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December 30, 2014

VIA OVERNIGHT MAIL

The Honorable Al Franken
United States Senate Chairman
Senate Judiciary Subcommittee
On Privacy, Technology, and the Law
309 Hart Senate Office Building
Washington, D.C. 20510-2309

Dear Senator Franken:

Thank you for your letter of December 2 and for your interest in learning more about Lyft and our policies regarding customer data. We share your commitment to keeping customer data, including trip data, safe and appreciate your leadership on this issue.

Introduction

Trust is fundamental to Lyft's ability to succeed. Since our foundations in Zimride, a platform that pioneered connecting online to engage in ridesharing, our offerings have continuously evolved with the goal of providing a safe transportation alternative that more efficiently uses vehicles on the road. Lyft's origins make us unique in the mobile transportation space — our company was explicitly founded with the goal of creating a community for Lyft drivers, passengers, and employees. And while Lyft has grown since our inception (we now operate in over 25 states and the District of Columbia), we have remained focused on our founding principles. Our measured and responsible growth has allowed us to create a space where passengers and drivers can interact with mutual respect and trust. Indeed, passengers and drivers have embraced Lyft in large part because of our innovations that deliver transparency and accountability for both.

Below we have addressed the specific questions your office has asked us.

1. Your spokesperson has stated that steps have been taken to restrict access to customers' data, including location data, to a subset of employees. To whom is access still available and what circumstances qualify as proper use of such data? Where do you provide this information to consumers?

Public trust is key to Lyft's mission, and we provide information to consumers about how we collect, use, share, and protect customer data, including trip data, in our privacy policy as part of that goal. As recent events in our industry have made clear, customers



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may be justifiably concerned about a company making improper use of their trip data. We've taken this opportunity to reevaluate our own restrictions and protections to ensure that we are doing everything we can to keep our customers' trip data safe.

As your question recognizes, we have taken steps towards restricting access to customer trip data. Most significantly, we have restricted access to our internal operations dashboard to those teams that need it as part of their daily work. On top of that blanket restriction, we've introduced a tiered access system within the dashboard itself, so that we can restrict access on an even more granular level. This approach allows us to make more nuanced decisions as to whether and in what circumstances access to certain data should be permitted. Having made these changes to our dashboard, we are also working to extend these restrictions on other internal tools that incorporate customer data.

We have implemented these changes to better reflect the reality that some teams at Lyft do not need access to trip data to perform their day-to-day jobs. Going forward, employees on these teams will need to proactively seek authorization in order to access tools like our internal operations dashboard. Other teams at Lyft, however, do need access to customer trip data so that we can safely and efficiently provide great service to our passengers and drivers. Take the following examples, which are teams that access customer trip data for reasons that are essential to the services we provide:

- Our Trust and Safety Team responds to driver and passenger concerns 24 hours a day, and team members must often check trip data to resolve these issues. For example, if a passenger reports an incident that occurred on a particular ride, the team would pull the trip data as part of its investigation.
- Our Insurance Team may need to access trip data to assist in processing insurance claims. To provide ultimate peace of mind to our passengers and drivers, we have implemented a first-of-its-kind insurance plan that provides up to \$1 million automobile liability coverage when a driver is matched with a passenger.
- Our Support Team may need to access trip data to respond to customer requests. For example, a passenger may claim that she was overcharged for a ride because the driver took a circuitous route - processing this claim and any refund would require examining the specific information for that ride.
- Our Driver Retention Team provides dedicated support to our driver community. As part of this role, they may examine past trip data to provide feedback if a driver has received low marks on their navigation skills.
- Our Legal Team may need to access ride data for a variety of reasons, including to respond when we receive valid requests from law enforcement, to investigate potential instances of abuse of our service, and to help resolve potential disputes between drivers and passengers.



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These teams and their work are critical to ensure that we can provide a platform that is reliable, safe, and secure. By selectively accessing ride data for these and other legitimate reasons, these teams are able to meet and exceed customer expectations.

There is another set of teams that require access to aggregate trip data that is essential to their job function. These teams, such as our Analytics Team, work on creating new products that help solve urban transportation challenges. One great example of such a solution is our Lyft Line service, that allows passengers with similar routes to share rides. In order to provide this service, our Analytics Team evaluates historical aggregate trip data in order to predict current supply and demand along a given route. By doing so, they are able to make better use of the cars that are on the road with the aim of reducing overall congestion on city streets while providing even more cost-effective ride options for Lyft passengers.

The recent data restrictions we've implemented are consistent with our overall mission at Lyft, and it is also important to recognize that legitimate access to customer trip data is equally essential to providing the kind of service to which our customers are accustomed. We are constantly working to create an atmosphere of mutual respect and trust with our drivers and our passengers, and we remain committed to this vision in all aspects of our company.

2. By accessing a journalist's trip data did executives violate past policies? If they did, to what do you attribute the failure? Under your current policies, is such conduct prohibited?

We believe that this question refers to an interaction that occurred in 2012, at a time when the Lyft platform was just several months old. Our company was much smaller then, we were only available in one market, and there were only a few dozen Lyft drivers accepted on the platform — all of whom had to meet personally with our small team as part of the approval process. As such, we were just beginning to put into place policies and procedures that would sustain the growth that has allowed us to become the valued service provider we are today. In our early days we were eager to demonstrate the community behind Lyft for those interested in learning more. Today, we have better ways of showcasing the platform's community and this type of access is prohibited without consent.

3. What training is provided to employees, as well as contractors and affiliates, to ensure that Lyft's current policies, as well as relevant state and federal laws, are being followed? How has this training been improved in light of recent developments?



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When employees first join Lyft, we provide them with an overview of our data policies, which categorically prohibit using customer data for reasons other than those required by their specific role at the company. Additionally, each employee is required to sign a confidentiality agreement that prevents employees from using or disclosing customer data without the prior consent of the company.

Recent events in our industry have only served to reinforce the need for clear and regular reminders as to each employee's obligations to respect and safeguard the data of both our passengers and our drivers. To that end, we have reminded our employees of the fundamental principles that underlie Lyft's privacy policy:

- Employees are only permitted to access customer data if it is necessary to the performance of their job.
- Employees are never permitted to access customer data for personal reasons or for any reasons not required by their role at the company.
- In no circumstance is customer data permitted to be shared outside of the company without prior approval from the legal department.

In addition to the above, our legal department provided additional privacy training at a recent company-wide meeting, and continue to look for new ways to instruct employees in the importance of data privacy protection. As part of this process, we are also working with outside experts to review our current data privacy policies and prepare for the future as our business continues to grow.

4. What mechanisms do you have in place to monitor for improper use of customer data by employees? Are customers informed if their information has been improperly accessed?

Monitoring access to customer data is another key aspect of sound data privacy protection. Recognizing that, Lyft has implemented various types of logs for internal tools that display customer data, including trip data. While maintaining these logs is in line with industry practices, we have decided to go a step further: we have upgraded our monitoring system in our internal operations dashboard so that employee access to customer and trip data will be recorded and displayed alongside each page in the tool. This "continuous audit" model represents a leading approach for monitoring access to sensitive customer data, and we are proud to make it a part of our Lyft culture. As with the restrictions on access described above in response to Question 1, we will continue examining and advancing ways to bring additional monitoring methods to all tools at Lyft that incorporate customer data.

As to the second part of your question, we are particularly sensitive to customer concerns around privacy, but would address situations of improper access as an



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employee conduct issue. We are unaware of any company that notifies its own customers regarding internal access to data. Of course, should Lyft customer data be improperly accessed by a third party, we would comply to the fullest extent with data breach notification laws.

5. Your spokesperson has suggested that abiding by restrictions on user data is a condition of employment. Under what circumstances would an employee face disciplinary action or termination for a violation of Lyft's privacy policies? Have any disciplinary actions been taken on this basis?

Lyft is committed to enforcing its data privacy policies, and employees are subject to a range of disciplinary actions for improperly accessing or using customer data.

Violations of these policies have been evaluated on a case-by-case basis. And while we have been fortunate that this has not been a serious problem, to give a sense of the range of possibilities, one end of the spectrum might be where an employee investigates a friend's trip data at her friend's request — such a violation would likely receive a warning and a stern reminder of Lyft's privacy policies. More formal discipline would be warranted if the employee accessed customer data for an improper purpose.

As with our training and overall policies, we continue to examine procedures for disciplinary proceedings such that they improve employees' overall understanding of strong data protection.

6. Your privacy policy states that "to preserve the integrity of [Lyft's] databases," you retain customer's data indefinitely. Why is it necessary to retain trip information indefinitely? In particular, when an account is terminated, why isn't all related information deleted as soon as pending charges or other transactional disputes are resolved?

We retain trip data for various reasons, as can be seen from our responses to earlier questions. For example, when we need to respond to a passenger who requests a price review for a particular ride (or a driver who says that she was underpaid for a particular trip), we need to access the ride data to verify the claim before processing a refund or payment. While these types of claims are most often raised by active customers, we have also received such requests after accounts have been deactivated.

Similarly, for trust and safety purposes, we need to be able to look at particular historical incidents when asked by a customer or law enforcement, or when processing insurance claims. While many of these incidents are raised shortly after the ride in question, some may be raised weeks or even months later, and insurance claims may require trip data that goes back years. Being able to use trip data to provide trust and



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safety protections is one of the key strengths from ridesharing platforms like Lyft. As such, there is no clear cut off date for when it would be safe to remove that information from our system.

We also need to retain customer data to prevent fraudulent actors from taking advantage of the Lyft platform. By safely retaining customer data, we can prevent fraudulent actors from creating a new fraudulent account.

Finally, we may also be subject to litigation or regulatory obligations that require us to retain certain information. For example, we have implemented certain document retention measures in response to ongoing litigation. We also have reporting requirements in several jurisdictions that require us to present regulators with data on a number of items, including trips to and from particular zip codes or other locations.

7. Your privacy policy states that you may disclose customers' personal information and demographic information (such as "browsing history," "searching history," and other "ride transaction information") on a "non-anonymous basis" to "protect the interests" of Lyft. What does this mean?

The goal of our privacy policy is to inform our customers about what data we collect and how we use it so that they can make informed decisions about our service. We believe that it is important for our users to understand we may share personal information to comply with applicable law, to cooperate with law enforcement, or to protect the interests or safety of Lyft or other visitors to the Lyft Platform. If we have reasonable grounds to believe that a customer is threatening the safety of others in the Lyft community, or subjecting Lyft to civil or criminal liability, we need the ability to identify that customer and the relevant details surrounding the activity and to disclose that information as appropriate. Such provisions are often found in privacy policies in many different sectors.

8. In the same paragraph, the policy states that you may disclose all of this information to your "subsidiary and parent companies and business, and other affiliated legal entities and businesses with whom [Lyft is] under common corporate control." Why aren't any limitations imposed on this sharing?

Companies often have a need to share information and customer data with their parents, subsidiaries, and other affiliated legal entities. Significantly, we do impose limitations on the transfer of this information – we require that any entity to which we provide customer data “comply with the terms of this privacy policy with respect to their use and disclosure of such information.” By subjecting our affiliates to this requirement, our policy offers more protection to customers than several of our competitors.



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9. Your privacy policy also states that customer data may be shared with advertisers on an "anonymous and aggregated basis." Why aren't customers asked to affirmatively consent to this use of their information? Are customers able to opt out of this information sharing?

Lyft requires affirmative consent to its Terms of Service and incorporated Privacy Policy when a customer first creates their account. By disclosing our practices up front in our Privacy Policy, we allow consumers to make an informed decision as to whether to use our service; if they decide to agree to our Terms of Service and Privacy Policy, they are consenting to our sharing of customer data on an anonymized and aggregated basis. This type of anonymous sharing provision is standard across industries.

To be clear, however, Lyft does not host traditional online or mobile advertising on our platform, so Lyft does not share customer data (anonymous or otherwise) for the purpose of delivering targeted advertising on our platform. Lyft may make certain perks available to drivers (for example, discounts on auto supplies at certain stores), but access to those perks does not involve the sharing of customer data.

Lyft does place ads for our services on third party ad networks. When a consumer clicks on a Lyft ad and performs the action being used as the payment metric for that campaign (such as downloading the Lyft app or taking their first ride), we share limited anonymous data with the ad network to acknowledge that the consumer took the relevant action for the ad campaign. This type of basic conversion tracking is a standard industry practice for online advertising.

10. Your policy states that third parties offering or sponsoring products or services on the Lyft Platform need not comply with Lyft's privacy policy. What are some examples of such third parties? Do you impose any minimum standards in evaluating the privacy policies of those companies?

We include this clause in order to notify customers that we have no control over the privacy policies of third parties. To the extent customers engage with a third party's services via the Lyft platform, we want them to be aware that they should take precautions to review the third party's privacy policy. This is standard in our industry and others, and we think it is important that customers have this notice in their decision making.

For example, Lyft is the official rideshare partner of MLB.com. If a customer were to visit MLB.com via a link on our website, that customer's interactions with MLB.com would be governed by MLB.com's privacy policy and not Lyft's. When we engage in partnerships such as this our goal is to improve the Lyft experience for our community members. So while specific practices may vary from company to company, it is important to us that our partners share our fundamental respect for customer privacy.



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Conclusion

Thank you for the opportunity to share with you our commitment to protecting customer data and ensuring public confidence in our platform. We hope that the information we have provided has addressed the questions you had about Lyft's data privacy practices. If you have any follow up questions, please do not hesitate to reach out to us again.

Sincerely,

A handwritten signature in black ink, appearing to read "Logan Green".

Logan Green
CEO

A handwritten signature in black ink, appearing to read "John Zimmer".

John Zimmer
President