

persons pursuant to Section 2.34 of its Rules, 16 C.F.R. § 2.34. Now, in further conformity with the procedure prescribed in Rule 2.34, the Commission issues its Complaint, makes the following Findings, and issues the following Order:

Findings

1. The Respondent is LightYear Dealer Technologies, LLC, a Missouri limited liability company, also doing business as DealerBuilt, with its principal office or place of business at 2570 4th Street, SW, Suite A, Mason City, Iowa 50401.
2. The Commission has jurisdiction over the subject matter of this proceeding and over Respondent, and the proceeding is in the public interest.

integrity of such Personal Information. To satisfy this requirement, Respondent must, at a minimum:

- A. Document in writing the content, implementation, and maintenance of the Information Security Program;
- B. Provide the written program and any evaluations thereof or updates thereto to

- F. Assess, at least once every twelve (12) months and promptly following a Covered Incident, the sufficiency of any safeguards in place to address risks to the security, confidentiality, or integrity of Personal Information, and modify the Information Security Program based on the results.
- G. Test and monitor the effectiveness of the safeguards at least once every twelve (12) months and promptly following a Covered Incident, and modify the Information Security Program based on the results. Such testing shall include vulnerability testing of Respondent's network once every four months and promptly after a Covered Incident, and penetration testing of Respondent's network at least once every twelve (12) months and promptly after a Covered Incident.
- H. Select and retain service providers capable of safeguarding Personal Information they access through or receive from Respondent, and contractually require service providers to implement and maintain safeguards for Personal Information.
- I. Evaluate and adjust the Information Security Program in light of any changes to Respondent's operations or business arrangements, a Covered Incident, or any other circumstances that Respondent knows or has reason to know may have an impact on the effectiveness of the Information Security Program. At a minimum, Respondent must evaluate the Information Security Program at least once every twelve (12) months and modify the Information Security Program based on the results.

II. Information Security Assessments by a Third Party

IT IS FURTHER ORDERED that, in connection with compliance with Provision of this Order titled Mandated Information Security Program, Respondent must obtain initial and biennial assessments ("Assessments"):

- A. The Assessments must be obtained from a qualified, objective, independent third-professional ("Assessor," who: (1) uses procedures and standards generally accepted in the profession; (2) conducts an independent review of the Information Security Program; and (3) retains all documents relevant to each Assessment for five (5) years after completion of such Assessment and will provide such documents to the Commission within ten (10) days of receipt of a written request from a representative of the Commission. No documents may be withheld on the basis of a claim of confidentiality, proprietary or trade secrets, work product protection, attorney client privilege, statutory exemption, or any similar claim.
- B.

and affiliation of the person selected to conduct the Assessment, which the Associate

Provisions I.A-I; or (3) identification of any gaps or weaknesses in the Information Security Program

- E. The acts that Respondent has taken to date to remediate the Covered Incident and protect Personal Information from further exposure or access ~~protect~~ affected individuals from identity theft or other harm that may result from the Covered ~~incident~~; and
- F. A representative copy of each materially different notice required by U.S. federal, state, or local law or regulation and sent by Respondent to consumers or to any U.S. federal, state, or local government entity.

Unless otherwise directed by a Commission representative in writing, all Covered Incident reports to the Commission pursuant to this Order must be emailed to DEbrief@ftc.gov or sent by overnight courier (not the U.S. Postal Service) to Associate Director for Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580. The subject line must begin with, "LightYear Dealer Technologies, LLC, d/b/a DealerBuilt, FTC File No. 172 3051."

VI. GLB Rule Violations

IT IS FURTHER ORDERED that Respondent, and Respondent's officers, agents, employees and at(de)4 (C)-3 ReW(e)4 (J -3 -1(nd s)-1 (e)4 (T)1 (r)-7 (r)-7 (o(U)2 (.S)-4(r)3 (pe(ed)-4

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- C. From each individual or entity to which Respondent delivered a copy of this Order, Respondent must obtain, within thirty (30) days, a signed and dated acknowledgment of receipt of this Order.

VIII. Compliance Reports and Notices

IT IS FURTHER ORDERED that Respondent make timely submissions to the Commission:

- A. One year after the issuance date of this Order, Respondent must submit a compliance report, sworn under penalty of perjury, in which Respondent must: (1) identify the primary physical, postal, and email address and telephone number, as designated points of contact which representatives of the Commission, may use to communicate with Respondent; (2) identify all of Respondent's businesses by all of their names, telephone numbers, and physical, postal, email, and Internet addresses; (3) describe the activities of each business, including the goods and services offered, the means of advertising, marketing, and sales; (4) describe in detail whether and how Respondent is in compliance with

Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue
NW, Washington, DC 20580. The subject line must begin, "LightYear Dealer

information, which must be sworn under penalty of perjury, and produce records for inspection and copying.

- B. For matters concerning this Order, representatives of the Commission are authorized to communicate directly with Respondent. Respondent must permit representatives of the Commission to interview anyone affiliated with Respondent who has agreed to such an interview. The interviewee may have counsel present.
- C. The Commission may use all other lawful means, including posing through its representatives as consumers, suppliers, or other individuals or entities, to Respondent or any individual or entity affiliated with Respondent, without the necessity of identification or prior notice. Nothing in this Order limits the Commission's lawful use of compulsory process, pursuant to Sections 9 and 20 of the FTC Act, 15 U.S.C. §§ 49, 57b-1.

XI. Order Effective Dates

IT IS FURTHER ORDERED that this Order is final and effective upon the date of its publication on the Commission's website (ftc.gov) as a final order. This Order will terminate on September 3, 2039, or twenty (20) years from the most recent date that the United States or the Commission files a complaint (with or without an accompanying settlement) in federal court alleging any violation of this Order, whichever comes later; provided, however

