

# **Privacy Notice**

## **MyWheels B.V.**

*Last updated: 14-03-2025*

# Privacy Notice

## 1. Who are we and what do we offer?

We are MyWheels B.V. (**MyWheels**), part of the Sharing Group N.V. MyWheels offers car-sharing services, a convenient alternative to car ownership for both individuals and organizations (**Car Sharing Services**). Users can reserve vehicles through an easy-to-use app (**MyWheels App**), accessing a variety of cars located in fixed parking spots or designated parking zones. The Car Sharing Services, MyWheels App and all related services are collectively called: our **Services**.

## 2. Privacy Notice

This is our **Privacy Notice**. In this document we explain what types of Personal Data we collect and process in the provision of our Services and for what purposes. We also explain what role we have in the processing of Personal Data, how long we retain Personal Data and what your rights as a data subject are.

## 3. Personal Data and Controller

We process **Personal Data**. Personal Data means all information by which a person can be directly or indirectly identified. Under the EU General Data Protection Regulation (**GDPR**) we are the so-called Controller of your Personal Data. If you have questions about the processing of your Personal Data, you can always contact us through the contact details listed at the bottom of this Privacy Notice.

## 4. What Personal Data do we collect as Controller?

When you are a **User** of our Services, we process your Personal Data when you download the MyWheels App and create an account, when you reserve a car via the MyWheels App and when you drive in our cars. Our in-car hardware detects your driving behaviour which is used as input for our algorithm (**CARMA**) that aims to predict and prevent dangerous situations on the road and damages to our cars. More information on CARMA is found below and in our [CARMA FAQ document](#).

We may also process your Personal Data in a general context, e.g., via our website and social media accounts (**General**). This is all outlined as follows.

If you are a **User**, we may process the following Personal Data:

Personal Data	Purpose(s)	Legal basis
<p>1. When you create an account on the MyWheels App:</p> <ul style="list-style-type: none"><li>- first and last name;</li><li>- address;</li><li>- date of birth;</li><li>- email address;</li><li>- your Facebook, Google or Apple UID if you login via Facebook, Google or Apple;</li><li>- telephone number;</li><li>- IP address;</li><li>- device used to log in;</li></ul>	<p>We process these Personal Data to:</p> <ul style="list-style-type: none"><li>- register your account;</li><li>- know and monitor who has access to our App;</li><li>- send you invoices and manage our payments administration; and</li><li>- assess your non-payment risk to understand if you are a reliable payer and do not conduct any fraudulent behaviour.</li></ul>	<p>We process these Personal Data on the basis of our legitimate interest to assess and onboard you for our Services and to <b>perform our contract</b> with you.</p>

<ul style="list-style-type: none"> <li>- IBAN number, name of the bank account holder and invoices;</li> <li>- behaviour on the platform such as the pages visited, duration of your visit and search filters used;</li> <li>- profile photo (optional); and</li> <li>- company name (if you use a company shared account).</li> <li>- Validity of driver's license at RDW</li> <li>- Risk rating (score 0-9) based on personal data and postal code area</li> </ul>		
<p><i>2. When you reserve a car via the MyWheels App:</i></p> <ul style="list-style-type: none"> <li>- driving license details: first name and surname, your driving license number, issuing country and authority, place and date of birth and expiry date;</li> <li>- any accounts that you are linked to as an extra driver;</li> <li>- any accounts that are linked to your account as an extra driver;</li> <li>- trip details: the location of the car before, during and after driving, start time, end time, trip duration and distance;</li> <li>- your ov-chipcard number (if linked);</li> <li>- your reservations and any notes in connection with these reservations;</li> <li>- any traffic fines that we receive from the Municipality and the CJIB relating to your parking and driving behaviour.</li> </ul>	<p><i>We process these Personal Data to:</i></p> <ul style="list-style-type: none"> <li>- provide you access to the MyWheels App;</li> <li>- verify you are eligible to drive;</li> <li>- enable you to make a reservation via the MyWheels App;</li> <li>- enable you to add other drivers and to be added to accounts of other drivers;</li> <li>- enable you to pay or object to traffic fines;</li> <li>- forward your trip details to your employer to allow them to comply with their legal obligations for tax purposes; and</li> <li>- enforce action against you if you have violated our terms &amp; conditions.</li> </ul>	<p>We process these Personal Data to <b>perform our contract</b> with you and on the basis of our legitimate interest to assess your eligibility to drive.</p> <p>We also process Personal Data on your trip details based on our <b>legitimate interests</b>, in order to guide road assistance to your current location.</p> <p>As the Personal Data on traffic fines may include criminal offence data, we rely on the exemption of art. 10 GDPR in combination with art. 32 (d) Dutch GDPR Implementation Act, namely to establish, exercise or defend legal claims against you.</p>
<p><i>3. When you drive a car via MyWheels, we detect your driving behaviour via third party hardware (INVERS) that is installed in the car. This hardware detects the following:</i></p> <ul style="list-style-type: none"> <li>- heavy braking events (number of exceedances</li> </ul>	<p><i>We process these Personal Data to:</i></p> <ul style="list-style-type: none"> <li>- in the event of excessive speeding (dependent on the speed limit of the road where you are driving), we reserve the right to</li> </ul>	<p>We collect and process the Personal Data via the in-car hardware as this is necessary for MyWheels'</p>

<p>above set threshold and average power during hard braking);</p> <ul style="list-style-type: none"> <li>- heavy accelerating events (number of exceedances above set threshold and average power during heavy accelerating);</li> <li>- hard cornering (number of exceedances per driven kilometer above set threshold and average power during hard cornering); and</li> <li>- speeding events (number of exceedances above threshold, speed exceedance above limit driven).</li> </ul>	<p>immediately block the User from the MyWheels Services, in accordance with the MyWheels terms &amp; conditions. This data on excessive speeding is not used as input for CARMA; and</p> <ul style="list-style-type: none"> <li>- predict the probability of the occurrence of dangerous situations and damages during future trips, based on the Personal Data on heavy braking, heavy accelerating, hard cornering and speeding (not excessive), as part of our CARMA algorithm (see purpose 4).</li> </ul>	<p><b>legitimate business purposes</b>, namely to keep the Car Sharing Services insurable by pro-actively ensuring road safety and preventing damages through realtime data collected of the car use.</p> <p>Specifically related to excessive speeding, we rely on the <b>performance of our contract with you</b> as we have a right to block you from our Services in such instance.</p>
<p><i>4. For the purpose of CARMA, the following types of Personal Data are processed:</i></p> <ul style="list-style-type: none"> <li>- <u>input data</u>: See the data mentioned under purpose 3, however within CARMA, the actual speed exceedance above limit driven is not used as input, but only the percentage above the limit driven;</li> <li>- <u>model</u>: CARMA is trained on anonymous historical driving behaviour data of accounts that have received a ban in the past, as well as accounts without a ban;</li> <li>- <u>output data</u>: CARMA produces a risk score based on the input and model of the algorithm. This risk score is an indicator for MyWheels to determine what actions should be taken against the User (i.e. nothing or block or warn the User). Each risk score which indicates an action towards a User is verified</li> </ul>	<p><i>We process these Personal Data for the following purposes:</i></p> <ul style="list-style-type: none"> <li>- MyWheels has designed CARMA to predict the probability of the occurrence of dangerous situations and damages during future trips, caused by specific Users. CARMA specifically aims to pro-actively warn or block Users that receive a high risk score, meaning they are prone to causing dangerous situations on the road or damages, which risks MyWheels' future of providing reliable and safe car sharing services;</li> <li>- a MyWheels employee will always check the output and input of CARMA to verify the risk score produced by CARMA and to decide whether to take any action against the User (human oversight);</li> </ul>	<p>We process the Personal Data via the in-car hardware within CARMA as this is necessary for MyWheels' <b>legitimate business purposes</b>, namely to keep the Car Sharing Services insurable by pro-actively ensuring road safety and preventing damages through realtime data collected of the car use.</p> <p>We also process the Personal Data for our <b>legitimate business purposes</b> to constantly improve CARMA,</p>

<p>by an employee of MyWheels;</p> <ul style="list-style-type: none"> <li>- <u>correspondence with the User</u>: an e-mail or text message sent to the User that includes information on the reason for the decision (warning or blocking) and information on how to object to the decision and any further correspondence regarding the decision or objection.</li> </ul>	<ul style="list-style-type: none"> <li>- if a User objects to the decision, MyWheels will use the Personal Data to verify and potentially correct the outcome of CARMA and the decision made against the User;</li> <li>- MyWheels further processes the Personal Data to train and test CARMA and to develop and improve its Services.</li> </ul>	<p>which serves the same services as described above.</p> <p>MyWheels has performed a so-called Fundamental Rights and Data Protection Impact Assessment to assess and mitigate any risks associated with operating artificial intelligence to support our decisions to ban or warn Users.</p> <p>More information, including your right to opt out from CARMA, can be found <a href="#">here</a>. Please note that there may be instances when we deem compelling legitimate grounds to override your rights and interests, which means you cannot exercise your right to opt out of CARMA. We will always carefully assess this on a case-by-case basis.</p>
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We may process Personal Data in **General** as follows:

Personal Data	Purpose(s)	Legal basis
<p><i>Technical information:</i></p> <ul style="list-style-type: none"> <li>- information on your device type, browser type, session date and time, IP address and browser type; and</li> <li>- cookies.</li> </ul>	<p><i>We process this Personal Data to:</i></p> <ul style="list-style-type: none"> <li>- communicate in the same language of the browser;</li> <li>- adapt our website to the used device;</li> </ul>	<p>We process these Personal Data because we have a <b>legitimate interest</b> to do so, i.e. to provide you with a good functioning Website and</p>

	<ul style="list-style-type: none"> <li>- enable you to use our website; and</li> <li>- improve the usability of our Website.</li> </ul>	improve our Services for our Users.
<p><i>Via our social media pages:</i></p> <ul style="list-style-type: none"> <li>- information of visitors who leave a comment or otherwise post something on our social media pages, including the Personal Data within these comments and/or posts.</li> </ul>	<p><i>We use this information to:</i></p> <ul style="list-style-type: none"> <li>- contact the visitors in reply of their post and/or comment via our social media pages; and</li> <li>- process the feedback left on our social media pages.</li> </ul>	<p>We process these Personal Data, because we have a <b>legitimate interest</b> to respond to your input, use it to improve our Services, and because the visitors voluntarily made public such information.</p> <p>Our social media pages are also controlled by the platforms themselves. Please check those privacy notices to see how each social medium handles Personal Data.</p>
<p><i>If you contact us:</i></p> <ul style="list-style-type: none"> <li>- your name;</li> <li>- contact details; and</li> <li>- the content of the correspondence.</li> </ul>	<p><i>We use this information to:</i></p> <ul style="list-style-type: none"> <li>- answer your questions and/or handle any complaints;</li> <li>- support you in using our Services; and</li> <li>- improve our Services as a result of questions and feedback from you.</li> </ul>	<p>We process these Personal Data, because we have a <b>legitimate interest</b> to contact and assist you based on your comment or question and to improve our Services as a result of the questions and feedback we receive.</p>
<p><i>If you subscribe to our newsletters:</i></p> <ul style="list-style-type: none"> <li>- name and surname;</li> <li>- e-mail address; and</li> <li>- what links in our newsletter you click on.</li> </ul>	<p><i>We use this information to:</i></p> <ul style="list-style-type: none"> <li>- send you our newsletter and keep you informed on all our (future) Services; and</li> <li>- optimize our Services.</li> </ul>	<p>We process these Personal Data if you gave us your <b>consent</b> to do so (by subscribing).</p> <p>We may track the clicks in our newsletter, because we have a <b>legitimate interest</b> to analyse how our newsletter is received and optimize our Services.</p> <p>In every newsletter, there is a link through which you can unsubscribe.</p>

## 5. From whom do we receive your Personal Data?

Most of the Personal Data we obtain directly from you, but some of the Personal Data we receive from other parties:

- INVERS GmbH (**INVERS**) operates the hardware that is installed in our cars and that detects your driving behaviour (data on speeding, heavy braking, heavy accelerating and hard cornering). INVERS acts as a Processor on our behalf, see section 6.
- Centraal Justitieel Incassobureau (**CJIB**) and municipalities provides us with the fines that Users obtain while driving in the MyWheels cars or parking them. We forward these fines to you if our records show that the car was driven on your account.
- Crimimail provides us with information such as payment risk on name, but also bankruptcies and guardianship.

## 6. Do we share your Personal Data with others?

### Processors

We work with third parties who process personal data on our behalf (**Processors**). By doing so, we continue to uphold responsibility for ensuring protection of your Personal Data during such processing. These Processors may only use or disclose the data collected and processed by us within the scope of our instructions to them and under no circumstances for other purposes. We enter into a data processing agreement with all of our Processors.

Currently, we have engaged the following Processors:

- INVERS: the company that operates the in-care hardware for detecting driving behaviour.
- Snowflake: a company located in Dublin that operates our servers.
- MessageBird: a Dutch-based enterprise for sending text messages. All text messages that you receive from MyWheels with regard to reservations are sent through the MessageBird servers.
- Payment service providers: companies that process iDEAL payments, payments made by us, and direct debits.
- CrimiMail: a Dutch-based enterprise that provides information about people using MyWheels. Crimimail makes risk assessments for non-payment, fraud and embezzlement.
- Google Cloud: the cloud computing platform where MyWheels hosts its servers, databases, and stores all files securely.
- Change: when you contact the support department of MyWheels outside office hours, Change will answer the call. Change is a Dutch-based enterprise for outsourcing customer service.
- Onfido: identification and verification platform assisting in the validation of your identity.
- Hubspot: marketing and sales platform assisting in customer relationships management, website activity tracking and automation of marketing campaigns.
- TSG Operations: this is a company that, just like us, is part of The Sharing Group and that supports us in drawing up reports, statistics and analyses for our management

- Marketing software: we use the software tools of MailChimp, LinkedIn, Google and Facebook for marketing purposes.
- Coeo: a collection agency with which we share personal data of the account holder in the case of unpaid invoices.
- Appjection: a company that processes traffic and parking fines, transferring responsibility and payment obligations from MyWheels to the renter. This service reduces the legal, administrative, and financial burden associated with fines.
- Planhat: a customer success platform that helps us to manage and grow customer relationships by centralizing data, automating workflows, and providing actionable insights.
- Zendesk: a customer service platform that enables MyWheels to provide customer support through multiple channels, including email.
- Intercom: a customer communication platform that MyWheels uses for managing support tickets, live chat, push notifications, and in-app messaging.

### Controllers

We might also share your personal data with third parties who use it for their own purposes (**Controllers**). Once they receive your Personal Data, it is their responsibility to protect it. To know how these parties handle personal data, you can check their privacy notices. We share Personal Data with:

- Tax authorities: We are legally obliged to include (some of) the Personal Data in our financial administration, which has to be shared with the national tax authority.
- Suppliers: Only if this is necessary to handle the case. For example, insurers, government agencies and similar parties.
- Your employer: If you are a User and you use a company shared account, your Personal Data, meaning all information that is necessary for your employer to check the invoice, to fulfill tax obligations will be shared with your employer.

Apart from the above, we will only share Personal Data with third parties if the law obliges us to, if you give your permission or if we can rely on our legitimate interests:

- the protection of our own interests or those of third parties;
- dealing with a legal case; or
- to enable us to make corporate transactions.

## 7. How long do we keep the Personal Data?

We will not process or store any Personal Data that we do not need. We store Personal Data for as long as we need it for the above purposes, unless we are legally obliged to retain the Personal Data for a longer period. In this respect, we apply the following retention periods:

- Account data of Users | We will retain your Personal Data for as long as your account is active at MyWheels. After you have removed your account, we will retain your Personal Data for a maximum period of one year, after which we anonymize or delete the Personal Data.
- Driving behaviour of Users, obtained via INVERS | These Personal Data are retained for a period of up to 24 months.



- Personal Data used within CARMA | The algorithm only includes the Personal Data of the last 10 trips made on each account.
- Newsletters | We retain the Personal Data used for sending newsletters until you unsubscribe from our newsletter.
- Personal Data in our correspondence | This data is stored as long as necessary to handle your message/question/complaint and for a period of 5 years thereafter.
- Personal Data in our records for the (tax) authorities | This data is stored for seven (7) years, unless we are legally obliged to retain the data for a longer period.

After expiry of the aforementioned retention period(s), we may process and retain certain Personal Data to comply with legal retention obligations and/or for fraud/misuse investigations, for insurance purposes or to substantiate a (judicial) claim. In such events, we will retain the Personal Data separately and only use such Personal Data for the aforementioned purposes.

#### **8. Export of Personal Data outside the European Union**

We may transmit Personal Data to parties outside the European Union, if one of our Processors or Controllers is established outside the European Union. Personal Data will only be transferred to countries and/or parties that provide an adequate level of protection in accordance with the European standards, or if we have contractual safeguards in place. You may contact us if you wish to receive more information or a copy of the safeguards we take in this scope.

#### **9. Third party websites**

You may find advertising or other (hyper)links on our Website that link to the websites, products and services of partners, suppliers, advertisers, sponsors, licensors or other third parties. We do not control the content or the links that appear on these websites and we are not responsible for the practices employed by websites linked to or from our Website. In addition, these websites, products and services, including their content and links, may be constantly changing. These websites, products and services may have their own privacy notices, user terms and customer service policies. Browsing and interaction on any other website, including websites that are linked to or from our Website, are subject to the terms and policies of that website.

10. Your rights as a data subject and our contact data

## You have the right to...

**Access**

You can ask us to provide access to, and a copy of, your personal data along with additional relevant details.

**Data portability**

You can ask us to give you your personal data in a format that you can easily use elsewhere.

**Rectification**

You can ask us to rectify any inaccuracies or complete any incompleteness in your personal data.

**Restrict processing**

You can ask us to stop using your personal data, but still keep it stored.

**Erasure**

You can ask us to erase your personal data, a right often referred to as "the right to be forgotten".

**Withdraw consent**

You can ask us to stop using your personal data for the purpose we requested your consent for. This does not impact the legality of any prior or other uses of your data.

**Object**

You can ask us to stop using your personal data for things like direct marketing or for our own business needs.

You are always entitled to file a complaint with a data protection supervisory authority if you believe that we are not processing your personal data in accordance with the GDPR. In the Netherlands, the supervisory authority for data protection is:

Autoriteit Persoonsgegevens

Website: <https://www.autoriteitpersoonsgegevens.nl>

If you have questions or concerns about this Privacy Notice or your privacy, you can contact us at [privacy@mywheels.nl](mailto:privacy@mywheels.nl).

**MyWheels B.V.**

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1190 AA Ouderkerk aan de Amstel

**W:** [www.mwywheels.nl](http://www.mwywheels.nl)

**TEL:** 085-7734222

**Chamber of Commerce:** 37133089

11. Changes to the Privacy Notice

The Privacy Notice may be changed from time to time. Please check our Privacy Notice frequently. The new Privacy Notice will be effective immediately upon posting on our Website. If we change our Privacy Notice significantly, then we will state so on our Website together with the revised Privacy Notice.