



PRIVACY POLICY



Sun Mountain Motor Sports, Inc., a Montana corporation (“Company”, “we”, “our” or “us”) has created this Privacy Policy in order to demonstrate our firm commitment to the privacy of personal information provided by those visiting and interacting with our website, www.finnscooters.com, and the FINN app, receiving any email newsletters that we publish or distribute, or utilizing any products and services we provide, operate, or make available pursuant to you, no matter how accessed or used (collectively, the “Services”). The following discloses our information gathering and dissemination practices for the Services. Our Privacy Policy is designed to assist you in understanding how we collect, use, and safeguard the personal information you provide to us and to assist you in making informed decisions when using the Services. Should we ask you to provide certain information by which you can be identified when using the Services, then it will only be used in accordance with this Privacy Policy. This Privacy Policy will be periodically assessed against new technologies, business practices and our customers’ needs, as provided by law. By using the Services, you are accepting the terms of this Privacy Policy, and you are consenting to our collection, use, disclosure, and retention of your personal information as described in this Privacy Policy. The Services are not intended for use by users under the age of eighteen (18) years old (see our Terms of Use at www.finnscooters.com/terms, which may be updated from time to time and are referred to herein as the “Terms of Use”). If you are a minor, please do not submit any personal information. This Privacy Policy does not apply to our practices on other websites or offline.

This Privacy Policy will change from time to time with or without notice, and use of information that we gather is subject to the Privacy Policy in effect at the time of collection. You should check the Privacy Policy link within the Services frequently to see recent changes. If, however, we are going to use your personally identifiable information in a manner materially different from that stated at the time of collection, we will notify you by posting a notice on our website and app for thirty (30) days. Your use of the Services after we have made changes to the Privacy Policy will mean that you have accepted and agree to those changes.

IMPORTANT: BY USING THE SERVICES AND/OR OFFERINGS AVAILABLE THROUGH THE SERVICES, YOU GIVE YOUR CONSENT THAT ALL PERSONAL DATA THAT YOU SUBMIT MAY BE PROCESSED BY US IN THE MANNER AND FOR THE PURPOSES DESCRIBED IN OUR PRIVACY POLICY. IF YOU DO NOT AGREE TO THESE TERMS AND CONDITIONS, DO NOT USE THE SERVICES.

Information Collected

Through the Services you may request information about our products, and we collect, process and retain personal information from you when you: register for an account with us, provide information for your user profile, provide us information on a web form or through the app, update or add information to your account, sign up to receive alerts or other information via email, text or instant message from us, request customer services, support, or other assistance, or when you otherwise correspond or communicate with us regarding the Services. We collect your (i) contact information (i.e., e-mail address, shipping address, billing address, telephone number); (ii) financial information (i.e., credit card numbers, bank account information); (iii) demographic information (i.e., preferences, interests, and other relevant information); and (iv) other information relevant to the Services, products and/or offers.

With your consent, we collect certain information about your location through the Services. Such location information may be used while you are renting any product available through the Services (“Product”) to provide us with information about the location of the Product, the routes taken by the Product and the rental status of the Product. We may also collect the IP address of the device you are using the access the Services, which may disclose your location, and other information about the device you use to access the Services. Although you can always decide not to share location information with us, you must agree to provide certain types of location information if you want to use certain aspects of the Services; for example, you must agree to disclose the location of any Product you are renting.

We may also collect certain non-personal information that does not personally identify you.

How We Use the Information That You Provide to Us

Broadly speaking, we use information you provide to us for purposes of administering our business activities, providing the Product orders you place and information you request, processing your payment, monitoring the use of the Services, improving and personalizing our marketing and promotional efforts, improving our content and product offerings, customizing the Services’ content and layout, tracking Products, communicating with you about the Services or changes to our policies, creating anonymous or aggregate information that does not identify you or your device that we can use for any purpose, performing statistical, demographic, and marketing analyses of our users, or detecting, preventing, mitigating, and investigating fraudulent or illegal activities, and for other lawful purposes.

We use this contact information you provide us to send you a confirmation e-mail for which you cannot opt out. We also use this information to send you your orders, as well as information about our company and products and special promotions. Your contact information may also be used to get in touch with you when necessary for additional information to process or fulfill your order. Financial information that is collected is used to bill for products you purchase or rent through the Services. Unique identifiers may be collected from users of the Services to verify your identity and for use as account numbers in our record system. Demographic and profile data may also be collected at our site. We use this data to help us improve the Services and our product offerings. When you contact us, we may keep a record of your communication to help solve any issues you or others might be facing. We may use your email address to inform you about our products or changes to the Services, such as letting you know about upcoming changes or improvements.

We retain your personal information as long as it is necessary and relevant for our operations. In addition, we may retain personal information from closed accounts to comply with national laws, prevent fraud, collect any fees owed, resolve disputes, troubleshoot problems, assist with any investigation, enforce our Terms of Use, or terms of any applicable Rental Agreement, Waiver of Liability and Release (“Rental Agreement”), and take other actions permitted or required by applicable laws.

Disclosure

We may disclose your personal information to our affiliates, subsidiaries, parent companies, contractors, sub-contractors, or to third parties if such disclosure is reasonable for us to provide you access to the Services or Products, to administer or operate our business, to comply with our legal obligations, to enforce our Terms of Use or terms of any applicable Rental Agreement, or to prevent, detect, mitigate, and investigate fraudulent or illegal activities related to the Services. We use a variety of third party service providers and affiliates that perform functions on our behalf, such as hosting, billing and payment processing, push notifications, storage, bandwidth, content management tools, analytics, customer service, fraud protection, and other functions, and we may disclose your personal information to such third parties for these purposes. We do not disclose your personal information to third parties for their direct marketing purposes without your consent.

Information that we or any of our affiliates, subsidiaries, parent companies, contractors, or sub-contractors collect may be stored and processed in and transferred between any of the countries in which we or any of our affiliates, subsidiaries, parent companies, contractors, or sub-contractors operate to enable the use of the information in accordance with this Privacy Policy. You agree to such cross-border transfers of personal information.

Security

In order to help prevent unauthorized access or disclosure, we have put in place certain physical, electronic and managerial procedures to help safeguard and secure the information we collect online; but remember that no method of transmission over the internet or method of electronic storage is 100% secure. While we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security. Some of the safeguards we use are firewalls and data encryption, physical access controls to our data centers, and information access authorization controls.

Personal Information about Minors

The Services are intended for persons 18 years of age or older. Although certain of the Services or certain Products may be used by minors who are at least 16 years of age, subject to the terms of our Terms of Use and any applicable Rental Agreement, such use is under the sole responsibility of, and strict management by, the minor’s parent or legal guardian. We do not knowingly collect personal information from minors. If it comes to our attention that we have collected personal information from or about a minor, we will delete it without notice. If you have reason to believe that we have collected personal information from or about a minor who is under 18 years of age, please contact us by sending an email to help@finnscooters.com.

How We Use Cookies

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyze web traffic or lets the server know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We use traffic log cookies to identify which pages are being used. We also use cookies in conjunction with sending you email newsletters, if you desire, and in conjunction with analysis of your use of the Services and to generate analytics regarding the Services. This helps us analyze data about web page traffic and improve the Services in order to tailor them to customer needs. We only use this information for statistical analysis purposes and other purposes consistent with the terms of this Privacy Policy, then the data is removed from the system.

Overall, cookies help us provide you with better Services, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. This may prevent you from taking full advantage of the Services.

Links to Other Websites

The Services may contain links to other websites. However, once you have used these links to leave the Services, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide while visiting such websites and such websites are not governed by this Privacy Policy. You should exercise caution and look at the privacy policy and terms of use applicable to the website in question.

Controlling Your Personal Information

People have different privacy concerns. Our goal is to be clear about what information we collect and the purposes for which we generally use such information, so that you can make meaningful choices about how it is used. You may choose to restrict the collection or use of your personal by contacting help@finnscooters.com to inform us that you do not want the information to be used by any third party for direct marketing purposes. However, if you withdraw your consent for the use or disclosure of your personal information for purposes set out in this Privacy Policy, you may not have access to the Services and we might not be able to provide you all of the services and customer support offered to our users and authorized under this Privacy Policy and our Terms of Use or the terms of any applicable Rental Agreement.

Other than as provided herein, we will not sell, distribute or lease your personal information to third parties unless we have your permission or are required by law to do so. We may use your personal information for direct marketing purposes or to send you promotional information about third parties which we think you may find interesting if you indicate to us that you wish this to happen.

In addition to the disclosures for the purposes identified elsewhere in this Privacy Policy, we may disclose your personal information to companies, organizations or individuals outside of the Company if we have a good-faith belief that access, use, preservation or disclosure of the information is reasonably necessary to: (i) meet any applicable law, regulation, legal process or enforceable governmental request; (ii) enforce applicable Terms of Use or the terms of any applicable Rental Agreement, including investigation of potential violations; (iii) detect, prevent, or otherwise address fraud, security or technical issues; or (iv) protect against harm to the rights, property or safety of the Company, our users or the public as required or permitted by law.

You may request details of personal information which we hold about you. A fee may be payable, if permitted by law. If you would like a copy of the information held on you, please write to help@finnscooters.com. You will not be permitted to access personal information of any other user, and you may be required to provide us with certain personal information about you to verify your identity prior to accessing any records or information from us.

If you believe that any information we are holding on you is incorrect or incomplete, please write to or email us as soon as possible, at help@finnscooters.com. We will promptly correct any information found to be incorrect. We may choose not to accommodate a request to change or delete personal information if we believe doing so would constitute a violation of any applicable law or result in incorrect information.

You may also review and change your account information by logging into your account and editing your profile. Please note that we may not be able to delete your personal information without also deleting your user account.

You may have additional legal rights under applicable laws with respect to the information we are holding on you and our handling of your personal information. Please get in touch with us at the information set forth in the Contact Us section below if you would like to exercise any of these rights or if you have any concerns about your personal information.

Emails and Other Communications

If you would like to change the types of communications you receive from us, including opting out of promotional communications from us, you may do so at any time by updating the communication preferences specified in your account profile through the Services. Please note that this may affect your ability to access certain Services, and we may continue to send non-promotional communications such as staffing confirmations, surveys, and other information about your use of the Services. If you refer others to us using our email functionality, please note that they may choose not to receive any promotional emails from us in the future by following the opt-out instructions in the email invitation.

Change of Ownership

If we are to acquire, partner with, merge with or be acquired by another company, we may share information with them in accordance with our privacy standards. Should such an event occur, we will require that any successor entity follow this Privacy Policy with respect to your personal information; nevertheless, we cannot promise that the successor entity will have the same privacy practices or treat your information the same as described in this Privacy Policy. If a portion or all of our assets are sold

or transferred to a third-party, customer information would likely be one of the transferred business assets. If such transfer is subject to additional mandatory restrictions under applicable laws, we will comply with such restrictions. If your personal information will be collected, used, disclosed, or retained for any purposes not covered in this Privacy Policy, you will receive prior notification of the processing of your personal information for the new purposes.

California Online Privacy Protection Act Notice

(1) No "do not track" standard has been adopted to this day, and therefore we do not use "do not track" signals.

(2) We do not authorize the collection of personally identifiable information from users of the Services for third party use for direct marketing purposes without user consent.

To learn more about "do not track" (DNT) and our DNT practices, please visit www.finnscooters.com/donotrack.

California Civil Code Section 1798.83, known as the "Shine The Light" law, permits our customers who are California residents to request and obtain from us a list of what personal information (if any) we disclosed to third parties for direct marketing purposes in the preceding calendar year and the names and addresses of those third parties. Requests may be made only once a year and are free of charge. Please submit your request in writing to the contact information set forth below. Under Section 1798.83, we currently do not share any personal information with third parties for their direct marketing purposes.

Governing Law

The Services and the content thereon are published in the United States. We attempt to protect the personal information of all users of the Services, and we comply with local data protection and consumer rights laws to the extent they may apply to the Services. This Privacy Policy will be governed by and construed in accordance with the laws of the State of Montana, without regard to its conflict of law provisions. Any disputes relating to these terms and conditions will be subject to the exclusive jurisdiction of the courts of Missoula County, Montana, and you consent to the personal jurisdiction of such court.

Provision of Personal Information

If you do not want the Company to collect your personal information, please do not provide it to us. Please understand that if you choose not to provide certain personal information to us, your choice will restrict your ability to access some content and use some of the functionality of the Services.

Contact Information

If you have any questions about this Privacy Policy, please contact us at the following:

Sun Mountain Motor Sports, Inc.
301 North 1st Street West
Missoula, MT 59802
Telephone: (406) 728-9224
Email: help@finnscooters.com