

# PRIVACY LAWS COMPLIANCE CHART

Law or Rule	Agency	Applies To	Summary
<p>OFAC – Specially Designated Nationals “Terrorists List” <a href="http://www.ustrreas.gov/offices/eotffc/ofac/sdn">www.ustrreas.gov/offices/eotffc/ofac/sdn</a></p>	<p>Office of Foreign Assets Control (OFAC)</p>	<p>Car / Truck</p>	<p>Prohibits entering into transactions with certain sanctioned countries and governments and with organizations or individuals appearing on an electronic list maintained by OFAC. [ <a href="http://www.ustrreas.gov/offices/eotffc/ofac/sdn">www.ustrreas.gov/offices/eotffc/ofac/sdn</a> ] Further Information: NADA “OFAC Compliance” OFAC Website: <a href="http://www.treas.gov/ofac.html">www.treas.gov/ofac.html</a></p>
<p>The PRIVACY ACT [The Gramm-Leach-Bliley Act]</p> <p>See ADAI Shared Information: Regulatory Bulletin #3 (4/18/01) Crowe Chizek Bulletin “Safe guards Rule” (5/23/03) Contact: (317) 706-2618 or <a href="mailto:mblosser@crowchizek.com">mblosser@crowchizek.com</a> Regulatory Bulletin #5 (6/20/01) SHOWROOM June/2001 Stewart &amp; Irwin “GLIB” Memorandum (6/8/01)</p>	<p>Federal Trade Commission (FTC)</p>	<p>Car</p>	<p>Requires development and issuance of accurate privacy notices and restricts disclosure of non-public personal information. A few examples of personal information are: social security number, driver’s license number, unlisted telephone number, date of birth. Further information: NADA - “A Guide to The FTC Financial Privacy Regulation”; “Dealer Resources for the Federal Consumer Financial Privacy Regulation” FTC Website: <a href="http://www.ftc.gov/privacy/glibact/index.html">www.ftc.gov/privacy/glibact/index.html</a></p>
<p>The SAFEGUARDS RULE</p> <p>See ADAI Shared Information: SHOWROOM April 2003 Crowe Chizek Bulletin “Safe guards Rule” (5/23/03) Contact: (317) 706-2618 or <a href="mailto:mblosser@crowchizek.com">mblosser@crowchizek.com</a> Crowe Chizek Tele-Seminar Oct. 2003 K.B. Parrish “Round Table” (317) 347-5200 Ext. 260 ADAI Fact Sheet “F.T.C. Safeguards Rule”</p>	<p>Federal Trade Commission (FTC)</p>	<p>Car</p>	<p>Must develop and implement a comprehensive, written security program to protect your customer information. Further Information: NADA – “A Dealer Guide to Safeguarding Customer Information”; Management Education Video: FTC Customer Information Safeguards Rule; “Identity Theft: An Insidious Threat” FTC Websites: <a href="http://www.ftc.gov/bcb/online/edcams/infosecurity/">www.ftc.gov/bcb/online/edcams/infosecurity/</a> <a href="http://www.ftc.gov/privacy/privacyinitiatives/safeguards.html">http://www.ftc.gov/privacy/privacyinitiatives/safeguards.html</a></p>

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<p><b>The TELEMARKETING SALES RULE</b></p> <p>See <u>ADAI Shared Information: ADAI Fact Sheet "Federal Telemarketing Restrictions"</u></p> <p><u>NADA Information:</u>  <a href="http://www.nada.org/do-not-call">www.nada.org/do-not-call</a> Sample Telemarketing Policy, Sample Customer Inquiry Log and Sample Telephone Solicitation Consent Form  <a href="http://www.nada.org/mecatalog">www.nada.org/mecatalog</a> "A Dealer Guide to Federal Telemarketing Restrictions"</p>	<p>Federal Trade Commission (FTC)</p>	<p>Car</p>	<p>Must comply with numerous restrictions on telemarketing over state lines, including National Do-Not-Call Registry, Company-Specific Do-Not-Call List, Caller ID requirements, Calling Time restrictions, prohibition against certain deceptive and abusive practices, and record keeping requirements.</p> <p>Dealers with existing relationships with customers can continue to call them. Existing relationships are:</p> <ul style="list-style-type: none"> <li>• The customer has contacted the dealership within the past 3 months to inquire about a product or service</li> <li>• The customer has purchased a product or service from the dealership within the past 18 months.</li> </ul> <p><b>** See also "The Telephone Consumer Protection Act "</b></p> <p>Further information:            FTC Websites:  <a href="http://www.ftc.gov/opa/1995/08/rule4.html">http://www.ftc.gov/opa/1995/08/rule4.html</a>  <a href="http://www.ftc.gov/bcp/online/pubs/buspubs/calling.pdf">http://www.ftc.gov/bcp/online/pubs/buspubs/calling.pdf</a>  <a href="http://www.ftc.gov/bcp/online/pubs/buspubs/tsr.htm">http://www.ftc.gov/bcp/online/pubs/buspubs/tsr.htm</a></p>
<p><b>The PATRIOT ACT</b></p>	<p>Financial Crimes Enforcement Network (FinCEN)</p>	<p>Car / Truck</p>	<p><b>MONEY LAUNDERING:</b> implementation of the USA Patriot Act anti-money laundering program requirement. New cash reporting form 8300. (FinCEN has not imposed this requirement on businesses 'engaged in vehicle sales' as of August 2003.)</p> <p>Further Information:  <u>NADA "Treasury Extends Temporary Exemption of Automobile Dealers from Anti-Money Laundering Program Requirement"</u>            FinCEN Website: <a href="http://www.fincen.gov/reg_bsaregulations.html">www.fincen.gov/reg_bsaregulations.html</a></p>

<p>The TELEPHONE CONSUMER PROTECTION ACT</p> <p>(Federal No-Call List)</p> <p>To access the registry itself, go to <a href="https://telemarketing.donotcall.gov">https://telemarketing.donotcall.gov</a> &amp; register an account with the FTC.</p> <p>(INDIANA No-Call List)</p> <p><a href="http://www.in.gov/attorneygeneral">www.in.gov/attorneygeneral</a> click on "Telephone Privacy List"</p>	<p>Federal Communications Commission (FCC)</p> <p>Federal Trade Commission (FTC)</p> <p>Indiana Attorney General's Office</p>	<p>Car / Truck</p>	<p><b>INFORMATION SHARING:</b> Upon the request of FinCEN, generally must search records and report if, in the past 12 months an account has been maintained for, or in the past 6 months a transaction has been entered into with, an individual or entity identified by FinCEN.</p> <p>Further Information:  NADA "New Information Sharing Requirements Take Effect"  FinCEN Website: <a href="http://www.fincen.gov/fi_infoappa.html">www.fincen.gov/fi_infoappa.html</a></p> <p>Must comply with numerous restrictions on telemarketing, including National Do-Not-Call Registry, Company-Specific Do-Not-Call List, Calling Time Restrictions, Caller ID requirements, prohibition against unsolicited fax advertisements, and restrictions on the use of autodialers and pre-recorded messages. Must comply with Indiana Do-Not-Call List restrictions.</p> <p>Dealers desiring to contact consumers that are not in an existing relationship (See "The Telemarketing Sales Rule" above.) may not call anyone on the state or federal No Call lists. They must:</p> <ul style="list-style-type: none"> <li>• Purchase both the state and federal no call lists, and</li> <li>• Check the lists before calling.</li> </ul> <p>Further Information:  NADA "A Dealer Guide to Federal Telemarketing Restrictions"  FCC Website: <a href="http://www.fcc.gov/cgb/policy/telemarketing.html">www.fcc.gov/cgb/policy/telemarketing.html</a></p>
<p>See ADAI Shared Information:  ADAJ Bulletin (3/4/02)  "New Indiana Telephone Privacy Law"  ADAJ Memorandum (7/17/02)  "Indiana's Telephone Privacy Act"  SHOWROOM April 2002 "Law Notes"</p>			