## **Sample Responses to Right to Know Requests**

Below are three templates for responding to Right to Know Requests regarding categories of personal information. The sample templates are designed to reflect the level of interaction with the consumer. Your dealership may want to use a form similar to the longest and most comprehensive form for all deletion requests (Template (iii) /Form RTK C), or you may want to use a variety of forms similar to these three samples:

1. **Consumer only visited** the dealership or its website, but did not apply for credit; purchase/lease a vehicle, buy parts or obtain repair services (Form RTK A);
2. Consumer **applied for credit**, but did not purchase/lease a vehicle, buy parts or obtain repair services (Form RTK B);
3. Consumer **purchased/leased a vehicle, bought parts and/or obtained repair services** (Form RTK C).

Also included is Template (iv), a sample response to a consumer who requests to know the **specific pieces** of personal information that have been collected.

*Template (i): this sample form is intended for consumers who visited the dealership or its website, but did not apply for credit, purchase/lease a vehicle, or buy parts or obtain repair services pursuant to a parts ticket or repair order.*

**[DEALERSHIP]**

**RESPONSE TO REQUEST TO KNOW ABOUT CATEGORIES OF INFORMATION COLLECTED**

**UNDER THE CALIFORNIA CONSUMER PRIVACY ACT**

To: [Name of Requester]

Date of receipt of request: \_\_\_\_\_\_\_\_\_\_

Date of response to request:\_\_\_\_\_\_\_\_\_\_

[Name of Dealership] (“Dealership,” “we,” “us” or “our”) respects the privacy of the information our customers entrust to us. This is our response to your request to know information about the following items under the California Consumer Privacy Act (CCPA):

1. the categories of personal information we have collected about you in the preceding 12 months;
2. the categories of sources from which the personal information was collected;
3. the business or commercial purpose for which we collected or sold the personal information;
4. the categories of third parties with which we share personal information;
5. the categories of personal information that we sold in the preceding 12 months, and for each category identified, the categories of third parties to which we sold that particular category of personal information; and
6. the categories of personal information that we disclosed for a business purpose in the preceding 12 months, and for each category identified, the categories of third parties to whom we disclosed that particular category of personal information.

Under the CCPA, “Personal information” does not include the following items, which may be excluded from this response:

* Publicly available information, defined as information lawfully made available from federal, state, or government records;
* Protected health information;
* The sale of information to or from a consumer reporting agency for use in a consumer report;
* Personal information about a job applicant or a business’ employees (excluded from most provisions of the CCPA through December 31, 2020);
* Personal information provided in the context of a business to business communication/transaction (excluded through December 31, 2020);
* Personal information collected, processed, sold or disclosed pursuant to the Gramm-Leach-Bliley Act ;
* Personal information collected, processed, sold or disclosed pursuant to the Driver’s Privacy Protection Act of 1994

**Response to Request**

We are unable to locate in our records any personal information relating to you.

We are unable to confirm your identity. Your request to know the categories of personal information collected is denied.

The chart below reflects the information we have collected about you during the past 12 months.

|  |  |  |  |
| --- | --- | --- | --- |
| **Category of personal data** | **Source(s)** | **Purpose(s)** | **Disclosure/sale to service providers and third parties** |
| **Identifiers**, such as:  Name, postal address, email address, IP address, identification numbers (e.g., social security number, driver’s license number, state identification number, military identification number or passport number) | Directly from you  Indirectly from you (e.g., from observing actions on our Services)  Service providers, including advertising companies and analytics providers  Third-parties, including websites or companies that provide information regarding vehicles or provide listings of vehicles available for sale/lease, that forward identifiers provided by you | To respond to your requests and inquiries  Communicate with you regarding our products or services  Enter into transactions with you  Send marketing communications  Confirm your identity and that you are at least 18 years old  Confirm you are licensed to drive our vehicles | Disclosure to service providers for administrative and operational assistance |
| **Personal information** **categories listed in the California Customer Records statute** **(Cal. Civ. Code § 1798.80(e))**, such as:  Phone number | Directly from you  Third-parties, including websites or companies that provide information regarding vehicles or provide listings of vehicles available for sale/lease, that forward personal information provided by you | To respond to your requests and inquiries  Communicate with you regarding our products or services  Send marketing communications | Disclosure to service providers for administrative and operational assistance |
| **Protected** **classification characteristics under California or federal law**, such as:  A photocopy/scan of government issued identification reveals personal information. For example:   * + Driver’s license/state identification card - includes image, date of birth, physical description and gender   + Permanent resident card - includes image, date and place of birth;   + Social security card - includes social security number   + Passport - includes image, date and place of birth and nationality   + Military ID - includes image and rank | Directly from you | To confirm identity  Confirm you are licensed to drive our vehicles  Confirm eligibility for a manufacturer or lender rebate and to apply for and process any such rebate | Disclosure to service providers for administrative and operational assistance |
| **Commercial information**, such as:  Vehicle information, ownership information, and current lease or finance terms | Directly from you  Third parties, such as vehicle manufacturer and/or advertising companies | Appraise your vehicle  Send informational and marketing communications | Disclosure to service providers for administrative and operational assistance |
| **Internet or other similar network activity information**, such as:  IP address, browsing history, and search history | Indirectly from you (e.g., from observing your actions on our Services) | To communicate with you regarding our products and services  Improve user experiences by making our website easier to use and navigate, and more personalized based on the profile we create about you | Disclosure to service providers for administrative and operational assistance |
| **Geolocation information**, such as:  IP address | Indirectly from you (e.g., from observing your actions on our Services) | To respond to your requests and inquiries  Send marketing communications | N/A |
| **Sensory data**, such as  Audio information from voicemail messages and/or recorded phone calls (with your consent) | Directly from you | To communicate with you; some phone calls are recorded (with your consent) for training our staff and for quality assurance purposes | Disclosure to service providers for administrative and operational assistance |
| **Professional or employment-related information**, such as:  Information regarding current occupation | Directly from you | To confirm eligibility for a manufacturer or lender rebate, if applicable  To confirm eligibility for employee discount pricing | N/A |
| **Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))**, such as:  Information regarding whether you were or would soon be a college graduate | Directly from you | To confirm eligibility for a manufacturer or lender rebate, if applicable | N/A |
| **Inferences drawn from personal information to create a profile**, such as:  Information regarding your vehicle preferences and needs | Indirectly from you (e.g., from observing your actions on our Services)  Third-parties, including advertising companies and analytics providers | To market our products and services to you | Disclosure to service providers for administrative and operational assistance |

For more information regarding our privacy practices and your rights under the California Consumer Privacy Act, view our Privacy Policy at [*INSERT URL FOR PRIVACY POLICY*].

(Rev 6/2020) Form RTK A

*Template (ii): this sample form is intended for consumers who applied for credit, but did not purchase/lease a vehicle, buy parts or obtain repair services pursuant to a parts ticket or repair order.*

**[DEALERSHIP]**

**RESPONSE TO REQUEST TO KNOW ABOUT CATEGORIES OF INFORMATION COLLECTED**

**UNDER THE CALIFORNIA CONSUMER PRIVACY ACT**

To: [Name of Requester]

Date of receipt of request : \_\_\_\_\_\_\_\_\_\_

Date of response to request:\_\_\_\_\_\_\_\_\_

[*Name of Dealership*] (“Dealership,” “we,” “us” or “our”) respects the privacy of the information our customers entrust to us. This is our response to your request to know information about the following items under the California Consumer Privacy Act (CCPA):

1. the categories of personal information we have collected about you in the preceding 12 months;
2. the categories of sources from which the personal information was collected;
3. the business or commercial purpose for which we collected or sold the personal information;
4. the categories of third parties with which we share personal information;
5. the categories of personal information that we sold in the preceding 12 months, and for each category identified, the categories of third parties to which we sold that particular category of personal information; and
6. the categories of personal information that we disclosed for a business purpose in the preceding 12 months, and for each category identified, the categories of third parties to whom we disclosed that particular category of personal information.

Under the CCPA, “Personal information” does not include the following items, which may be excluded from this response:

* Publicly available information, defined as information lawfully made available from federal, state, or government records;
* Protected health information;
* The sale of information to or from a consumer reporting agency for use in a consumer report;
* Personal information about a job applicant or a business’ employees (excluded from most provisions of the CCPA through December 31, 2020);
* Personal information provided in the context of a business to business communication/transaction (excluded through December 31, 2020);
* Personal information collected, processed, sold or disclosed pursuant to the Gramm-Leach-Bliley Act;
* Personal information collected, processed, sold or disclosed pursuant to the Driver’s Privacy Protection Act of 1994

*Check A. or B. below*

A.  We are unable to confirm your identity. Your request to know about categories of personal information collected is denied.

B.  The chart below reflects the information we have collected about you during the past 12 months.

|  |  |  |  |
| --- | --- | --- | --- |
| **Category of personal data** | **Source(s)** | **Purpose(s)** | **Disclosure/sale to service providers and third parties** |
| **Identifiers**, such as:  Name, postal address, email address, IP address, identification numbers (e.g., social security number, driver’s license number, state identification number, military identification number or passport number) | Directly from you  Indirectly from you (e.g., from observing actions on our Services)  Service providers, including advertising companies and analytics providers  Third-parties, including websites or companies that provide information regarding vehicles or provide listings of vehicles available for sale/lease, that forward identifiers provided by you | To respond to your requests and inquiries  Communicate with you regarding our products or services  Enter into and process transactions with you  Send marketing communications  Confirm your identity and that you are at least 18 years old  Confirm you are licensed to drive our vehicles | Disclosure to service providers for administrative and operational assistance |
| **Personal information** **categories listed in the California Customer Records statute** **(Cal. Civ. Code § 1798.80(e))**, such as:  Phone number; insurance information; bank account number, credit card number, debit card number, or other financial information, including information relating to your vehicle financing or lease terms, along with vehicle information; and/or signature(s). | Directly from you  Third-parties, including advertising companies and analytics providers  Third-parties, including websites or companies that provide information regarding vehicles or provide listings of vehicles available for sale/lease, that forward personal information provided by you | To respond to your requests and inquiries  Communicate with you regarding our products or services  Enter into transactions with you  Send marketing communications  Confirm identity  Confirm acknowledgement of receipt of documents we provide to you | Disclosure to service providers for administrative and operational assistance |
| **Protected** **classification characteristics under California or federal law**, such as:  A photocopy/scan of government issued identification reveals personal information. For example:   * + Driver’s license/state identification card - includes image, date of birth, physical description and gender   + Permanent resident card - includes image, date and place of birth;   + Social security card - includes social security number   + Passport - includes image, date and place of birth and nationality   + Military ID - includes image and rank | Directly from you | To confirm identity  Confirm you are licensed to drive our vehicles  Confirm eligibility for a manufacturer or lender rebate and to apply for and process any such rebate | Disclosure to service providers for administrative and operational assistance |
| **Commercial information**, such as:  Vehicle information, ownership information, and current lease or finance terms | Directly from you  Third parties, such as vehicle manufacturer and/or advertising companies | Appraise your vehicle  Send informational and marketing communications | Disclosure to service providers for administrative and operational assistance |
| **Biometric information**  You completed a “Thumbprint form” | Directly from you | To confirm identity | N/A |
| **Internet or other similar network activity information**, such as:  IP address, browsing history, and search history | Indirectly from you (e.g., from observing your actions on our Services) | To communicate with you regarding our products and services  Improve user experiences by making our website easier to use and navigate, and more personalized based on the profile we create about you | Disclosure to service providers for administrative and operational assistance. |
| **Geolocation information**, such as:  IP address | Indirectly from you (e.g., from observing your actions on our Services) | To respond to your requests and inquiries  Enter into transactions with you  Send marketing communications | Disclosure to service providers for administrative and operational assistance. |
| **Sensory data**, such as  Audio information from voicemail messages and/or recorded phone calls (with your consent) | Directly from you | To communicate with you; some phone calls are recorded (with your consent) for training our staff and for quality assurance purposes | Disclosure to service providers for administrative and operational assistance |
| **Professional or employment-related information**, such as:  Information regarding current occupation | Directly from you | To confirm eligibility for a manufacturer or lender rebate  To confirm eligibility for employee discount pricing | N/A |
| **Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))**, such as:  Information regarding whether you were or would soon be a college graduate | Directly from you | To confirm eligibility for a manufacturer or lender rebate | N/A |
| **Inferences drawn from personal information to create a profile**, such as:  Information regarding your vehicle preferences and needs | Indirectly from you (e.g., from observing your actions on our Services)  Third-parties, including advertising companies and analytics providers | To market our products and services to you | Disclosure to service providers for administrative and operational assistance |

For more information regarding our privacy practices and your rights under the California Consumer Privacy Act, view our Privacy Policy at [*INSERT URL FOR PRIVACY POLICY*].

(Rev 6/2020) Form RTK B

*Template (iii): this sample form is intended for consumers who purchased/leased a vehicle, bought parts and/or obtained repair services pursuant to a parts ticket or repair order.*

**[DEALERSHIP]**

**RESPONSE TO REQUEST TO KNOW ABOUT CATEGORIES OF INFORMATION COLLECTED**

**UNDER THE CALIFORNIA CONSUMER PRIVACY ACT**

To: [Name of Requester]

Date of receipt of request: \_\_\_\_\_\_\_\_\_\_

Date of response to request:\_\_\_\_\_\_\_\_\_\_

[*Name of Dealership*] (“Dealership,” “we,” “us” or “our”) respects the privacy of the information our customers entrust to us. This is our response to your request to know information about the following items under the California Consumer Privacy Act (CCPA):

1. the categories of personal information we have collected about you in the preceding 12 months;
2. the categories of sources from which the personal information was collected;
3. the business or commercial purpose for which we collected or sold the personal information;
4. the categories of third parties with which we share personal information;
5. the categories of personal information that we sold in the preceding 12 months, and for each category identified, the categories of third parties to which we sold that particular category of personal information; and
6. the categories of personal information that we disclosed for a business purpose in the preceding 12 months, and for each category identified, the categories of third parties to whom we disclosed that particular category of personal information.

Under the CCPA, “Personal information” does not include the following items, which may be excluded from this response:

* Publicly available information, defined as information lawfully made available from federal, state, or government records;
* Protected health information;
* The sale of information to or from a consumer reporting agency for use in a consumer report;
* Personal information about a job applicant or a business’ employees (excluded from most provisions of the CCPA through December 31, 2020);
* Personal information provided in the context of a business to business communication/transaction (excluded through December 31, 2020);
* Personal information collected, processed, sold or disclosed pursuant to the Gramm-Leach-Bliley Act;
* Personal information collected, processed, sold or disclosed pursuant to the Driver’s Privacy Protection Act of 1994

*Check A. or B. below*

A.  We are unable to confirm your identity. Your request to know about categories of personal information collected is denied.

B.  The chart below reflects the information we have collected about you during the past 12 months.

|  |  |  |  |
| --- | --- | --- | --- |
| **Category of personal data** | **Source(s)** | **Purpose(s)** | **Disclosure/sale to service providers and third parties** |
| **Identifiers**, such as:  Name, postal address, email address, IP address, identification numbers (e.g., social security number, driver’s license number, state identification number, military identification number or passport number) | Directly from you  Indirectly from you (e.g., from observing actions on our Services)  Service providers, including advertising companies and analytics providers  Third-parties, including websites or companies that provide information regarding vehicles or provide listings of vehicles available for sale/lease, that forward identifiers provided by you | To respond to your requests and inquiries  Communicate with you regarding our products or services  Enter into and process transactions with you  Send marketing communications  Complete government forms  Confirm your identity and that you are at least 18 years old  Confirm you are licensed to drive our vehicles or take delivery of a vehicle purchased or leased from us | Disclosure to service providers for administrative and operational assistance  Disclosure for safety and warranty purposes to vehicle manufacturer, if you purchased/leased a new or certified vehicle or if your vehicle was serviced at our dealership  Disclosure to state or federal agencies, when required by law  Disclosure/sale to vehicle manufacturer for marketing and analytical purposes, if you purchased/leased a new or certified vehicle or if your vehicle was serviced at our dealership |
| **Personal information** **categories listed in the California Customer Records statute** **(Cal. Civ. Code § 1798.80(e))**, such as:  Phone number; insurance information; bank account number, credit card number, debit card number, or other financial information, including information relating to your vehicle financing or lease terms, along with vehicle information; and/or signature(s). | Directly from you  Third-parties, including advertising companies and analytics providers  Third-parties, including websites or companies that provide information regarding vehicles or provide listings of vehicles available for sale/lease, that forward personal information provided by you | To respond to your requests and inquiries  Communicate with you regarding our products or services  Enter into and process transactions with you  Send marketing communications  Complete government forms  Confirm insurance coverage  Confirm identity  Obtain authorization to collect payments  collect payments  Confirm acknowledgement of receipt of documents we provide to you | Disclosure to service providers for administrative and operational assistance  Disclosure to state or federal agencies, when required by law  Disclosure/sale to vehicle manufacturer for marketing and analytical purposes, if you purchased/leased a new or certified vehicle or if your vehicle was serviced at our dealership |
| **Protected** **classification characteristics under California or federal law**, such as:  A photocopy/scan of government issued identification reveals personal information. For example:   * + Driver’s license/state identification card - includes image, date of birth, physical description and gender   + Permanent resident card - includes image, date and place of birth;   + Social security card - includes social security number   + Passport - includes image, date and place of birth and nationality   + Military ID - includes image and rank   Completion of a Translated Contract Acknowledgement or signing of translated documents reveals your primary language | Directly from you | To confirm identity  Confirm you are licensed to drive our vehicles or take delivery of a vehicle purchased or leased from us  Confirm eligibility for a manufacturer or lender rebate and to apply for and process any such rebate  Provide you with copies of certain documents written in the language in which your finance or lease transaction was primarily negotiated, as required by law  Complete government forms | Disclosure to service providers for administrative and operational assistance  Disclosure to manufacturer or lender for processing applicable rebate  Disclosure to state or federal agencies, when required by law  Disclosure/sale to vehicle manufacturer for marketing and analytical purposes, if you purchased/leased a new or certified vehicle or if your vehicle was serviced at our dealership |
| **Commercial information**, such as:  Vehicle information, vehicle ownership information, vehicle transaction information relating to purchase or lease of vehicles (including finance or lease terms), purchase of parts, service repairs, maintenance or vehicle inspections | Directly from you  Third parties, such as vehicle manufacturer and/or advertising companies | Enter into and process transactions with you  Appraise your vehicle  Send informational and marketing communications  Retain records of transactions as required by law  Fulfill the terms of a written warranty or product recall  Process warranty, insurance or service contract claims  Share information with state agencies as required by law | Disclosure to service providers for administrative and operational assistance  Disclosure for safety and warranty purposes to vehicle manufacturer, if you purchased/leased a new or certified vehicle or if your vehicle was serviced at our dealership  Disclosure to state or federal agencies, when required by law  Disclosure/sale to vehicle manufacturer for marketing and analytical purposes, if you purchased/leased a new or certified vehicle or if your vehicle was serviced at our dealership |
| **Biometric information**  You completed a “Thumbprint form” | Directly from you | To confirm identity | N/A |
| **Internet or other similar network activity information**, such as:  IP address, browsing history, and search history | Indirectly from you (e.g., from observing your actions on our Services) | To communicate with you regarding our products and services  Improve user experiences by making our website easier to use and navigate, and more personalized based on the profile we create about you | Disclosure to service providers for administrative and operational assistance |
| **Geolocation information**, such as:  IP address  Vehicle location (using GPS, as permitted by law) | Indirectly from you (e.g., from observing your actions on our Services)  From vehicles equipped with GPS tracking (as permitted by law) | To respond to your requests and inquiries  Enter into and process your transactions with you  Send marketing communications  Track vehicles as permitted by law | Disclosure to service providers for administrative and operational assistance |
| **Sensory data**, such as  Audio information from voicemail messages and/or recorded phone calls (with your consent) | Directly from you | To communicate with you; some phone calls are recorded (with your consent) for training our staff and for quality assurance purposes | Disclosure to service providers for administrative and operational assistance |
| **Professional or employment-related information**, such as:  Information regarding current occupation | Directly from you | To confirm eligibility for a manufacturer or lender rebate and to apply for and process any such rebate, if applicable  To confirm eligibility for employee discount pricing  Complete government forms, as required | Disclosure to manufacturer or lender for processing rebate, if applicable  Disclosure to state or federal agencies, when required by law |
| **Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))**, such as:  Information regarding whether you were or would soon be a college graduate | Directly from you | To confirm eligibility for a manufacturer or lender rebate and to apply for and process any such rebate, if applicable | Disclosure to manufacturer or lender for processing rebate, if applicable |
| **Inferences drawn from personal information to create a profile**, such as:  Information regarding your vehicle preferences and needs | Indirectly from you (e.g., from observing your actions on our Services)  Third-parties including advertising companies and analytics providers | To market our products and services to you | Disclosure to service providers for administrative and operational assistance |

For more information regarding our privacy practices and your rights under the California Consumer Privacy Act, view our Privacy Policy at [*INSERT URL FOR PRIVACY POLICY*].

(Rev 6/2020) Form RTK C

*This sample response is for responding to a consumer who requests to know the* ***specific pieces*** *of personal information that have been collected. Before providing this sensitive information, dealers should review page 38 of this Handbook regarding Verification of Requests.*

**[DEALERSHIP]**

**RESPONSE TO REQUEST TO KNOW ABOUT SPECIFIC PIECES OF PERSONAL INFORMATION**

**UNDER THE CALIFORNIA CONSUMER PRIVACY ACT**

To: [Name of Requester]

Date of receipt of request: \_\_\_\_\_\_\_\_\_\_

Date of response to request:\_\_\_\_\_\_\_\_\_

[*Name of Dealership*] (“Dealership,” “we,” “us” or “our”) respects the privacy of the information our customers entrust to us. This is our response to your request to know the specific pieces of information collected about you, under the California Consumer Privacy Act.

We are unable to locate in our records any personal information relating to you.

We are unable to confirm your identity. Your request to know the specific pieces of personal information is denied.

In the past 12 months, we collected the following specific pieces of information about you:

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_

Phone number(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mailing address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

IP address:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

For customers who have purchased or leased a vehicle from the Dealership, have purchased parts, or have had their vehicles serviced at the Dealership pursuant to a parts ticket or repair order, enclosed with this response is a redacted\* copy of documents containing specific pieces of personal information collected from you.

For more information regarding our privacy practices and your rights under the California Consumer Privacy Act, view our Privacy Policy at [*INSERT URL FOR PRIVACY POLICY*].

\*For your privacy, we have not identified and have redacted from the enclosed documents the following pieces of personal information collected from you: social security number, driver’s license number or other government-issued identification number, financial account number, any account password, or security questions and answers, and unique biometric data generated from measurements or technical analysis of human characteristics.

(Rev 6/2020) Form RTKSP