



Privacy Statement

1. General Statement.

Tesla Motors, Inc. ("Tesla") respects your concerns about privacy. This privacy statement explains Tesla's policies and procedures regarding personal and other information about our customers. Tesla intends to provide you with a level of comfort and confidence in how we collect, use, disclose and safeguard personal and other information that we collect or that you provide to Tesla, and how you can contact us if you have any questions or concerns.

This privacy statement applies to information about you that can be used to contact or identify you ("Personal Data"). Personal Data includes, but is not limited to, your name, home and business mailing addresses, telephone number, email address, credit card or other billing information, certain data about your Tesla vehicle ("Vehicle"), and other information that you submit to us.

By accessing and using the Site (defined below), purchasing and using your Vehicle, receiving the Service (defined below), or otherwise providing Personal Data to Tesla, you acknowledge that you understand and agree to the terms of this privacy statement and the processing and transfer of Personal Data in accordance with this privacy statement.

2. Information That We Collect.

This privacy statement applies to Personal Data collected about you or directly from you, the Site¹, your Vehicle (either in person or through wireless communications networks and signals from GPS satellites), a Tesla affiliate or business partner, or other third parties that are contractually required to maintain its confidentiality. Such data may include the following:

- a. MyTesla. Customers who purchase a Vehicle will receive a MyTesla account, which is hosted on our Site. We collect and process the following types of data for your MyTesla account: your customer profile information; the status of your Vehicle order; the owner's manual, warranty and other documentation for your Vehicle; and profile information about your Vehicle (including vehicle identification number, service plan information, connectivity package, and other personalized details such as Internet radio account information).
- b. Telematics Log Data. Your Vehicle collects and stores certain telematics data regarding its performance and condition, including the following: vehicle identification number, speed and distance information, battery use management information, battery charging history, battery deterioration information, electrical system functions, software version information, Infotainment system data, safety-related data (including information regarding the Vehicle's SRS systems, brakes, security, e-brake), and other data to assist in identifying and analyzing the performance of the Vehicle (collectively, "Telematics Log Data"). We collect and process this Telematics Log Data.
- c. Remote Vehicle Analysis. We can dynamically connect to your Vehicle (excluding Roadster) to diagnose and resolve issues in the Vehicle, and this process may result in access to

¹ The term "Site" means Tesla's Internet and intranet sites and pages, networks, mobile networks, interactive features, applications, widgets, blogs and their respective contents, and any other interactive content, including but not limited to content that links to the Tesla family of websites such as social networking sites and their respective contents, whether accessed via computer, mobile device, Tesla vehicle or other technology.



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personal settings in the Vehicle (such as contacts, browsing history, navigation history, and radio listening history). This dynamic connection also enables us to view the real-time (but not historical) location of the Vehicle. This type of access is restricted to a very limited number of personnel. We do not store location data or data about personal settings in your Vehicle.

- d. Other Vehicle Data. Your Vehicle collects and stores data about accidents involving your Vehicle (such as air bag deployment) and the following types of data (for Vehicles other than Roadster): data about remote services (such as remote lock/ unlock, start/ stop charge commands, and honk the horn commands); a “heartbeat” data report to confirm that the Vehicle is online together with information about the current software version and certain telematics data; data about any issues that could materially impair operation of the Vehicle; data about any safety-critical issues; and data about each software and firmware update. We collect and process such data.
- e. Service History. We collect and process data about the service history of each Vehicle, including the customer’s name, vehicle identification number of the Vehicle, repair history of the Vehicle, any outstanding recalls for your Vehicle, due bills for the Vehicle, any customer complaints regarding the Vehicle, and anything related to the service history of the Vehicle.
- f. Website Log Data. Whenever you visit or interact with the Site, Tesla and any third-party publishers or Web sites and/or service providers may use a variety of technologies that automatically or passively collect information about how the Site is accessed and used including, but not limited to, statistical data such as browser type, operating system, the IP address or other unique identifier for the device used to access the Site, the pages that you visit, the time and date of your visit, the amount of time spent on each page, the preceding page views, information that you access or search for on the Site, status of onboard vehicle systems and other statistics (collectively, “Website Log Data”). We use Website Log Data to monitor and analyze use of the Site and the Services and for technical administration of the Site and to provide you Services, to increase functionality and user-friendliness, and to better tailor the Site to your needs. For example, some of this information is collected so that when you visit the Site again, it will recognize you and serve information appropriate to your interests. We also use this information to verify that you meet the criteria required to process their requests.
- g. Cookies. Like many websites, we use “cookies” to collect information. A cookie is a small data file that we transfer to your computer’s hard disk for record-keeping purposes. We use cookies for two purposes. First, we use “persistent” cookies (which are stored on your hard drive) to save your registration ID and login password for future logins to the Site. Second, we use “session” cookies (which are stored on your device’s working memory or RAM) to enable certain features of the Site, to better understand how you interact with the Site and to monitor aggregate usage and web traffic routing on the Site. Unlike persistent cookies, session cookies are deleted from your computer when you log off from the Site and Service and then close your browser. You can instruct your browser, by changing its options, to stop accepting cookies or to prompt you before accepting a cookie from the websites you visit. If you do not accept cookies, however, you may not be able to use all portions of the Site or all functionality of the Service.



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3. How We Use and Share Information That We Collect.

No Independent Use. Tesla does not share, sell, or rent Personal Data to unaffiliated third parties for their own use (i.e., for purposes unrelated to products and services of Tesla and its affiliates) without your consent.

Tesla uses and processes information that we collect about and from you for a variety of business purposes, including for example: to respond to your questions and requests, such as requests for product information, vehicle information alerts, and brochures; to advise you of important safety-related information; to enable you to participate in programs hosted by Tesla from time to time; to provide you with access to certain services, areas and features of the Site; to monitor your Vehicle's performance and provide services related to your Vehicle; to verify your identity; to communicate with you about your account and activities on the Site and, in our discretion, changes to any Tesla policy; to tailor content, advertisements, and offers that we provide; to improve the Site; to combine and compare data about your Vehicle with data gathered from other Tesla vehicles and products, in order to monitor performance, resolve performance issues, and research, evaluate and develop improved services and vehicle technology; to monitor and help you maintain your Vehicle; to process applications and transactions; to administer your inquiries; for purposes related to your purchase of a Tesla Vehicle or other product; to protect the rights, property, or safety of Tesla, you or others; to fulfill and deliver an order for goods or services; to meet a request for or to develop new products or services; to match Personal Data collected from the Site or Vehicle with data about you collected through other sources; to comply with legal requirements; for internal business purposes; and for purposes disclosed at the time you provide your Personal Data or otherwise with your consent (collectively, the "Service" or "Services").

We may also share Personal Data and other information collected about you as disclosed at the time that you provide such information and as follows:

Service Providers. In order to carry out your requests, to make various features, services and materials available to you, and to respond to your inquiries, we may share Personal Data and other information collected about you with third parties that perform functions on our behalf (or on behalf of our partners) or on your behalf, such as companies or individuals that: facilitate our Service; provide Service on our behalf or your behalf; perform Site-related services (including, without limitation, maintenance services, database management, web analytics and improvement of the Site's features); provide Vehicle-related services (including wireless connectivity); analyze data; provide customer service; provide vehicle maintenance or related services; sponsors or other third parties that participate in or administer Tesla programs or provide marketing assistance. These third parties have access to your Personal Data only to perform these tasks on our behalf or your behalf and are obligated not to disclose or use it for any other purpose.

Aggregated Data. We may share aggregated information that does not include Personal Data and we may otherwise disclose Website Log Data, Telematics Log Data, and other non-Personal Data with third parties for industry analysis, demographic profiling and other purposes. Any aggregated information shared in these contexts will not contain your Personal Data.

Business Transfers. Tesla may transfer or disclose information, including Personal Data, to our subsidiaries, affiliates and other entities in the family of companies controlled by Tesla for internal reasons, primarily for business and operational purposes. We may also share your information with



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authorized retailers and other entities that may be involved in the sale or service of Tesla vehicles and products. As we continue to develop our business, we may sell or purchase assets. If another entity acquires us or all or substantially all of our assets, we may disclose Personal Data and any other information that we have collected about you to such entity as part of the due diligence process and transfer the data as one of the transferred assets.

Legal Disclosure. Tesla may transfer and disclose information, including Personal Data, to third parties to comply with a legal obligation (including, but not limited to, subpoenas); when we believe in good faith that the law requires it; at the request of governmental authorities conducting an investigation; to verify or enforce our policies and procedures; to respond to an emergency; to prevent or stop activity we may consider to be, or to pose a risk of being, any illegal, unethical or legally actionable activity; or to protect the rights, property, safety, or security of the Site, Tesla, third parties, visitors to our Site or the public, as determined by us in our sole discretion.

International Transfer. Tesla may transfer Personal Data and other information collected about you between the United States and other countries, including your location outside the United States, and maintain and process such information in the United States and any other country in which Tesla operates. As applicable, Personal Data shall be deemed to include “Personal Data” as that term is defined under EU law (including, without limitation, sensitive Personal Data that reveals, directly or indirectly, racial or ethnic origin, political opinions, religious or philosophical beliefs or opinions, trade-union membership, health, and data relating to offenses, criminal convictions, and criminal sentences/penalties).

Limitations. Data collection and remote services for your Vehicle may not be available in certain geographic areas or in the following circumstances: (a) if the wireless service provider for an area does not have coverage, network capacity, reception or technology that is compatible with the communications hardware and software in your Vehicle; (b) if communications problems are caused by atmospheric or topographical conditions, capacity limitations, equipment problems and maintenance, jamming and other factors and conditions; (c) if your Vehicle does not have a working electrical system (including adequate battery power); (d) if you have not maintained your Vehicle in good working order and in compliance with all government regulations and the provisions of your Tesla EV’s owner’s manual; (e) if you try to add, connect or modify any equipment or software in your Vehicle; or (f) due to forces or causes beyond our reasonable control.

You acknowledge that the privacy laws of the locations in which we store and process your information may not be as protective as those in your jurisdiction.

4. Security

Tesla is very concerned with safeguarding your information. We take reasonable security measures – including technical, physical and administrative safeguards – to safeguard Personal Data against unauthorized access, disclosure, alteration and destruction. Although we maintain safeguards to protect information sent wirelessly to and from Vehicles, we cannot promise or guarantee that transmissions through wireless and satellite networks will not be intercepted by others.

If you sell or transfer your Vehicle to another person, please notify us so that we can determine whether additional steps are required to safeguard your Personal Data from disclosure to the purchaser or transferee of the Vehicle.



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Tesla will never request your credit card information, your account ID, login password, or national identification numbers in a non-secure or unsolicited e-mail or letter by U.S. mail or fax or text message. If you receive an e-mail or letter by U.S. mail or fax or text message asking you to update your credit card information or password, do not respond; this is a scam.

5. Links to Other Sites.

Our Site may contain links to other websites. If you choose to visit an external website by “clicking on” a link, you will be directed to that third party’s website. The fact that we link to a website or present a banner ad or other type of advertisement is not an endorsement, authorization or representation of our affiliation with that third-party, nor is it an endorsement of their privacy or information security policies or practices. We do not exercise control over third party websites. These other websites may place their own cookies or other files on your computer, collect data or solicit personal information from you. Other sites follow different rules regarding the use or disclosure of the personal information you submit to them.

6. Access To Your Information; Opt-Out Rights.

If you provided Personal Data in connection with the purchase or operation of a Tesla vehicle or other product, you may review and request updates of that information by accessing your MyTesla account or contacting Tesla pursuant to Section 11 below. We will use reasonable efforts to correct any factual inaccuracies in your information of which we are given notice, and we take reasonable steps to ensure that Personal Data is reliable for its intended use, accurate, complete and current.

You may choose not to disclose Personal Data to Tesla in person, by telephone, by email or through the Site. You may also opt-out from processing of your Personal Data as follows:

- If you choose to receive e-mail communications from Tesla about products and other information, you may opt out from receiving such e-mails by following the opt-out instructions provided in the e-mail that you receive.
- If you wish to opt-out from collection of new categories of your Personal Data, from use or processing of your Personal Data in a manner that is not described in this Privacy Statement and/or from disclosure of your Personal Data to unaffiliated third parties, you may do so by sending a written request to Tesla (see Section 11 on How to Contact Us).
- For Vehicles other than Roadster, you may opt-out from our automatic collection of Telematics Log Data by sending a written request to Tesla or by adjusting the privacy settings through the touchscreen of your Vehicle, if such functionality is available and has been enabled on your Vehicle. If you opt-out from collection of such Vehicle data, please note that we will not notify you of issues applicable to your Vehicle in real-time and this may result in your Vehicle suffering from reduced functionality, serious damage or inoperability.
- You may also opt-out from transmission of any data between your Vehicle and Tesla as follows: (a) for Roadster, by switching off the modem in your Vehicle, or (b) for other Vehicles, by sending a written request to Tesla pursuant to Section 11. If you exercise this opt-out, please note that we will be unable to notify you of issues applicable to your Vehicle in real-time and this may result in your Vehicle suffering from reduced functionality, serious damage or inoperability and it may also disable many features of your Vehicle, including periodic software and firmware updates, remote services, interactivity with mobile



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applications, and in-car features such as navigation and location search, Internet radio, voice commands and web browser functionality.

In accordance with our routine record keeping, we may delete certain records that contain your Personal Data. We are under no obligation to store such Personal Data indefinitely and disclaim any liability arising out of, or related to, the destruction of such Personal Data. You are also notified that it may not always be possible to completely remove, update or delete your information from our databases without some residual or unchanged data because of backups and other reasons.

7. Children's Privacy.

Tesla does not knowingly collect Personal Data from children under 13 years of age. If a child has provided us with Personal Data, a parent or guardian may contact us in accordance with the section below titled, "How To Contact Us" and, upon request, Tesla will make reasonable efforts to delete the child's information from the database in which it is stored.

8. Changes.

Tesla may change information on the Site and/or this privacy statement at any time without prior notice to you, and any changes will be effective immediately upon the posting of the revised privacy statement on the Site. However, Tesla will use your Personal Data in a manner consistent with the privacy statement in effect at the time you submitted the information, unless you consent to the new or revised policy. Continued use of the Site or Service, as applicable, will constitute such consent.

9. Safe Harbor Compliance.

Tesla has established procedures for periodically verifying implementation of and compliance with the Safe Harbor principles set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information from European Union member countries and Switzerland.

For some Personal Data covered by this privacy statement, Tesla acts as a Data Controller (e.g., by determining the purpose and means of processing such data). Where Tesla acts as a Data Controller for Personal Data, Tesla will handle such information in compliance with the seven Safe Harbor Privacy Principles (notice, choice, onward transfer, security, data integrity, access, and enforcement). To learn more about the Safe Harbor program, and to view Tesla's certification, please visit <http://www.export.gov/safeharbor/>.

Tesla conducts an annual self-assessment of its Personal Data practices to verify that the attestations and assertions the company makes about its privacy practices are true and that the company's privacy practices have been implemented as represented.

Tesla personnel globally who store, access, or process Personal Data subject to Tesla's Safe Harbor certification must comply with this privacy statement with respect to such Personal Data.

10. California Privacy Rights.

Under California's "Shine the Light" law (California Civil Code section 1798.83), California residents who provide personal information in obtaining products or services for personal, family or household use are entitled to request and obtain from us once a calendar year information about the customer information we shared, if any, with other businesses for their own direct marketing uses. If



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applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2012 will receive information regarding 2011 sharing activities).

To obtain this information on behalf of Tesla's U.S. operations please send an email message to privacy@TeslaMotors.com with "Request for California Privacy Information" on the subject line and in the body of your message. We will provide the requested information to you at your e-mail address in response. Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

11. How to Contact Us.

To contact us with a question or comment, or to request a correction or deletion of your Personal Data, please contact us at:

- via e-mail at privacy@TeslaMotors.com; or
- via mail at Tesla Motors, Inc., Attn: Legal, 3500 Deer Creek Road, Palo Alto, California 94304, United States.

Tesla is committed to working with individuals to obtain a fair and rapid resolution of any complaints or disputes about privacy and the collection or use of your data. For European Union and Swiss citizens, this commitment complies with the US-EU and US-Swiss Safe Harbor Principles. Individuals with an inquiry or complaint regarding this Privacy Statement should first contact Tesla as described above in this Section 11. If a complaint or dispute cannot be resolved through Tesla's internal processes, Tesla commits to refer the unresolved privacy complaint for resolution by an independent dispute resolution mechanism, as follows:

- For citizens of the European Union and Switzerland, the BBB EU SAFE HARBOR operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgement of your informal complaint to Tesla, or if your complaint is not satisfactorily addressed by Tesla, please visit the BBB EU SAFE HARBOR web site at www.bbb.org/us/safe-harbor-complaints for more information and to file a complaint.
- For citizens of other regions, the American Arbitration Association or its division the International Centre for Dispute Resolution.

12. Frequently Asked Questions.

Q1 – What are Tesla “affiliates”? As used in this policy, Tesla affiliates are companies that are owned or controlled by Tesla and companies in which Tesla has a substantial ownership interest.

Q2 – What is an example of a Tesla “business partner”? As used in this policy, Tesla business partners are marketing affiliates, third party vendors, and other business partners.

Q3 – What does it mean to “use” and “process” information? As used in this policy, the terms “using” and “processing” information include using cookies on a computer, subjecting the information to statistical or other analysis and using or handling information in any way, including, but not limited to collecting, storing, evaluating, modifying, deleting, using, combining, disclosing and transferring information within our organization or among our affiliates within the United States or internationally.



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Q4 – What types of information are collected from Tesla vehicles and products? Data related to monitoring and improvement of operation and/or service of Tesla vehicles and products, including battery condition and state of charge, temperature, telematics and other types of data as described herein.