data is used to strengthen the security or to improve the functionality of our Services, or we are legally obligated to retain this data for longer periods.

#### CHILDREN'S ONLINE PRIVACY

We do not intend to collect personal information online from children under 13 or as defined by local requirements.

#### SECURITY OF YOUR PERSONAL INFORMATION

The security of your data is important to us but remember that no method of transmission over the internet or method of electronic storage is 100% secure. We take reasonable and appropriate measures to protect personal information from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in the processing and the nature of the personal information. National Express LLC places the personally identifiable information you provide on computer servers in a controlled environment, in an effort to help protect against loss or theft, and from unauthorized access, modification, use or disclosure. When you provide your personal data using the job application section, your information is transmitted through the use of encryption, such as the secure socket layer (SSL) protocol. We also perform annual audits. In addition, only authorized personnel have access to your information on a need to know basis.

#### OUR STATEMENT ON "DO NOT TRACK" SIGNALS UNDER THE CALIFORNIA ONLINE PROTECTION ACT (CALOPPA)

We do not support Do Not Track ("DNT"). Do Not Track is a preference you can set in your web browser to inform websites that you do not want to be tracked. You can enable or disable Do Not Track by visiting the Preferences or Settings page of your web browser. We do not track consumers' online activities over time and across third-party Web sites or online services.

Third parties may collect data that relates to you. We cannot control third parties' responses to do-not-track signals or other such mechanisms. Third parties' use of data relating to you and responsiveness to do-not-track signals is governed by their respective privacy policies.

## YOUR CALIFORNIA PRIVACY RIGHTS

California residents are afforded certain rights related to their information under state law. National Express LLC aims to take reasonable steps to allow California residents to correct, amend, delete or limit the use of your Personal Information, and exercise other rights available under applicable law. National Express LLC informs you that, where applicable under relevant law, individuals may be entitled to the following:

- **Right to Access / Disclosure:** to have access to your Personal Information upon simple request – that is, you may receive a copy of such data upon receipt of a verifiable request, along with other information related to the collection or processing.
- **Disclosure of Direct Marketers:** to have access upon simple request, and free of charge, the categories and names of addresses of third parties that have received Personal Information for direct marketing purposes. Please see the “Direct Marketers Disclosure” section below for more information.
- **Collecting, Selling, Sharing, or Disclosing Personal Information:** upon receipt of a verifiable request, to obtain a list of:
  - The specific pieces of your Personal Information National Express LLC holds;
  - The categories of Personal Information collected about you, sold to third parties, or disclosed to third parties for business purposes;
  - The categories of Personal Information sold within the last 12 months;
  - The categories of sources from which Personal Information is collected;
  - The business or commercial purpose for collecting or selling Personal Information; and
  - The categories of third parties with whom Personal Information is shared, sold, or disclosed for a business purpose.
- **Right to Opt-Out of the Sale of Personal Information:** California residents have the right under the California Consumer Privacy Act (“CCPA”) to opt-out of the sale of their Personal Information under certain circumstances. As noted elsewhere, however, National Express LLC does not sell individuals' Personal Information.
- **Right to Deletion / “Right to be Forgotten”:** to obtain the deletion of your Personal Information in the situations set forth by applicable data protection law and upon receipt of a verifiable request.
- **Right to Data Portability:** to have your Personal Information directly transferred by us to a third-party processor of your choice (where technically feasible; may be limited to situations when processing is based on your consent).

- **Right to Non-Discrimination.** As defined under relevant law, you have a right to non-discrimination in the Services or quality of Services you receive from us for exercising your rights.

Please contact us as set forth below in relation to exercising these rights. Note that we may ask you to verify your identity before responding to such requests.

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#### DIRECT MARKETERS DISCLOSURES

If you are a California resident, you have the right to request information from us regarding the manner in which we share certain categories of Personal Information with third parties for their direct marketing purposes, in addition to the rights set forth above. Under California law, you have the right to send us a request at the designated address listed below to receive the following information:

1. the categories of information we disclosed to third parties for their direct marketing purposes during the immediately preceding calendar year;
2. the names and addresses of the third parties that received the information; and
3. if the nature of the third party's business cannot be determined from their name, examples of the products or services marketed.

To make such a request, please provide sufficient information for us to determine if this applies to you, and attest to the fact that you are a California resident. Please also provide a current California address for our response. You may make this request in writing to us at the below address. Any such request must include "California Privacy Rights Request" in the first line of the description, and include your name, street address, city, state and ZIP code. Please note that we are only required to respond to one request per customer each year, and we are not required to respond to requests made by means other than through the address provided for this purpose below.

Note that responsive information may be provided in a standardized format that is not specific to you.

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#### SUBMITTING A VERIFIABLE REQUEST TO NATIONAL EXPRESS LLC

As mentioned above, California residents have certain rights to access, correct, delete, or otherwise control the use, collection, and/or disclosure of their information. National Express, LLC will respond to an individual's "verifiable request" to exercise his or her rights under such laws – that is, where National Express, LLC has received a request claiming to be from a particular person, and National Express, LLC has been able to verify that person is who they say they are. The need to verify a person's identity is critical to protecting your information, and ensuring that your information is not shared with anyone pretending to be you or someone who is not authorized to act on your behalf.

You may submit a verifiable request via our email address, mailing address, or toll-free number, listed in the "Contact Information" section below, or as otherwise provided on our Website. National Express, LLC will ask you to provide information about yourself so that we can verify your identity as part of this process. This information may include your name, your address, information related to your membership or account, and any other information deemed necessary by National Express, LLC to



reasonably verify your identity, to ensure that your information is not shared with anyone impersonating you.

We may ask for additional information if we have difficulty confirming your identity. We will not share your information or honor other requests in those situations in which we are unable to confirm a request for your information is a “verifiable request.”

Please note under California law that a consumer can appoint an “authorized agent” to make certain verifiable requests upon their behalf, such as the right to know what information we collect about the consumer or to request deletion of the consumer’s information. Because the security, integrity, and privacy of your information are paramount, we will ask that you identify and provide permission in writing for such persons to act as your authorized agent and to exercise your applicable rights under California law in such situations. This may require us to contact you directly and alert you that an individual has claimed to be your agent and is attempting to access or delete your information. We will also independently verify your identity to ensure that an unauthorized person is not attempting to impersonate you and exercise your rights without authorization. We will not share your information or honor any other requests in those situations where you cannot or do not grant permission in writing for an identified authorized agent to act on your behalf, or where we cannot independently verify your identity.

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#### HOW TO CONTACT US FOR CCPA REQUESTS

If you have questions about this privacy statement, the practices of this site or your dealings with this site, please contact National Express, LLC:

- Online: [CCPA Request](#)
- Telephone: 1-800-950-0485

#### USE OF THIRD PARTY WEBSITES

National Express LLC Sites may contain links to third-party websites. National Express LLC is not responsible for the privacy practices or other content on websites outside of the National Express LLC Sites. We encourage you to review the privacy statements of third party websites that you choose to link to from a National Express LLC Site so that you can understand how those websites collect, use and share your information.

#### CHANGES TO THIS STATEMENT

National Express LLC will occasionally update this Privacy Statement to reflect company and customer feedback. When we make a material change to this Statement, we will inform you by posting a prominent notice on the home page of this Site and by changing the date on this page noting when the Statement was last updated.

#### DIFFICULTY ACCESSING OUR PRIVACY STATEMENT

Individuals with disabilities who are unable to usefully access our privacy statement online may contact us at the above-listed contact information to inquire how they can obtain a copy of our statement in another, more easily readable format.