

## U.S. XPRESS, INC.

### Privacy Policy Notice for California Residents

**Last Modified:** September 2021

This Privacy Policy Notice for California Residents (this “**Privacy Notice**”) supplements the information contained in U.S. Xpress, Inc.’s (“**the Company**,” “**we**,” “**our**,” or “**us**”) Privacy Policy (“**Privacy Policy**”) and applies solely to all customers, vendors, visitors, users, and other persons or entities who reside in the State of California (“**you**”) and meet the definition of “**Consumer**” under the California Consumer Privacy Act of 2018 (the “**CCPA**”), excluding U.S. Xpress employees. We adopt this Privacy Notice to comply with the CCPA. Any terms defined in the CCPA and in our Privacy Policy have the same meaning when used in this Privacy Notice.

Where noted in this Privacy Notice, the CCPA temporarily exempts Personal Information reflecting a written or oral business-to-business communication (“**B2B personal information**”) from some of its requirements.

#### **Information We Collect**

The Company’s Privacy Policy describes the personal information (“**Personal Information**”) that we collect, the sources from which we collect it, the purposes for which we use it, the limited circumstances under which we share Personal Information, and with whom we share it. These additional disclosures are required by the CCPA. In particular, we have collected the following CCPA categories of Personal Information within the last twelve (12) months:

<b>Category</b>	<b>Examples*</b>	<b>Collected</b>
A. Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	Yes
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.  Some personal information included in this category may overlap with other categories.	Yes
C. Protected classification characteristics under California or federal law	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, or genetic information (including familial genetic information).	Yes
D. Commercial information	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	No
E. Biometric information	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	No

F. Internet or network activity	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	Yes
G. Geolocation data	Physical location or movements.	Yes
H. Sensory data	Audio, electronic, visual, thermal, olfactory, or similar information.	No
I. Professional or employment-related information	Current or past job history or performance evaluations.	Yes
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	Yes
K. Inferences drawn from other personal information	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	No

\*Examples represent the types of information within such categories, but are not necessarily specifically collected by us.

### **Sources of Category Data Collection**

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, by forms you complete on or through the Website;
- Indirectly from you. For example, by your interactions on the Website;
- Third-party service providers;
- Advertising networks;
- Data analytic providers;
- Government entities;
- Operating system platforms;
- Social networks; or
- Data brokers

### **Use of Personal Information**

We may share or disclose the Personal Information we collect for one or more of the purposes described in our Privacy Policy. We will not collect additional categories of personal information or use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

### **Sharing Personal Information**

In addition to permitted disclosures under our Privacy Policy, we may disclose your Personal Information to our third-party service providers for a business purpose. When we disclose Personal Information for a business purpose, we enter into a contract that requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract. In the preceding twelve (12) months, the Company has disclosed Personal Information for a business purpose:

Specifically, in the preceding twelve (12) months, the Company has sold Personal Information.

Personal Information Category	Category of Third-Party Recipients	
	Business Purpose Disclosures	Sales
A: Identifiers	Data Analytics Provider Social Networks Advertising Networks Third-Party Service Provider	Third-Party Service Provider
B: California Customer Records personal information categories	Third-Party Service Provider	None
C: Protected classification characteristics under California or federal law	Third-Party Service Provider	None
D: Commercial information	None	None
E: Biometric information	None	None
F: Internet or other similar network activity	Data Analytics Provider Social Networks Advertising Networks Third-Party Service Provider	None
G: Geolocation data	Data Analytics Provider Social Networks Advertising Networks Third-Party Service Provider	None
H: Sensory data	None	None
I: Professional or employment-related information	Third-Party Service Provider	None
J: Non-public education information	Third-Party Service Provider	None
K: Inferences drawn from other personal information	None	None

**Your Rights and Choices**

The CCPA provides California residents with specific rights regarding their Personal Information. This section describes your CCPA rights and explains how to exercise those rights.

***Right to Know and Data Portability***

You have the right to request that we disclose certain information to you about our collection and use of your Personal Information over the past 12 months (the “**Right to Know**”). Once we receive your Right to Know request and confirm your identity, we will disclose to you:

- The categories of Personal Information collected about you;

- The categories of sources of Personal Information 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;
- If we sold or disclosed your Personal Information for a business purpose, a list disclosing our disclosures for a business purpose that identifies the Personal Information categories that each category of recipient obtained, and a list disclosing sales, identifying the Personal Information categories that each category of recipient purchased; and
- The specific pieces of Personal Information we collected about you.

We do not provide a Right to Know disclosure for Business-to-Business (“**B2B**”) Personal Information.

### ***Right to Delete***

You have the right to request that we delete any of your Personal Information that we collected from you and retained, subject to certain exceptions (the “**Right to Delete**”). Once we receive your Request to Delete and confirm your identity, we will review your request to see if an exception allowing us to retain the information applies. We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you;
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities;
- Debug products to identify and repair errors that impair existing intended functionality;
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law;
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.);
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent;
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us;
- Comply with a legal obligation; or
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We do not provide these deletion rights for B2B Personal Information.

### ***Exercising Your Rights to Know or Delete***

To exercise your Right to Know or Right to Delete described above, you or someone legally authorized to act on your behalf must submit a request by either:

- Emailing us at [websitefeedback@usxpress.com](mailto:websitefeedback@usxpress.com)
- Mailing us at 4080 Jenkins Road, Chattanooga, TN 37421, Attn: Legal Department

Only you, or someone legally authorized to act on your behalf, may make a request for Right to Know or Right to Delete related to your Personal Information.

You may only submit a request twice within a 12-month period. Your request for Right to Know or Right to Delete must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative; and

- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you. We will only use Personal Information provided in the request to verify the requestor's identity or authority to make it.

### ***Response Timing and Format***

We will confirm receipt of your request within ten (10) business days. If you do not receive confirmation within the 10-day timeframe, please contact [websitefeedback@usxpress.com](mailto:websitefeedback@usxpress.com).

We endeavor to substantively respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to another 45 days), we will inform you of the reason and extension period in writing. We will deliver our written response by mail or electronically in the manner in which we received it from you.

Any disclosures we provide will only cover the 12-month period preceding our receipt of your request. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

***Personal Information Right to Opt Out.*** You have the right to opt out of the disclosure of Personal Information about you for monetary or other valuable consideration. To opt out, click [Do Not Sell My Personal Information] or contact us to exercise your rights using the contact information below.

### **Non-Discrimination**

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you services;
- Charge you different prices or rates for services, including through granting discounts or other benefits, or imposing penalties;
- Provide you a different level or quality of services; or
- Suggest that you may receive a different price or rate for services or a different level or quality of services.

### **Other California Privacy Rights**

California's "**Shine the Light**" law (Civil Code Section § 1798.83) permits users of the Website who are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes.

### **Changes to Our Privacy Notice**

We reserve the right to amend this Privacy Notice or our Privacy Policy at our discretion and at any time. When we make changes to this Privacy Notice, we will post the updated notice on the Website and update the notice's effective date. **Your continued use of the Website following the posting of changes constitutes your acceptance of such changes.**

### **Contact Information**

If you have any questions or comments about this Privacy Notice, the ways in which the Company collects and uses your information described herein and in the Privacy Policy your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

**Email:** [websitefeedback@usxpress.com](mailto:websitefeedback@usxpress.com)

**Postal Address:**

U.S. Xpress, Inc.  
Attn: Legal Department  
4080 Jenkins Road, Chattanooga, TN 37421

If you need to access this Privacy Notice in an alternative format due to having a disability, please contact [websitefeedback@usxpress.com](mailto:websitefeedback@usxpress.com).