

## **FasTrak “Who’s Waiting for You Marketing Campaign \$5 in Free Tolls” – No Purchase Necessary.**

### TERMS AND CONDITIONS

These rules govern the FasTrak “Who’s Waiting For You Marketing Campaign \$5 in Free Tolls” Promotion (the “Promotion”) being conducted by the San Diego Association of Governments (SANDAG) beginning on August 7, 2017 at 12:01 am PT and ending on June 30, 2018 at 11:59 pm PT.

#### 1. HOW TO PARTICIPATE

To participate in the Promotion:

- Open a South Bay Expressway account or add a transponder to an existing account using promo code “GET5” to receive five (5) dollars in free toll credits.

Account holders must have properly activated transponders and an account that is in “good standing”. For purposes of this Promotion, “good standing” shall mean free of any fines, violations, delinquencies, or other unlawful activity. SANDAG reserves the right to determine in its sole discretion whether a participant’s account is in “good standing.” Toll credits will be automatically credits to customer accounts, which may take up to two weeks from the date the toll credits are earned.

#### 2. ELIGIBILITY RESTRICTIONS

The Promotion is open to all persons who are 18 years of age or older. Customers with a valid new or existing South Bay Expressway FasTrak account are eligible to participate in this Promotion. Employees of SANDAG or South Bay Expressway, the members of their immediate families (spouse, parent, sibling, or child) and those living in the same household of each (whether related or not), are ineligible to win. This Promotion is subject to all applicable federal, state, and local laws and regulations and is void where prohibited.

Free toll credits apply to accounts and not to individuals associated with an account. Only one person per account may take advantage of five (5) dollars in free toll credits for opening an account or adding a transponder using the promo code “GET5.” Potential winners may be required to show proof of being an authorized account holder.

Participants are required to provide truthful information and SANDAG reserves the right to reject and delete any account that it discovers to be false or fraudulent. SANDAG will disqualify any individuals who do not meet the eligibility requirements. SANDAG also will disqualify any account that has been opened by a person under the age of 18 or proven to not be in compliance with the FasTrak Agreement Terms and Conditions.

#### 3. PROMOTIONAL AWARD

The Promotional Award is five (5) dollars in free toll credits for opening a new account or adding a transponder during the Promotional period. Customer accounts will be automatically credited. Credits may take up to two weeks from the time the account is opened or the transponder is added. Free toll credits will be automatically applied to the valid South Bay Expressway FasTrak account. Free toll credits are only valid for travel on South Bay Expressway and only for transactions made with a valid transponder read. “Pay-by-plate” trips and trips using a transponder issued by another California toll operator are not included for payment by toll credits. Free toll credits will be deducted from the

account prior to any prepaid cash amounts. Tolls, fees, and other charges for travel on any other California toll road that accepts FasTrak will be charged to the customer's prepaid toll balance. Any deposits and/or account fees incurred by the customer (e.g., transponder deposit, lost transponder, etc.) will be charged to the customer's prepaid toll balance. Free toll credits are not refundable or transferable and have no cash value. Free toll credits expire six (6) months from the date the free toll credits are applied to the FasTrak account or by December 31, 2018, whichever date comes first.

This Promotion may be combined with other South Bay Expressway promotions. Where a conflict exists between promotions, South Bay Expressway reserves the right to determine which promotion will apply. South Bay Expressway reserves the right to modify, suspend, cancel or extend any promotion at any time without prior notice. South Bay Expressway also reserves the right to change, add, delete or alter in any way the official Promotion details and restrictions at any time during any promotion, without prior notice.

#### 4. CONDITIONS

Decisions made by SANDAG management with respect to the Promotion are final.

The Promotion is governed by and subject to the laws of California and the United States. All federal, state, and local laws and regulations apply. Void where prohibited by law. Promotional award recipients will pay all applicable taxes and fees.

By participating in the Promotion, the award recipient agrees to have their name, voice, and likeness used in any advertising or broadcasting material relating to the Promotion without additional financial or other compensation, and, where legal, to sign a publicity release confirming such consent prior to acceptance of the prize.

Prior to crediting the Promotional award to customer accounts, SANDAG, in its sole discretion, may require Promotional award recipient (and any travel companion(s) or guest(s) to sign a liability release, agreeing to release and hold harmless SANDAG, its officers and employees, member agencies, directors, agents and representatives and all of their successors and assigns from and against any and all claims or liability arising directly or indirectly from the Promotional award and participation in the Promotion.

If for any reason this Promotion cannot be executed as planned, including, but not limited to, as a result of infection by computer virus, tampering, unauthorized intervention, fraud, technical failures, or any other causes beyond the control of SANDAG that corrupt or affect the security, administration, fairness, integrity or proper conduct of the Promotion, or if the Promotion is compromised or becomes technically corrupted in any way, electronically or otherwise, SANDAG reserves the right to cancel, terminate or modify the Promotion. If the Promotion is terminated before the original end date, those participating in the Promotion prior to the termination will still be eligible to receive the Promotional award.

SANDAG, in its sole discretion, reserves the right to disqualify any person tampering with the entry process or the operation of FasTrak, SANDAG, South Bay Expressway, or any SANDAG-affiliated websites. Failure to comply with the rules of the Promotion may result in a contestant's disqualification and/or forfeiture of any prize. If SANDAG makes a good faith determination that cheating or fraudulent activity has occurred in connection with the Promotion, SANDAG reserves the right to disqualify that customer from winning future Promotions and to prosecute and seek damages to the fullest extent permitted by law.

SANDAG reserves the right to make changes in the rules of the Promotion, including, without limitation, the substitution of an award of equivalent value, which will become effective upon announcement. If due to circumstances beyond the control of SANDAG, any competition or award-related event or travel is delayed, rescheduled, postponed or cancelled, SANDAG reserves the right, but not the obligation, to cancel or modify the Promotion and shall not be required to award a substitute award.

SANDAG is not responsible for typographical or other errors in the printing, the offering or the administration of the Promotion, or in the announcement of a Promotional award.

## 5. PRIVACY

By use of the SANDAG or FasTrak affiliated websites or by signing up for a FasTrak account through the South Bay Expressway website, you agree to the website's Terms of Use Agreement located at [SANDAG.org](http://SANDAG.org), [511sd.com](http://511sd.com), and [SBXthe125.com](http://SBXthe125.com) and to the use of your personal information as described in the Privacy Policy located at [SANDAG.org](http://SANDAG.org), [511sd.com](http://511sd.com), and [SBXthe125.com](http://SBXthe125.com).

Sponsor: Promotion is sponsored by SANDAG, 401 B Street, Suite 800, San Diego, CA 92101. Questions should be directed to Nina Silguero, Business Analyst at (619) 710-4042 or [nina.silguero@sandag.org](mailto:nina.silguero@sandag.org). Please reference "Who's Waiting For You Marketing Campaign \$5 in Free Tolls" Promotion in your email subject line.

Se desea obtener información en español por favor comuníquese al (619) 699-1950 o [pio@sandag.org](mailto:pio@sandag.org).

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