A solution for complying with the revised FTC Safeguards Rule

Presented on July 14th, 2022

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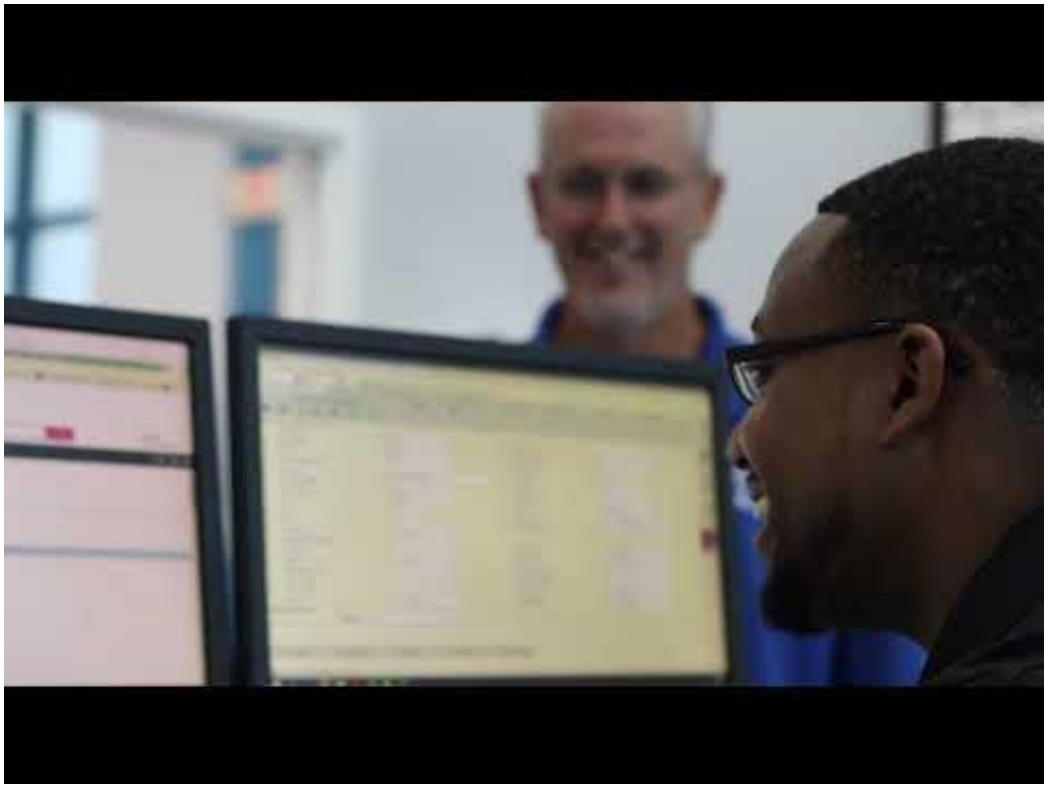
Sr. Manager of Legal Affairs, KPA *(former)*

About ComplyAuto

- **~3,000** dealers use the ComplyAuto software for compliance with state & federal privacy/cybersecurity requirements.
- Endorsed by 30+ state dealer associations.
- Partnered with the NADA and drafted portions of their new FTC Safeguards Manual.

New Mexico Automotive Dealers Association

Legal Background from NADA



APPLICABLE LAW OR REGULATION

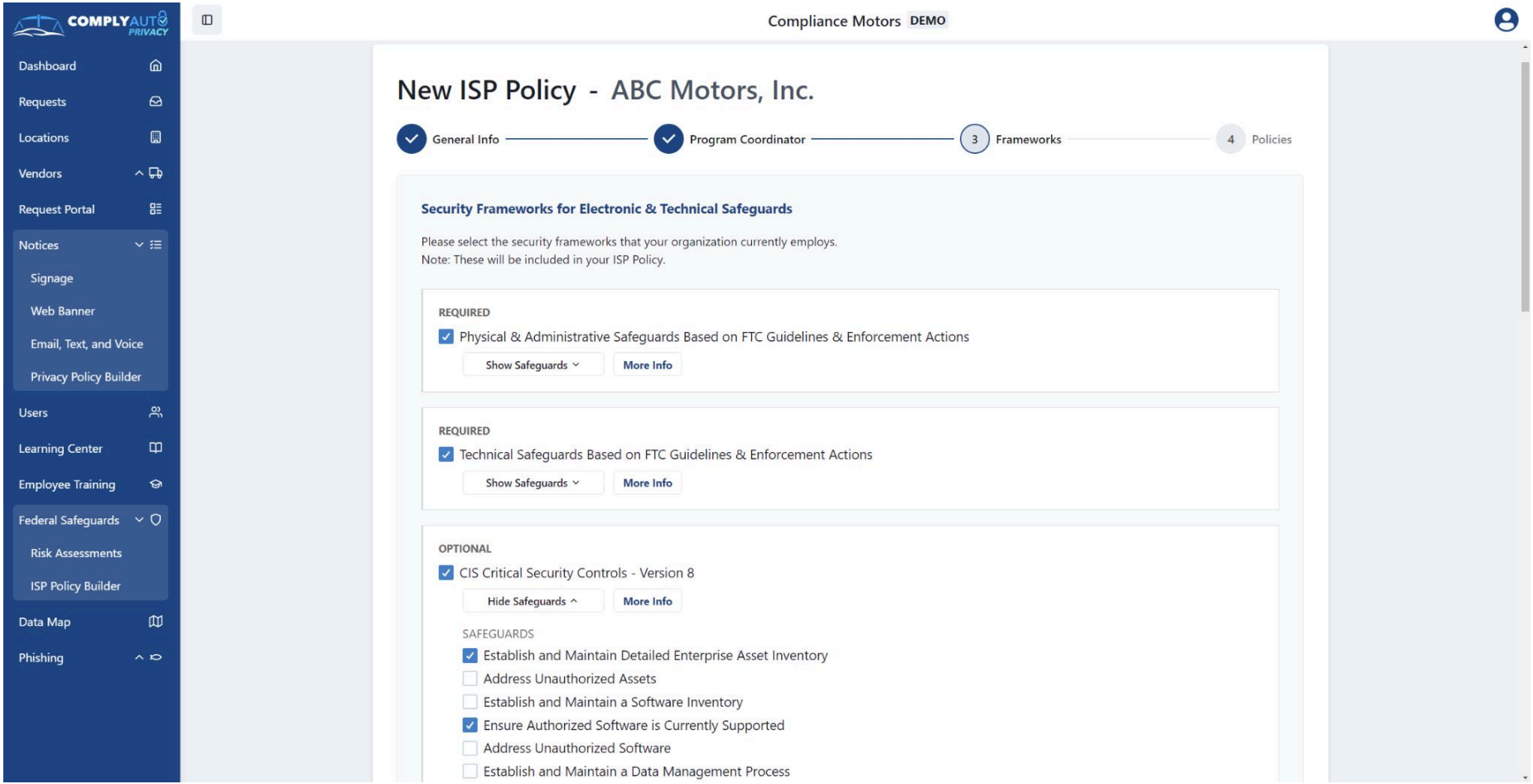
16 CFR §314.4(c)(6)-(7), §314.4(c)(6)(h)(1)

Dealers must have a written Information Security Program and Incident Response Plan that is made available to employees.

FOUR WRITTEN POLICY REQUIREMENTS

The revised rule requires the following written policies:

1. Information Security Program
   - Existing programs must be updated in accordance with the new regulations.
2. Incident Response Plan
   - The regulations specify exactly what must be included in this plan.
3. Data Retention Plan
   - Must dispose of NPI after there's no longer a legal/business need
4. IT Change Management Procedures
   - Process to follow when major changes are made to IT infrastructure to ensure no security gaps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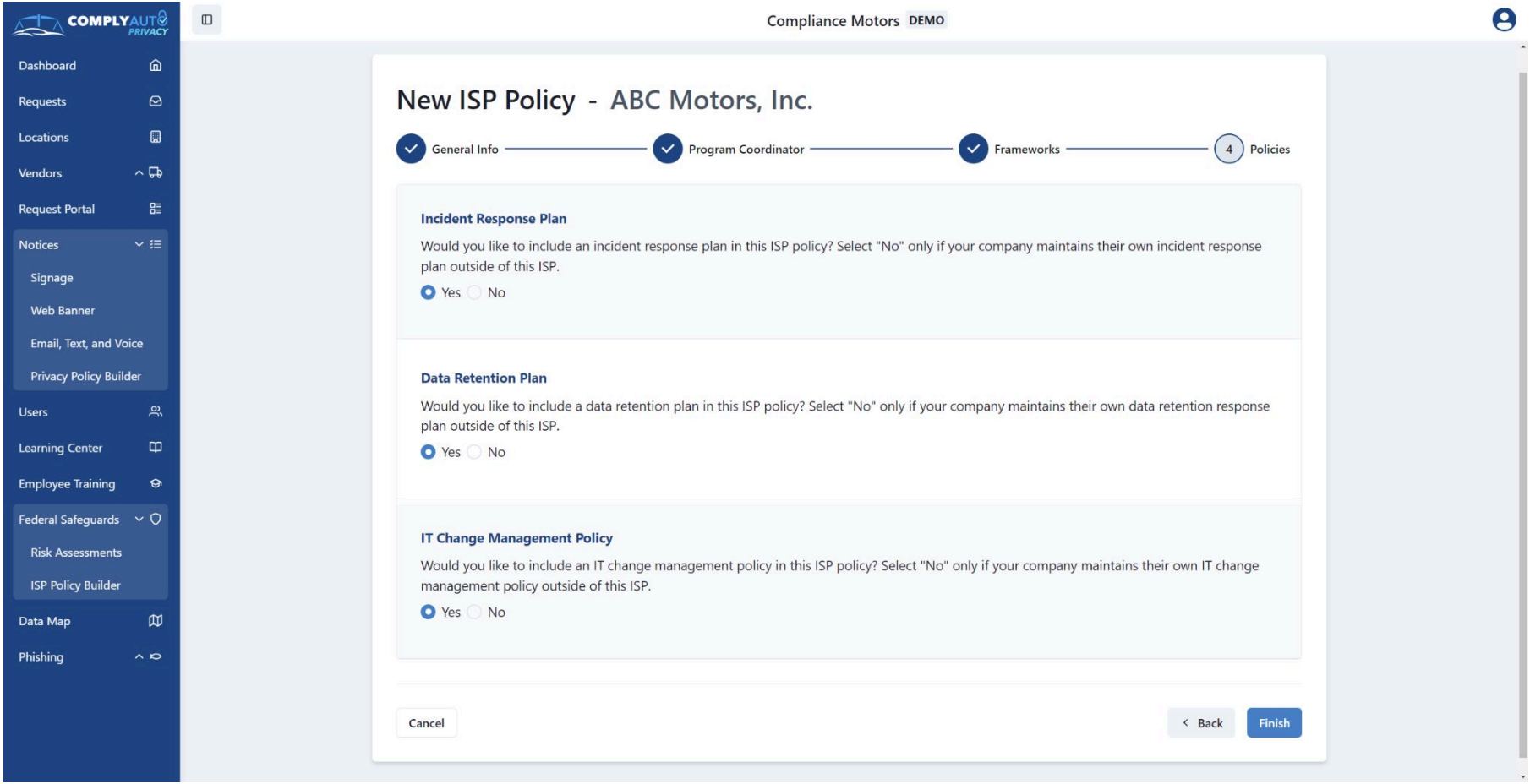
Data Map
Phishing
New ISP Policy - ABC Motors, Inc.
General Info
Program Coordinator
3 Frameworks
4 Policies
Security Frameworks for Electronic & Technical Safeguards
Please select the security frameworks that your organization currently employs.
Note: These will be included in your ISP Policy.
REQUIRED
Physical & Administrative Safeguards Based on FTC Guidelines & Enforcement Actions
Show Safeguards
More Info
REQUIRED
Technical Safeguards Based on FTC Guidelines & Enforcement Actions
Show Safeguards
More Info
OPTIONAL
CIS Critical Security Controls - Version 8
Hide Safeguards
More Info
SAFEGUARDS
Establish and Maintain Detailed Enterprise Asset Inventory
Address Unauthorized Assets
Establish and Maintain a Software Inventory
Ensure Authorized Software is Currently Supported
Address Unauthorized Software
Establish and Maintain a Data Management Process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New ISP Policy - ABC Motors, Inc.
General Info
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Frameworks
4
Policies
Incident Response Plan
Would you like to include an incident response plan in this ISP policy? Select "No" only if your company maintains their own incident response plan outside of this ISP.
Yes
No
Data Retention Plan
Would you like to include a data retention plan in this ISP policy? Select "No" only if your company maintains their own data retention response plan outside of this ISP.
Yes
No
IT Change Management Policy
Would you like to include an IT change management policy in this ISP policy? Select "No" only if your company maintains their own IT change management policy outside of this ISP.
Yes
No
Cancel
Back
Finish

DESIGNATE A SINGLE PERSON TO OVERSEE YOUR ISP

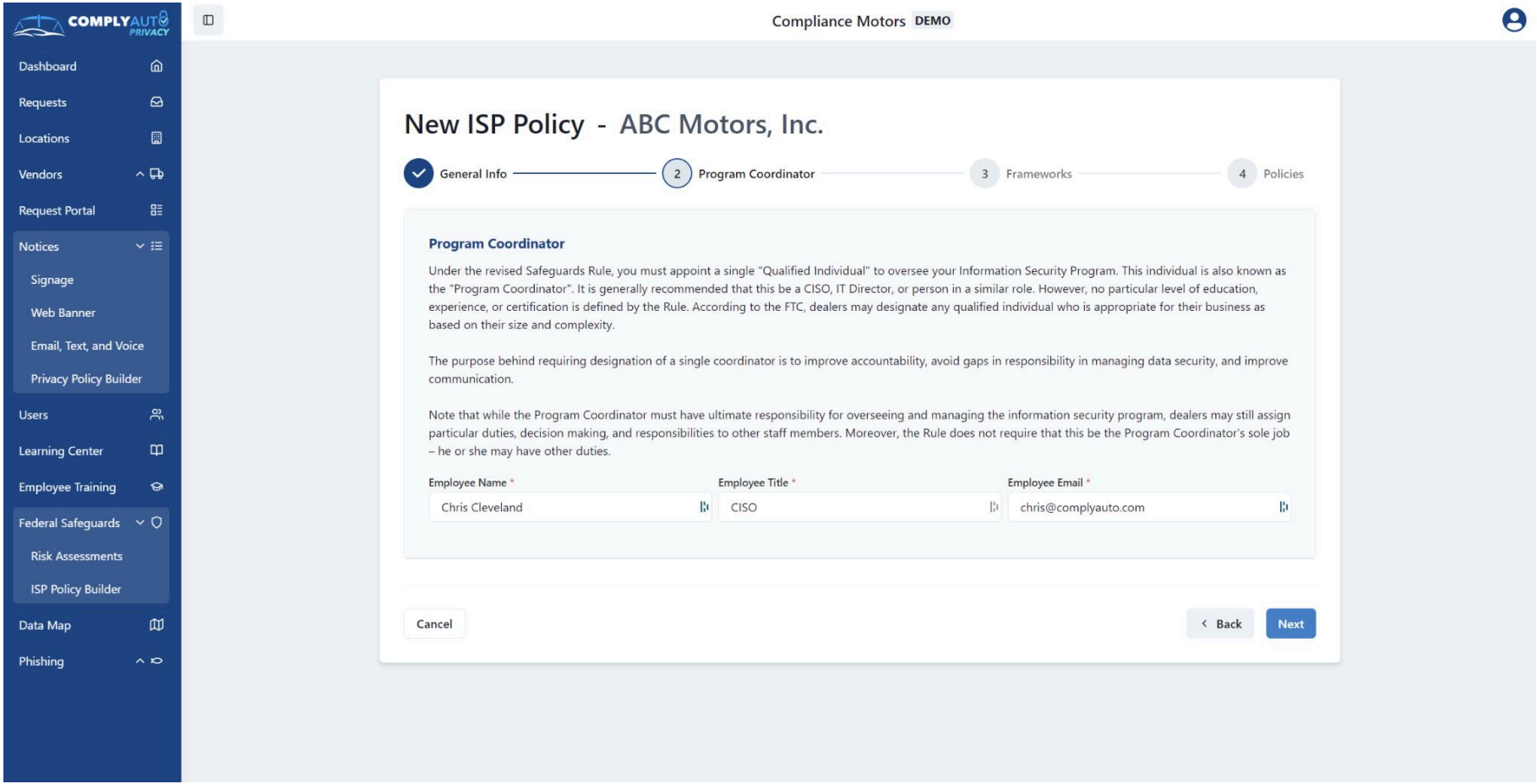
Under the Revised Rule, you must appoint a single "Qualified Individual" to oversee your Information Security Program (“ISP”).

- It is generally recommended that this be a Chief Information Security Officer (CISO), IT Director, or person in a similar role. However, no prerequisite level of education, experience, or certification is defined by the Revised Rule.
- The purpose behind requiring designation of a single coordinator is to improve accountability, avoid gaps in responsibility in managing data security, and improve communication. According to the FTC, splitting authority over an information security program between two or more people leads to failures of communications and oversight.
- Note that while this person must have ultimate responsibility for overseeing and managing the ISP, dealers may still assign particular duties, decisions, and responsibilities to other staff members.

APPLICABLE LAW OR REGULATION

16 CFR § 314.4(a)
Under the Revised Rule, dealers must appoint a single "Qualified Individual" to oversee their Information Security Program (“ISP”)

✖ Old Rule	✔ New Rule
Could be anyone at the dealership	Must be “qualified” in area of information security
Could be multiple individuals	Must be a single person
Known as the “Program Coordinator”	Referred to as the “Single Qualified Individual”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General Info
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3 Frameworks
4 Policies
Program Coordinator
Under the revised Safeguards Rule, you must appoint a single "Qualified Individual" to oversee your Information Security Program. This individual is also known as the "Program Coordinator". It is generally recommended that this be a CISO, IT Director, or person in a similar role. However, no particular level of education, experience, or certification is defined by the Rule. According to the FTC, dealers may designate any qualified individual who is appropriate for their business as based on their size and complexity.
The purpose behind requiring designation of a single coordinator is to improve accountability, avoid gaps in responsibility in managing data security, and improve communication.
Note that while the Program Coordinator must have ultimate responsibility for overseeing and managing the information security program, dealers may still assign particular duties, decision making, and responsibilities to other staff members. Moreover, the Rule does not require that this be the Program Coordinator's sole job – he or she may have other duties.
Employee Name *
Chris Cleveland
Employee Title *
CISO
Employee Email *
chris@complyauto.com
Cancel
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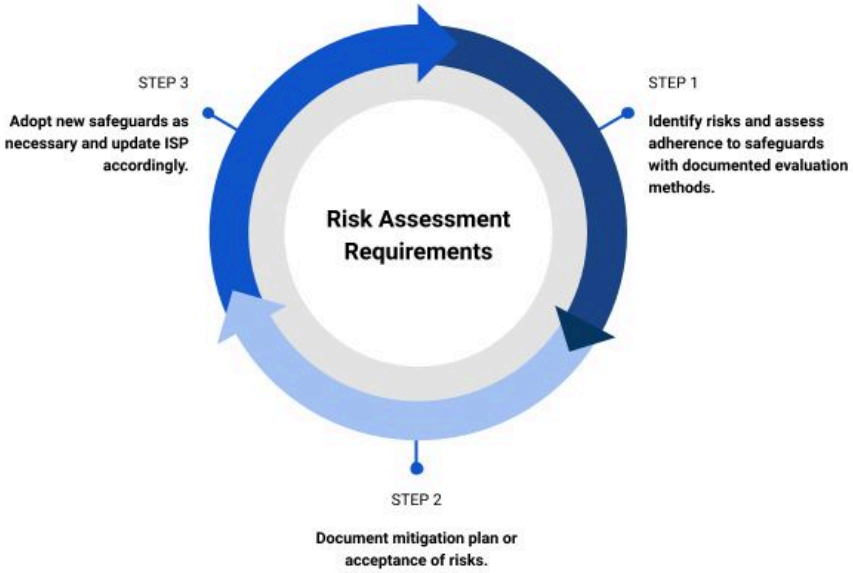
DOCUMENTED INTERNAL RISK ASSESSMENTS

APPLICABLE LAW OR REGULATION

16 CFR §314.4(b)

Dealers must have a written risk assessments for physical and technical safeguards that documents evaluation methods mitigation efforts.



Risk assessments should test for and incorporate, at a minimum, the following:

1. Safeguards required under the revised rule
   - https://www.federalregister.gov/documents/2021/12/09/2021-25736/standards-for-safeguarding-customer-information

2. Safeguards based on FTC enforcement actions
   - *https://www.ftc.gov/system/files/documents/plain-language/pdf0205-startwithsecurity.pdf*

3. Safeguards based on practices recommended by the FTC
   - *https://www.ftc.gov/system/files/documents/plain-language/pdf-0136_proteting-personal-information.pdf*

https://www.cis.org

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4. Limit Administrative Access to a Neutral Department or Person — Risk: MEDIUM

5. Require Complex and Unique Passwords — Risk: HIGH

6. Ensure User Credentials Are Not Stored in Vulnerable Formats — Risk: HIGH

7. Enable MFA for All Systems Containing Nonpublic Personal Information — Risk: HIGH

Do you require the use of multi-factor authentication (MFA) on your most sensitive databases, such as your DMS, CRM, credit and finance systems, and HR software?

× Reset Save

Practical Tip | Associated Risk | Evaluation Method

Third-party Applications. Start by enabling MFA for all of your online or cloud-based applications and software that store or access customer NPI (e.g., your CRM, DMS, and credit-related systems). If you're finding that many of your third-party applications and software companies do not support MFA, then try to enable IP whitelisting if that's available instead, which will help mitigate the risk of unauthorized access. You should also put pressure on each third-party vendor to begin supporting MFA due to the new regulations. Popular dealer systems like DealerTrack and RouteOne already have a way to enable MFA for all users.

On-premises MFA. There are several popular software companies that offer solutions for on-premises multi-factor authentication, such as Okta and Duo Security. If dealers are storing NPI on their own internal devices, networks, or servers (including an on-premises DMS), they should strongly consider enabling MFA on logins to the employees' workstations/operating systems.

Cloud Computing and Email Clients. Most major email clients, like Microsoft 365 and Google (Gmail) natively support MFA. Make sure you enable MFA for all users accessing email, as NPI is commonly transmitted and stored via email. If your dealership is using Google Workspace or Microsoft Azure Active Directory, you should also enable MFA.

(•) Yes ( ) No

Describe the technology or solution used

Using CISO Duo MFA via SMS tokens for all Windows devices. MFA also enabled for Google Workspace and all other cloud-based applications containing NPI, where supported. Systems not supporting MFA have IP safelisted enabled instead.

8. Disable User Accounts After Multiple Unsuccessful Login Attempts — Risk: MEDIUM

9. Encrypt Data at Rest and in Transit — Risk: HIGH

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29. Establish and Maintain a Vulnerability Management Process — Risk: MEDIUM

30. Establish and Maintain a Remediation Process — Risk: MEDIUM

31. Perform Automated Operating System Patch Management — Risk: HIGH

32. Perform Automated Application Patch Management — Risk: MEDIUM

33. Establish and Maintain an Audit Log Management Process — Risk: LOW

34. Collect Audit Logs — Risk: LOW

35. Ensure Adequate Audit Log Storage — Risk: LOW

36. Ensure Use of Only Fully Supported Browsers and Email Clients — Risk: HIGH

37. Use DNS Filtering Services — Risk: MEDIUM

Safeguard 9.2 - Do you use DNS filtering services on all enterprise assets to block access to known malicious domains?

Practical Tip | Associated Risk | Evaluation Method

Multiple organizations exist that provide DNS filtering. Some even provide this service free of charge such as Quad9. With a simple configuration change, enterprise systems will use the filtering service with little to no impact on an organization's Internet browsing all the while blocking bad traffic. Accordingly, the following resources can be of assistance:

- OpenDNS: Steps for setting up OpenDNS on Windows 10 (https://support.opendns.com/hc/en-us/articles/228007207-Windows-10-Configuration).
- Quad9: Steps for setting up Quad9 on Windows 10 (https://www.quad9.net/microsoft).

Yes No

38. Deploy and Maintain Anti-Malware Software — Risk: HIGH

REQUIRED SERVICE PROVIDER CONTRACTS

APPLICABLE LAW OR REGULATION

16 CFR §314.4(f)(2)

Dealers must require that vendors with access to NPI sign a contract where they promise to implement reasonable safeguards.

Who needs to sign a GLBA Service Provider Addendum?

Any vendor who collects or processes NPI.

What if they refuse to sign?

While there is obviously no way to force vendors to sign the addendum, there are some actions you can take:

- Remind the service provider that they may be independently required to comply with the Revised Rule, so completing these items is mutually beneficial. Indeed, in a 2019 complaint against (and subsequent consent order with) a dealership DMS, the FTC took the position that businesses whose services facilitate financial operations on behalf of dealers are themselves considered financial institutions subject to the privacy and data security requirements under the GLBA Safeguards Rule.

- Determine if there's an existing contract with language that already satisfies the requirements of the Revised Rule. Ask your legal counsel to review your existing contract with the vendor as there may already be provisions that require the service provider to maintain appropriate safeguards. If the service provider refused to sign on this basis, ask them to produce a copy of the contract and cite to the applicable provision(s).

VENDOR RISK ASSESSMENTS

APPLICABLE LAW OR REGULATION

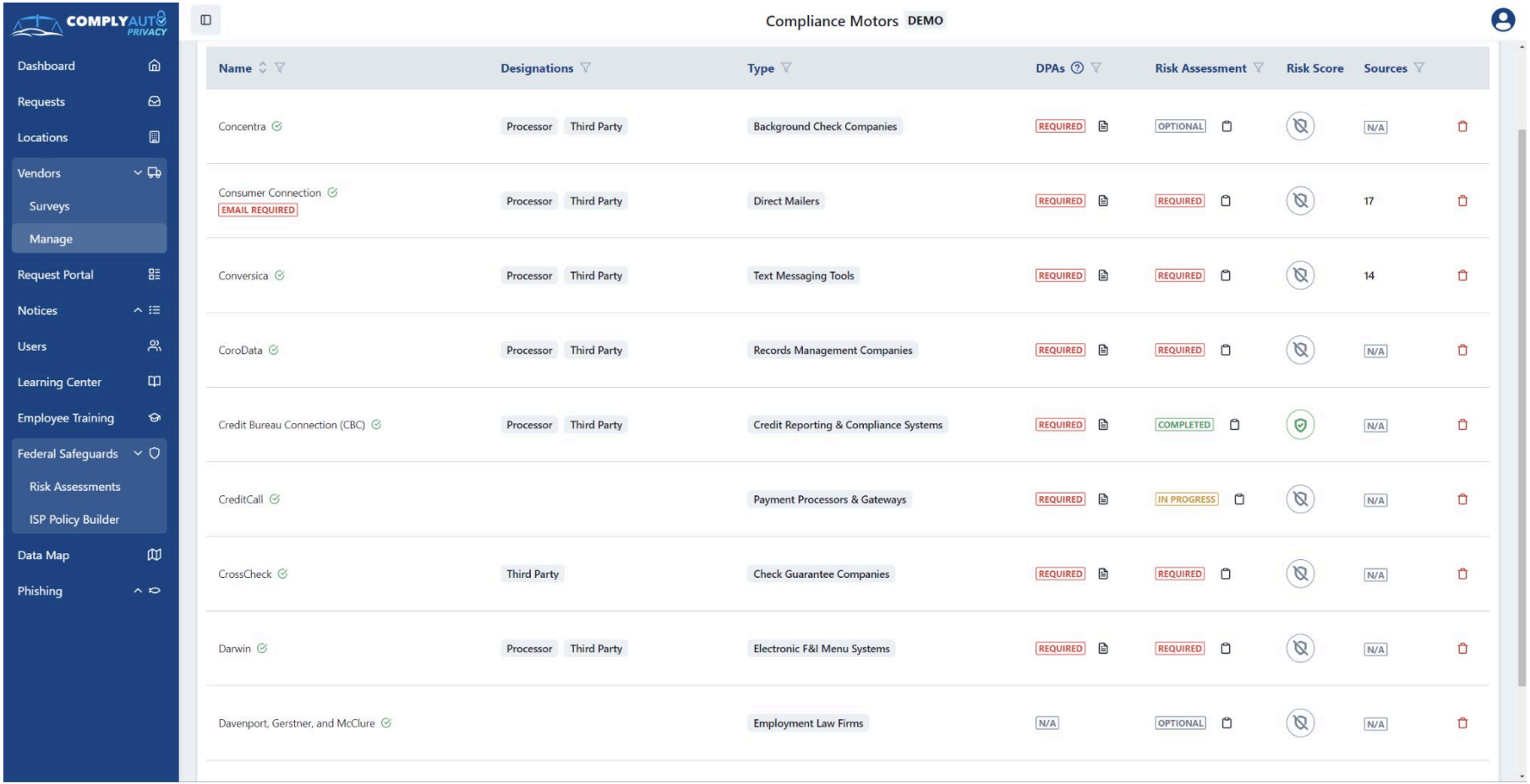
16 CFR §314.4(f)(3)

Dealers are required to periodically assess their service providers based on the risk they present and the continued adequacy of their safeguards.

Dealers must now assess the adequacy of their vendors' safeguards as well. Therefore, dealers should consider the following:

1. Before signing with a new service provider, require them to complete a risk assessment questionnaire that assesses their overall risk and ability to maintain appropriate physical, administrative, and technical safeguards; and

2. Require that existing service providers periodically complete a new risk assessment questionnaire as new risks or safeguards are identified.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Sources
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Third Party
Background Check Companies
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OPTIONAL
N/A
Consumer Connection
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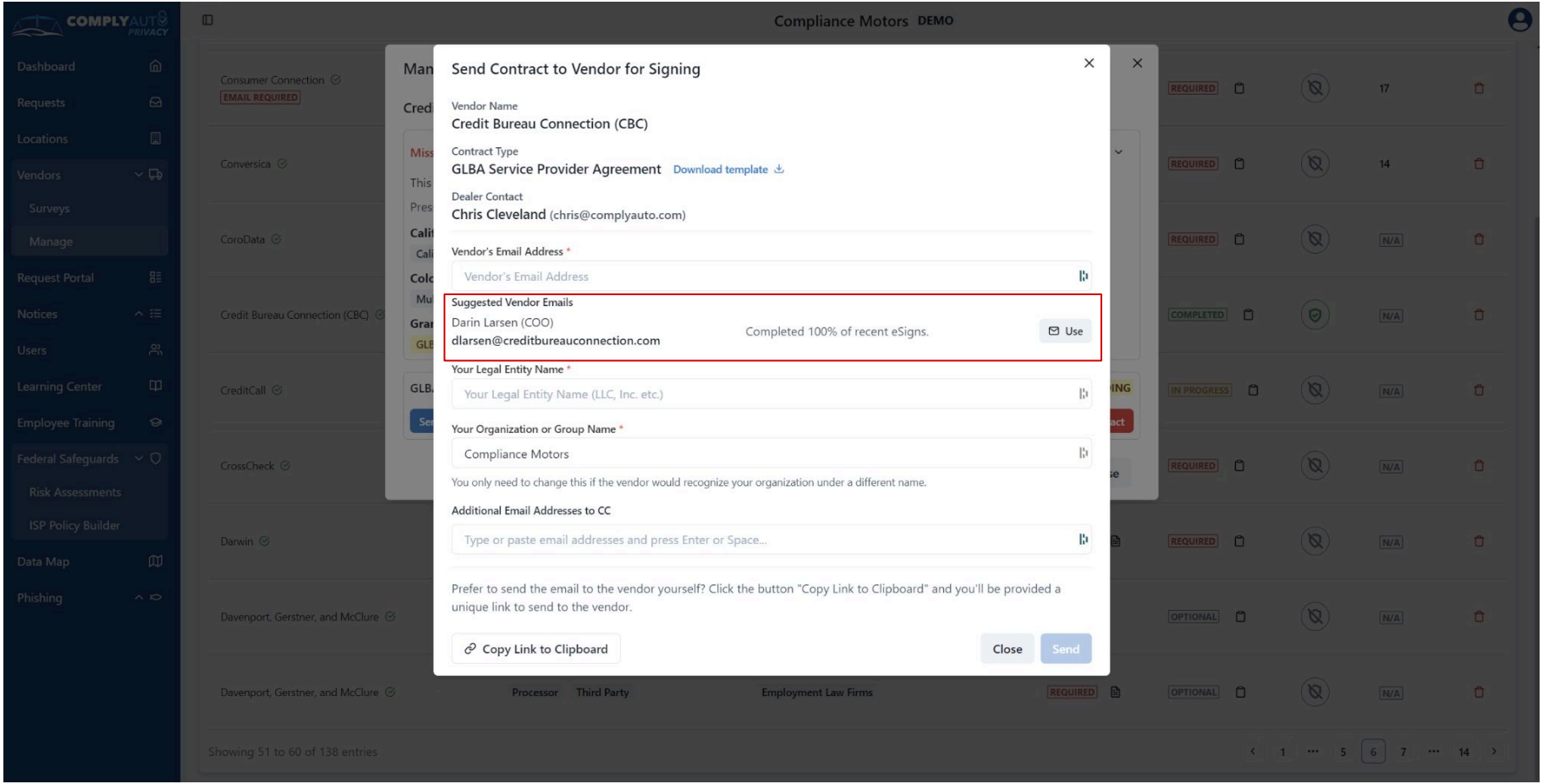
Processor
Third Party
Direct Mailers
REQUIRED
REQUIRED
17
Conversica
Processor
Third Party
Text Messaging Tools
REQUIRED
REQUIRED
14
CoroData
Processor
Third Party
Records Management Companies
REQUIRED
REQUIRED
N/A
Credit Bureau Connection (CBC)
Processor
Third Party
Credit Reporting & Compliance Systems
REQUIRED
COMPLETED
N/A
CreditCall
Payment Processors & Gateways
REQUIRED
IN PROGRESS
N/A
CrossCheck
Third Party
Check Guarantee Companies
REQUIRED
REQUIRED
N/A
Darwin
Processor
Third Party
Electronic F&I Menu Systems
REQUIRED
REQUIRED
N/A
Davenport, Gerstner, and McClure
Employment Law Firms
N/A
OPTIONAL
N/A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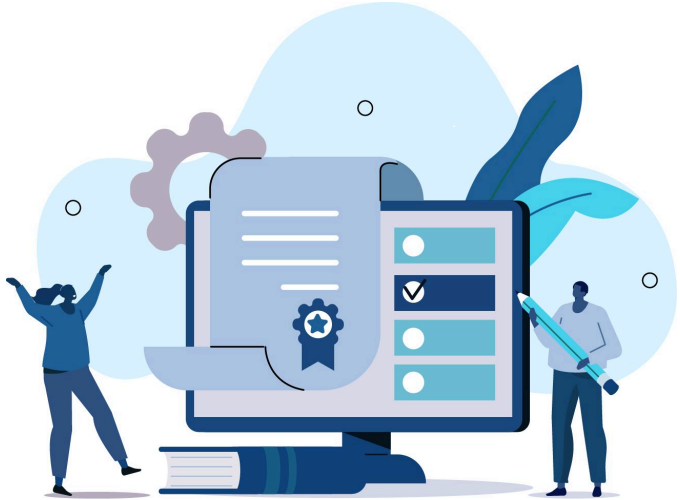
Send Contract to Vendor for Signing
Vendor Name
Credit Bureau Connection (CBC)
Contract Type
GLBA Service Provider Agreement
Download template
Dealer Contact
Chris Cleveland (chris@complyauto.com)
Vendor's Email Address *
Vendor's Email Address
Suggested Vendor Emails
Darin Larsen (COO)
dlarsen@creditbureauconnection.com
Completed 100% of recent eSigns.
Use
Your Legal Entity Name *
Your Legal Entity Name (LLC, Inc. etc.)
Your Organization or Group Name *
Compliance Motors
You only need to change this if the vendor would recognize your organization under a different name.
Additional Email Addresses to CC
Type or paste email addresses and press Enter or Space...
Prefer to send the email to the vendor yourself? Click the button "Copy Link to Clipboard" and you'll be provided a unique link to send to the vendor.
Copy Link to Clipboard
Close
Send

APPLICABLE LAW OR REGULATION

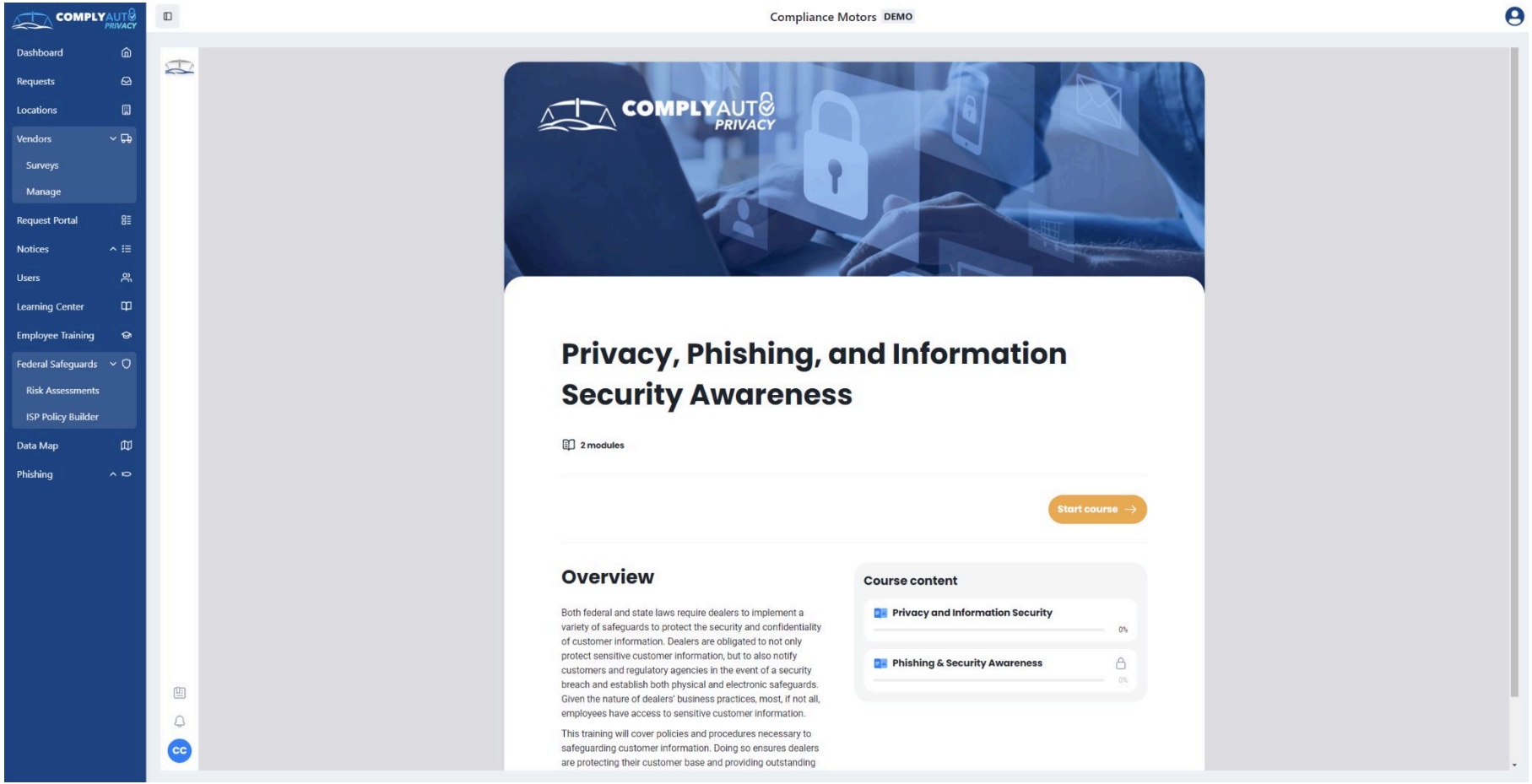
16 CFR §314.4(e)

Employees must be trained on security awareness and your information security program policies, procedures, and safeguards.

NEW EMPLOYEE TRAINING REQUIREMENTS



The Revised Rule now requires that dealers provide “security awareness training” to **all employees** as well as verifying that the information security personnel maintain current knowledge of changing information security threats and countermeasures.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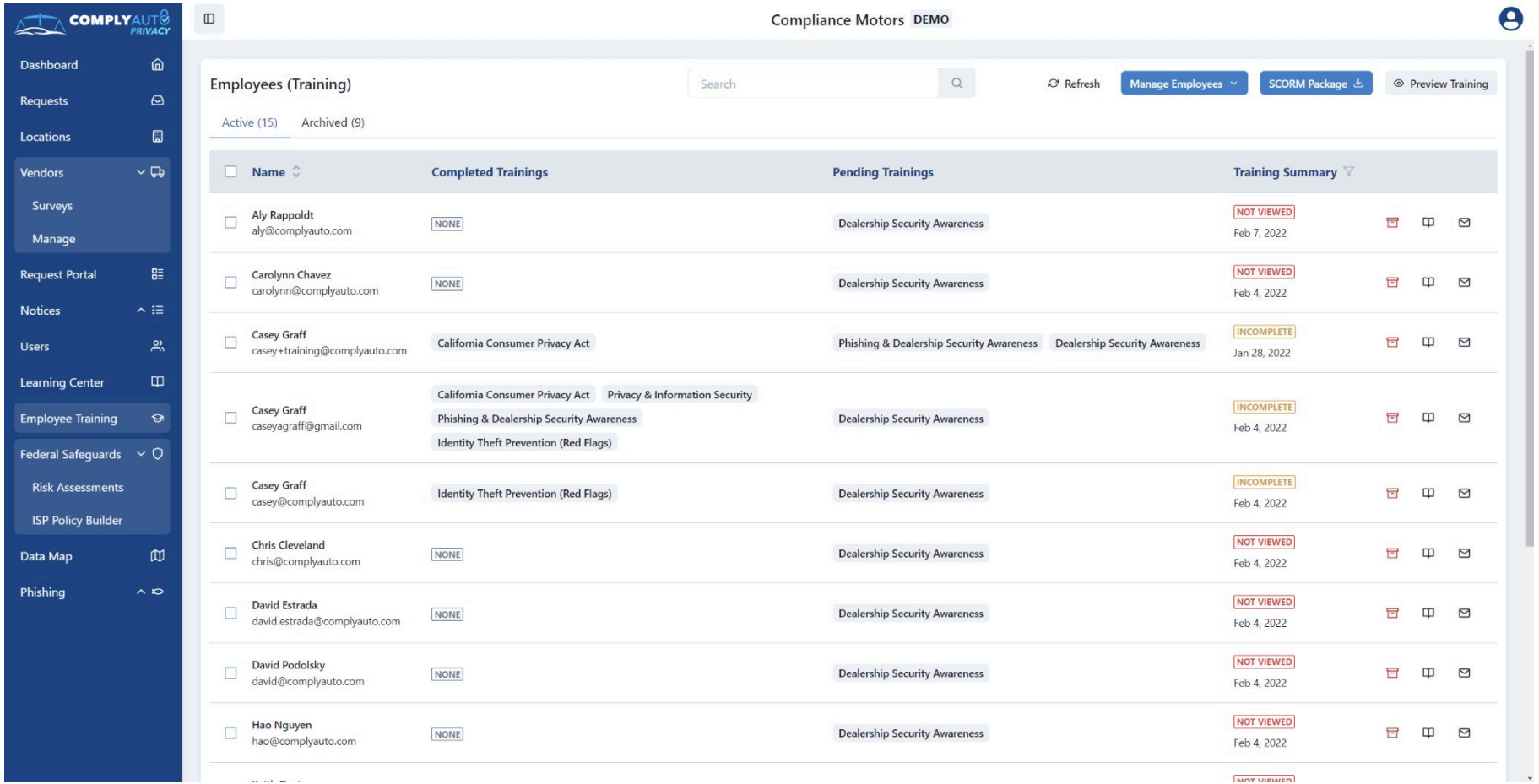
COMPLYAUTO PRIVACY
Privacy, Phishing, and Information Security Awareness
2 modules
Start course
Overview
Both federal and state laws require dealers to implement a variety of safeguards to protect the security and confidentiality of customer information. Dealers are obligated to not only protect sensitive customer information, but to also notify customers and regulatory agencies in the event of a security breach and establish both physical and electronic safeguards. Given the nature of dealers' business practices, most, if not all, employees have access to sensitive customer information.
This training will cover policies and procedures necessary to safeguarding customer information. Doing so ensures dealers are protecting their customer base and providing outstanding
Course content
Privacy and Information Security
0%
Phishing & Security Awareness
0%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Employees (Training)
Search
Refresh
Manage Employees
SCORM Package
Preview Training
Active (15)
Archived (9)
Name
Completed Trainings
Pending Trainings
Training Summary
Aly Rappoldt
aly@complyauto.com
NONE
Dealership Security Awareness
NOT VIEWED
Feb 7, 2022
Carolynn Chavez
carolynn@complyauto.com
NONE
Dealership Security Awareness
NOT VIEWED
Feb 4, 2022
Casey Graff
casey+training@complyauto.com
California Consumer Privacy Act
Phishing & Dealership Security Awareness
Dealership Security Awareness
INCOMPLETE
Jan 28, 2022
Casey Graff
caseyagraff@gmail.com
California Consumer Privacy Act
Privacy & Information Security
Phishing & Dealership Security Awareness
Identity Theft Prevention (Red Flags)
Dealership Security Awareness
INCOMPLETE
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Casey Graff
casey@complyauto.com
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Dealership Security Awareness
INCOMPLETE
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Chris Cleveland
chris@complyauto.com
NONE
Dealership Security Awareness
NOT VIEWED
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NONE
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david@complyauto.com
NONE
Dealership Security Awareness
NOT VIEWED
Feb 4, 2022
Hao Nguyen
hao@complyauto.com
NONE
Dealership Security Awareness
NOT VIEWED
Feb 4, 2022

IMPLEMENT MFA FOR SYSTEMS WITH NPI

APPLICABLE LAW OR REGULATION

16 CFR § 314.4(c)(5)

Under the Revised Rule, dealers must require MFA for any system containing NPI.

Multi-factor authentication ("MFA") is an authentication system that requires at least two distinct authentication factors for successfully logging into a system. For example, **Password + Text Code**

MFA isn't just the law -- it can significantly help reduce your dealership's chances of a cybersecurity incident. According to a study by Microsoft, MFA blocks over 99.9 percent of account compromise attacks. There are three primary scenarios under which dealers will need to consider enabling MFA:

- **Third-party Applications**. Start by enabling MFA for all of your online or cloud-based applications and software that store or access customer NPI (e.g., your CRM, DMS, and credit-related systems).Popular dealer systems like DealerTrack and RouteOne already have a way to enable MFA for all users.

- **On-premises MFA**. If dealers are storing NPI on their own internal devices, networks, or servers (including an on-premises DMS), they should strongly consider enabling MFA on logins to the employees' workstations/operating systems.

- **Cloud Computing and Email Clients**. Most major email clients, like Microsoft 365 and Google (Gmail) natively support MFA. Make sure you enable MFA for all users accessing email, as NPI is commonly transmitted and stored via email. If your dealership is using Google Workspace or Microsoft Azure Active Directory, you should also enable MFA.

ENCRYPTING DATA AT REST & IN TRANSIT

APPLICABLE LAW OR REGULATION

16 CFR § 314.4(c)(3)

The Revised Rule requires that customer information be encrypted while in transit and at rest.

Put simply, encryption is the process of transforming usable data into an unreadable form. The Revised Rule requires that customer information be encrypted while in transit (e.g., while being sent over email or uploaded to a DMS) and at rest (e.g., while being stored on a computer's hard drive).

- **Dealer-owned Systems and Devices**. If any of the dealership's devices, such as desktops, laptops, tablets, or mobile devices store customer information, consider enabling the encryption of the hard drives on those devices.
- **Email Clients**. At a minimum, dealers should ensure the email client (e.g. Office 365, Google) is configured to send emails using TLS. Never allow employees to use their own personal email account for work, as it is difficult to control the security and encryption settings of those accounts.
- **Dealer-maintained Websites**. Most major website providers (e.g., Dealer.com, DealerInspire, Jazel, Sincro, etc.) have SSL certificates by default. However, if a dealership maintains any of its own websites, such as a group site landing page, ensure it has an SSL certificate (i.e., using an https:// instead of an http:// url). Not only is this a good security practice, but it also helps the site rank higher on search engines!

⌘ TECHNOLOGY TIP

Encryption for Windows Devices. For devices running on a Windows operating system, dealers should strongly consider enabling BitLocker, which is Microsoft's free built-in mechanism for device encryption. For a collection of helpful articles on deploying BitLocker at your organization, see the following link: https://docs.microsoft.com/en-us/windows/security/information-protection/bitlocker/bitlocker-overview

APPLICABLE LAW OR REGULATION

16 CFR §314.4(d)(1)(ii)

Dealers must perform vulnerability assessments at least biannually.

REQUIRED BIANNUAL VULNERABILITY ASSESSMENTS

A vulnerability assessment is a scan of the entire IT environment in which all installed software is identified and checked for any publicly known security vulnerabilities.

Under the Revised Rule, vulnerability assessments must be performed once at least every six months. Your EDR/MDR/XDR/SIEM tools are NOT sufficient.

⌘ TECHNOLOGY TIP

Open-Source Vulnerability Scanners. The FTC has mentioned OpenVAS, a free open source vulnerability scanner, as a tool that can be used to help satisfy the requirement for biannual vulnerability assessments. OpenVAS is a very popular tool for internal and external vulnerability scans. Vist https://www.openvas.org/ for more details. While not mentioned by the FTC, nMap is another popular open-source vulnerability scanner. Visit https://nmap.org/ for more details. However, dealers are advised to consult with experienced IT personnel before attempting to install and run these open source tools themselves.

REQUIRED ANNUAL PENETRATION TESTING

APPLICABLE LAW OR REGULATION

16 CFR §314.4(d)(1)(i)

Dealers must perform penetration tests of their IT infrastructure and information systems at least annually.

Penetration testing is a type of IT security test in which evaluators mimic real-world attacks to attempt to identify ways to circumvent the security features of an application, system, or network. A comprehensive internal penetration test will usually include, at a minimum, the following:

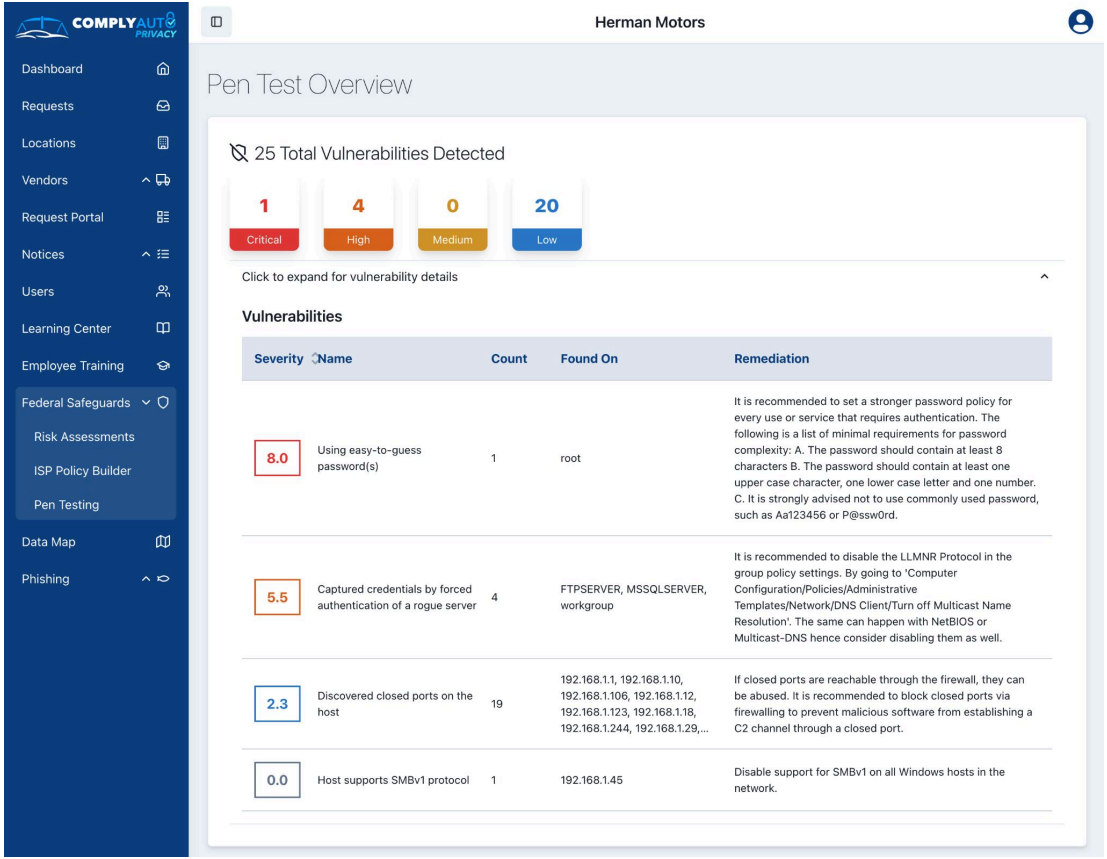
1. **Phishing and social engineering simulations**.
2. **Ransomware emulations**.
3. **Password cracking**.
4. **Credentials sniffing**.
5. **Web application attack simulations**.
6. **Active Directory attack simulations**.

Your EDR/MDR/XDR/SIEM tools are NOT sufficient.

⌘ TECHNOLOGY TIP

Phishing Simulations. A study by Verizon showed that 90% of ransomware and cybersecurity incidents involve clicking on a link in a phishing email. Consider using a phishing simulation software to test employees' security awareness and susceptibility to social engineering tactics. This normally involves sending out emails designed to look like real-life phishing emails, and then tracking which employees are willing to click on links within those emails or enter credentials on a fake landing page. “Phished” employees are then automatically enrolled in security awareness training. Internal phishing tests can be very effective at conditioning employees to scrutinize emails sent from people outside of your organization.

Penetration Testing. Many IT consulting firms and managed security service providers (MSSPs) offer internal penetration tests. Software is also available to help automate penetration testing without the need for evaluators to come on premises.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Notices
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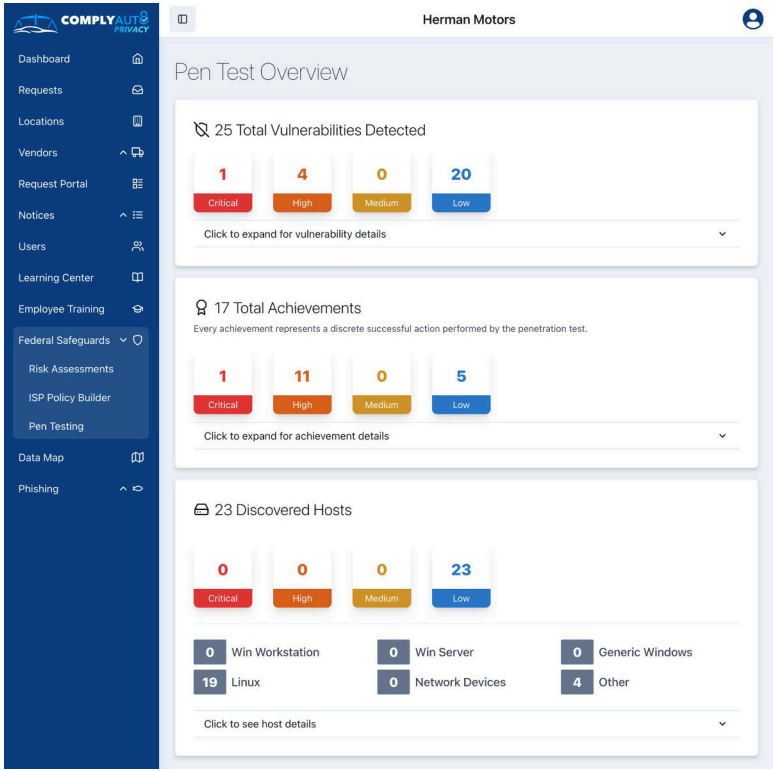
Phishing
Pen Test Overview
25 Total Vulnerabilities Detected
1 Critical
4 High
0 Medium
20 Low
Click to expand for vulnerability details
Vulnerabilities
Severity
Name
Count
Found On
Remediation
8.0
Using easy-to-guess password(s)
1
root
It is recommended to set a stronger password policy for every use or service that requires authentication. The following is a list of minimal requirements for password complexity: A. The password should contain at least 8 characters B. The password should contain at least one upper case character, one lower case letter and one number. C. It is strongly advised not to use commonly used password, such as Aa123456 or P@ssw0rd.
5.5
Captured credentials by forced authentication of a rogue server
4
FTPSERVER, MSSQLSERVER, workgroup
It is recommended to disable the LLMNR Protocol in the group policy settings. By going to 'Computer Configuration/Policies/Administrative Templates/Network/DNS Client/Turn off Multicast Name Resolution'. The same can happen with NetBIOS or Multicast-DNS hence consider disabling them as well.
2.3
Discovered closed ports on the host
19
192.168.1.1, 192.168.1.10, 192.168.1.106, 192.168.1.12, 192.168.1.123, 192.168.1.18, 192.168.1.244, 192.168.1.29,...
If closed ports are reachable through the firewall, they can be abused. It is recommended to block closed ports via firewalling to prevent malicious software from establishing a C2 channel through a closed port.
0.0
Host supports SMBv1 protocol
1
192.168.1.45
Disable support for SMBv1 on all Windows hosts in the network.


COMPLYAUTO PRIVACY
Herman Motors
Dashboard
Requests
Locations
Vendors
Request Portal
Notices
Users
Learning Center
Employee Training
Federal Safeguards
Risk Assessments
ISP Policy Builder
Pen Testing
Data Map
Phishing
Pen Test Overview
25 Total Vulnerabilities Detected
1 Critical
4 High
0 Medium
20 Low
Click to expand for vulnerability details
17 Total Achievements
Every achievement represents a discrete successful action performed by the penetration test.
1 Critical
11 High
0 Medium
5 Low
Click to expand for achievement details
23 Discovered Hosts
0 Critical
0 High
0 Medium
23 Low
0 Win Workstation
0 Win Server
0 Generic Windows
19 Linux
0 Network Devices
4 Other
Click to see host details

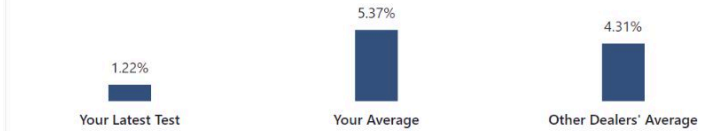
COMPLYAUTO PRIVACY

Compliance Motors DEMO

- Dashboard
- Requests
- Locations
- Vendors
  - Surveys
  - Manage
- Request Portal
- Notices
- Users
- Learning Center
- Employee Training
- Federal Safeguards
  - Risk Assessments
  - ISP Policy Builder
- Data Map
- Phishing
  - Template Library
  - Employee Mailing Lists

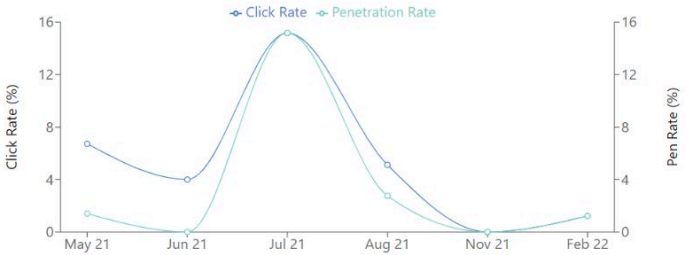
Campaign Benchmarking

Open Rate | Click Rate | Penetration Rate



Testing Effectiveness

Performance Over Time | Reduction Rate



Repeat Offenders

Employee Name	# of Times Phished	Date Last Phished
Berenice Satterfield	5	2/24/2022
Willow Douglas	5	2/24/2022

Active Phishing Simulations

Test Name	Start Date	End Date
DoorDash - Free Cheesecake	2/13/2022	2/27/2022
United Airlines - Promotion	2/13/2022	2/27/2022
LinkedIn - Connection Request	2/13/2022	2/27/2022
UPS - Delivery Update	2/13/2022	2/27/2022

Recent Actions

Search

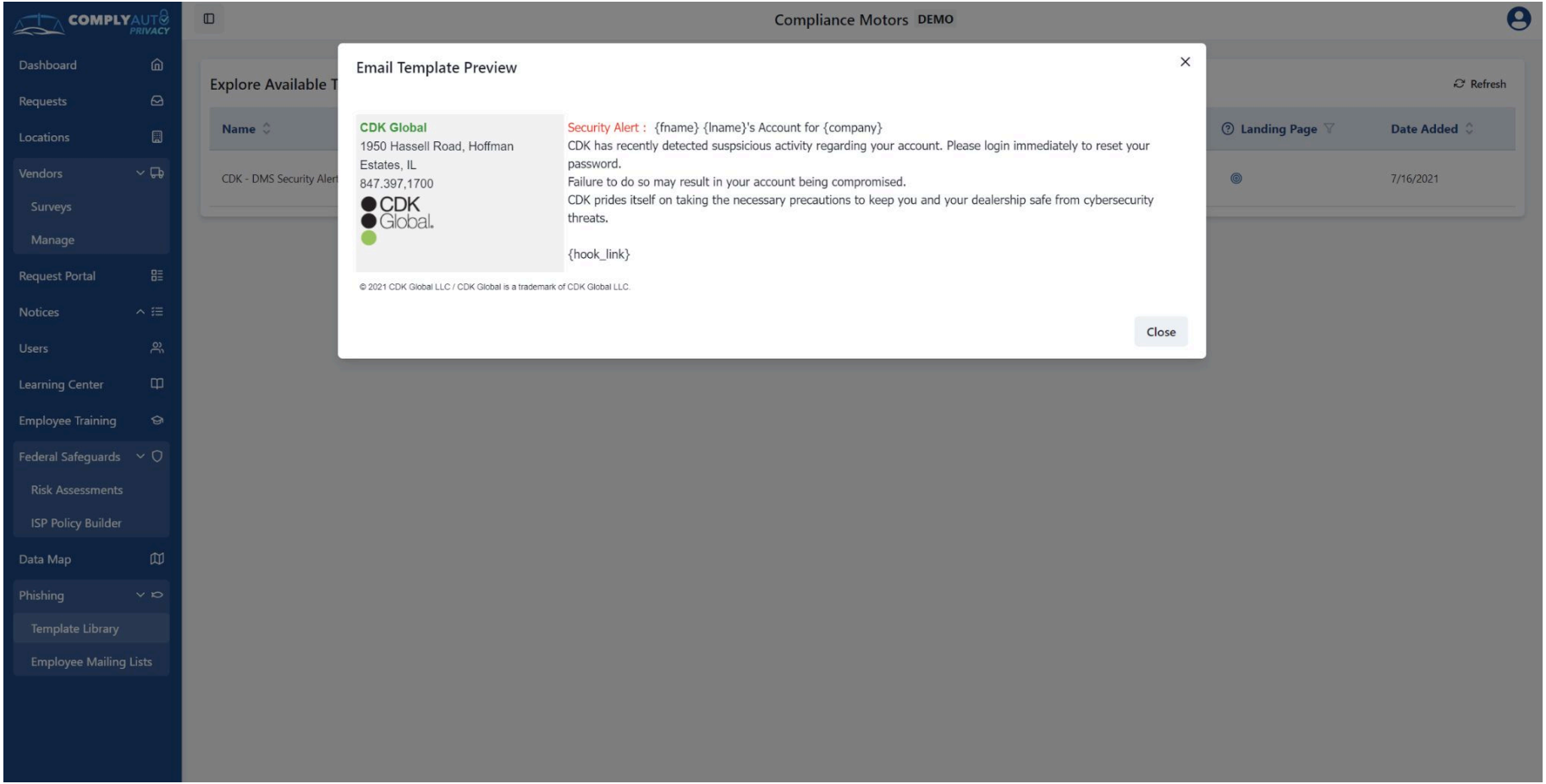
Template	Employee	Action	Date
LinkedIn - Connection Request	Heber Barton	Replied	2/26/2022
DoorDash - Free Cheesecake	Neoma Thompson	Hacked	2/26/2022
LinkedIn - Connection Request	Miller Walter	Opened	2/26/2022
DoorDash - Free Cheesecake	Heber Barton	Opened	2/26/2022
LinkedIn - Connection Request	Kameron Lebsack	Hacked	2/25/2022

Showing 1 to 5 of 24 entries

‹ 1 2 3 4 5 ›

Training Required

Search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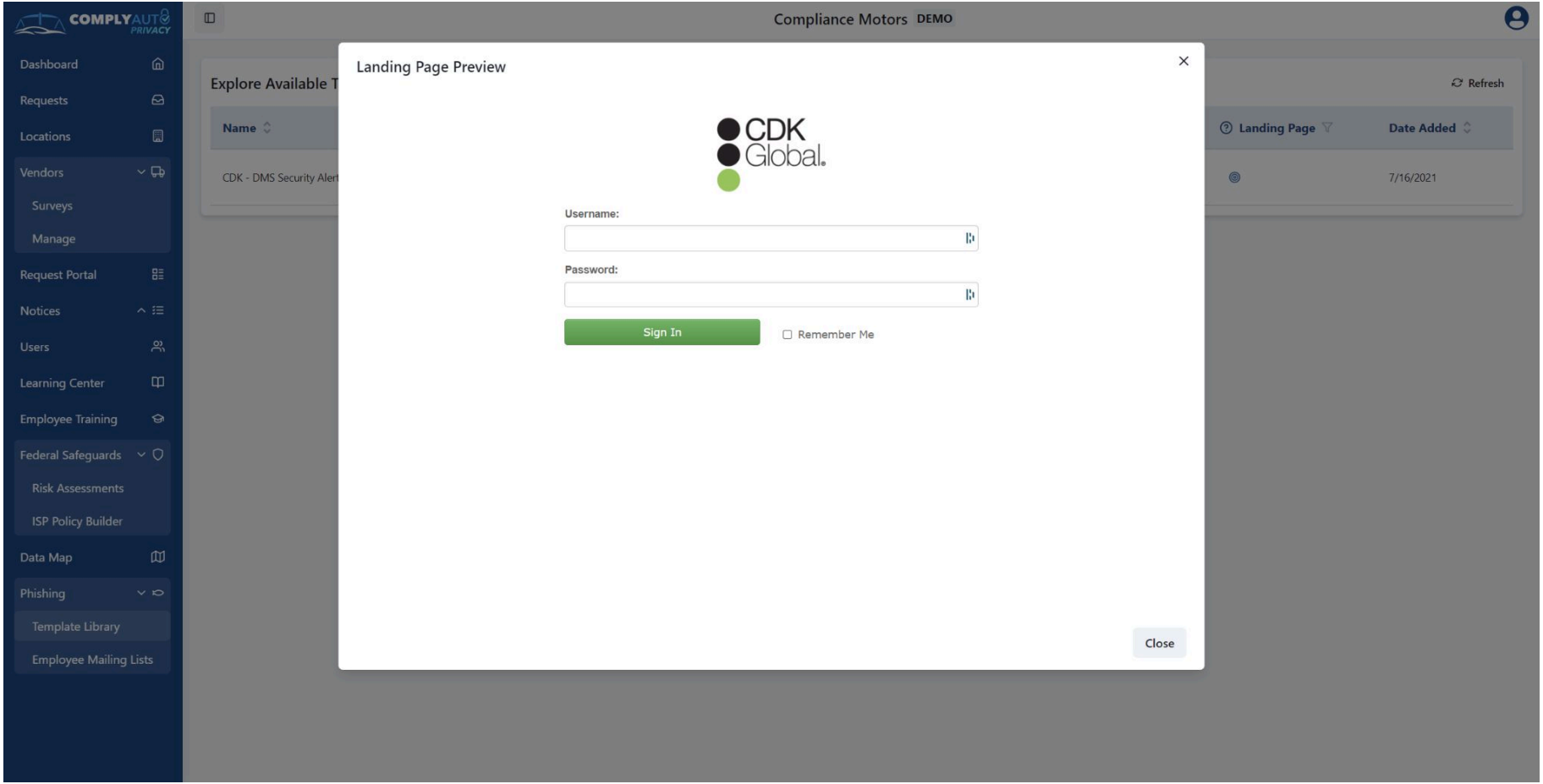
Employee Training
Federal Safeguards
Risk Assessments
ISP Policy Builder
Data Map
Phishing
Template Library
Employee Mailing Lists
Explore Available T
Refresh
Name
Landing Page
Date Added
CDK - DMS Security Alert
7/16/2021
Email Template Preview
CDK Global
1950 Hassell Road, Hoffman Estates, IL
847.397.1700
CDK Global.
Security Alert : {fname} {lname}'s Account for {company}
CDK has recently detected suspsicious activity regarding your account. Please login immediately to reset your password.
Failure to do so may result in your account being compromised.
CDK prides itself on taking the necessary precautions to keep you and your dealership safe from cybersecurity threats.
{hook_link}
© 2021 CDK Global LLC / CDK Global is a trademark of CDK Global LLC.
Close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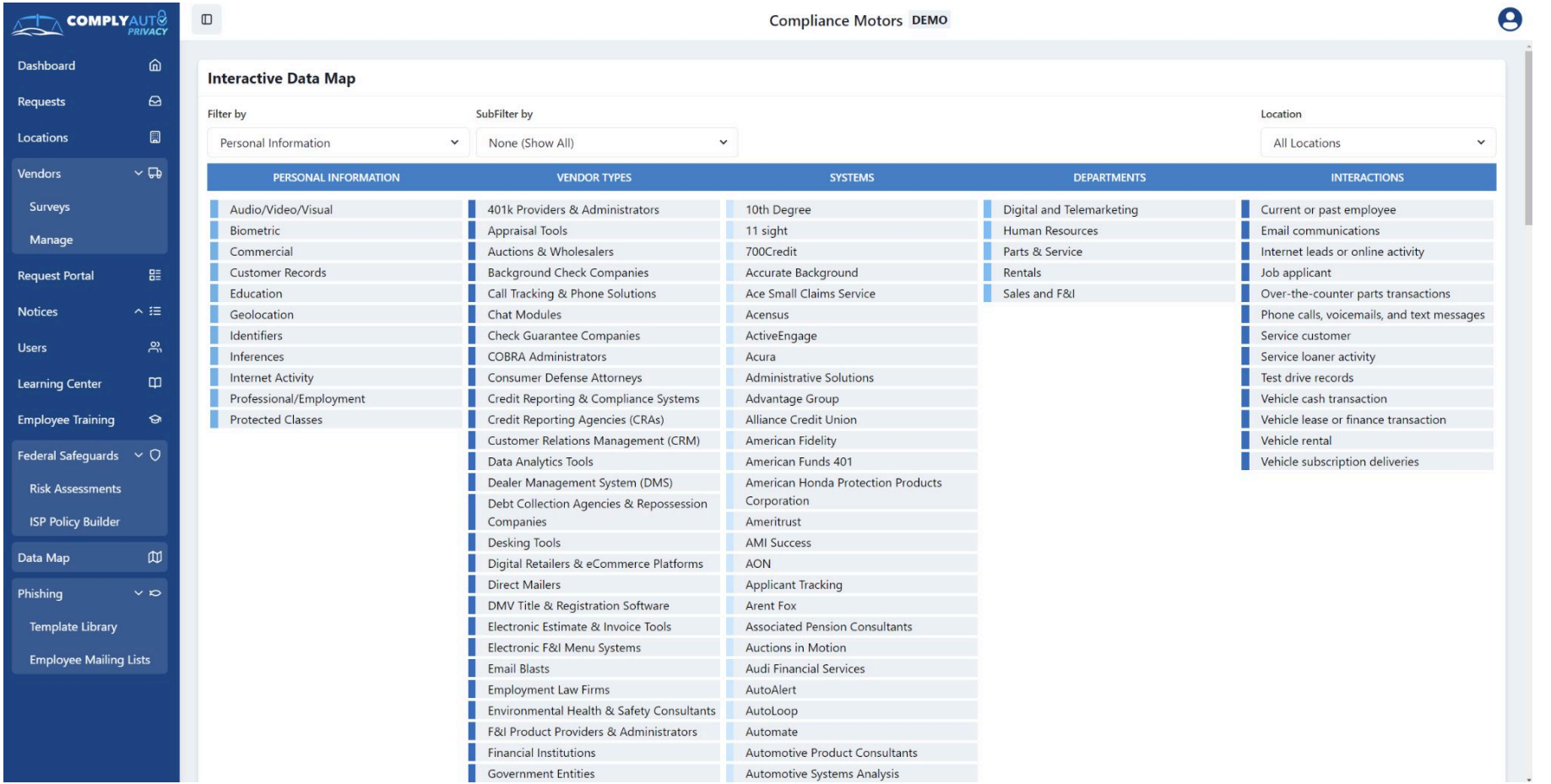
Compliance Motors DEMO
Explore Available T
Refresh
Name
Landing Page
Date Added
CDK - DMS Security Alert
7/16/2021
Landing Page Preview
CDK Global.
Username:
Password:
Sign In
Remember Me
Close

OTHER REQUIREMENTS

- **Performing both a data and systems inventory**
  i. This requirement was designed to ensure that companies inventory the data in their possession and inventory the systems on which that data is collected, stored, or transmitted.
- **Annual written report to your Board of Directors or senior management.** Must include:
  i. The overall status of the ISP and compliance with the Revised Rule; and
  ii. Material matters related to the ISP, addressing issues such as risk assessments, risk management and control decisions, service provider arrangements, results of testing, security events or violations and management's responses thereto, and recommendations for changes in the information security program.
- **Implementing secure access controls**
  i. Includes technical controls, limitations on customer access to their own records, and physical controls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Interactive Data Map
Filter by
Personal Information
SubFilter by
None (Show All)
Location
All Locations
PERSONAL INFORMATION
Audio/Video/Visual
Biometric
Commercial
Customer Records
Education
Geolocation
Identifiers
Inferences
Internet Activity
Professional/Employment
Protected Classes
VENDOR TYPES
401k Providers & Administrators
Appraisal Tools
Auctions & Wholesalers
Background Check Companies
Call Tracking & Phone Solutions
Chat Modules
Check Guarantee Companies
COBRA Administrators
Consumer Defense Attorneys
Credit Reporting & Compliance Systems
Credit Reporting Agencies (CRAs)
Customer Relations Management (CRM)
Data Analytics Tools
Dealer Management System (DMS)
Debt Collection Agencies & Repossession Companies
Desking Tools
Digital Retailers & eCommerce Platforms
Direct Mailers
DMV Title & Registration Software
Electronic Estimate & Invoice Tools
Electronic F&I Menu Systems
Email Blasts
Employment Law Firms
Environmental Health & Safety Consultants
F&I Product Providers & Administrators
Financial Institutions
Government Entities
SYSTEMS
10th Degree
11 sight
700Credit
Accurate Background
Ace Small Claims Service
Acensus
ActiveEngage
Acura
Administrative Solutions
Advantage Group
Alliance Credit Union
American Fidelity
American Funds 401
American Honda Protection Products Corporation
Ameritrust
AMI Success
AON
Applicant Tracking
Arent Fox
Associated Pension Consultants
Auctions in Motion
Audi Financial Services
AutoAlert
AutoLoop
Automate
Automotive Product Consultants
Automotive Systems Analysis
DEPARTMENTS
Digital and Telemarketing
Human Resources
Parts & Service
Rentals
Sales and F&I
INTERACTIONS
Current or past employee
Email communications
Internet leads or online activity
Job applicant
Over-the-counter parts transactions
Phone calls, voicemails, and text messages
Service customer
Service loaner activity
Test drive records
Vehicle cash transaction
Vehicle lease or finance transaction
Vehicle rental
Vehicle subscription deliveries

CONSUMER PRIVACY RIGHTS COMPLIANCE

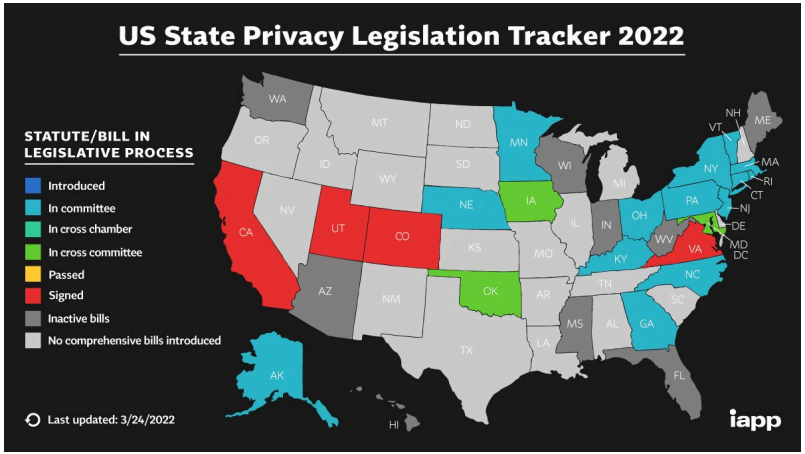
Some state laws regulate the deployment of third-party tracking cookies for retargeted advertising & provide consumers with other privacy rights, such as opt-out, deletion, access, and correction. There is a common misconception that only dealerships in those states need to comply, but dealerships have potential exposure, for example, if they are collecting information on CA, VA, CO, or UT residents (including cookies and similar information) who shop or browse online. Collecting information on out-of-state residents (and the browsing of your website by those residents) is becoming increasingly common due to inventory shortages and the rise of digital retailing in the automotive industry.

Some state laws require the honoring of Global Privacy Controls (GPCs) and "Do Not Track Signals".

Plaintiff attorneys often file lawsuits relating to third-party tracking cookies deployed without their consent. Over the past few years, there has been a significant increase in the amount of lawsuits filed (including class actions) relating to cookies and online tracking. The basis of the lawsuit is usually a general "unfair business practice" or "violation of privacy" cause of action relating to the tracking and sharing of information without the consumer's consent. Some creative plaintiffs have even alleged wiretapping!

State Attorneys General have taken enforcement action related to cookies and online tracking. Even states that do not have comprehensive privacy laws have seen Attorneys General take enforcement action against businesses for what they consider to be unfair and deceptive practices relating to the online tracking of consumers, often citing to the fact that consumer had no way to opt out of such tracking or that there were insufficient disclosures relating to why and how such tracking would occur. The **Federal Trade Commision (FTC)** has also announced that it intends to take similar enforcement actions. The ComplyAuto cookie banner and privacy policy disclosures accomplish this necessary level of transparency.

Most of these state privacy laws have broad requirements relating to "reasonable security" and significant data breach liability.



Cybersecurity Insurance

How to reduce premiums:

- **Use a broker to shop the market**
- **Review the survey/questionnaire carefully and have it double-checked by professionals (vendors, IT Director, legal counsel, etc.)**
- **Don’t skip the “other” or “what else would you like us to know?” questions**
- **Set up a one-on-one meeting to show the insurance company what you’re doing to improve cybersecurity**
- **Have & show proof of compliance**
- **Implement Multi-Factor Authentication!**

If you don’t already have a cybersecurity insurance policy . . . get one. Data breaches are one of single biggest exposures a dealership has today.

Interested in the solution?

Let ComplyAuto help ease the burden and cost of compliance.

COMPLYAUTO PRIVACY

Vermont VADA Est. 1945 | WEST VIRGINIA WVADA AUTOMOBILE DEALERS ASSOC | NADA AFFINITY PROVIDER

SCHEDULE A DEMO

https://complyauto.com/schedule-demo/

TRANSPARENT PRODUCT PRICING

Single rooftop dealers: https://complyauto.com/pricing-single/

Dealer groups: https://complyauto.com/pricing-groups/

CONTACT US

info@complyauto.com
https://www.complyauto.com

Facts

- The NADA estimated that the new rules would cost even small dealers *$276,925 per year*.
- Penalties for non-compliance are $46,517 per violation.
- Average Pen Tests cost $15K - $30K per dealership
- ComplyAuto represents 2,000+ dealers nationwide with a 100% client retention rate.
- ComplyAuto is a purpose-built solution by and for dealers for 100% of your FTC Safeguards Compliance needs