

Analysis of Proposed Consent Orders to Aid Public Comment
In the Matter of Dale Jarrett Racing Adventure, Inc., File No. 152 3190

The Federal Trade Commission (“FTC” or “Commission”) has accepted, subject to final approval, a consent agreement applicable to Dale Jarrett Racing Adventure, Inc. (“Dale Jarrett Racing Adventure”).

The proposed consent order has been placed on the public record for thirty (30) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After thirty (30) days, the Commission will again review the agreement and the comments received, and will decide whether it should withdraw from the agreement and take appropriate action or make final the agreement’s proposed order. Dale

Adventure made to consumers concerning its part agreed upon by the U.S. and the European Union “Safe Harbor Framework”). The Safe Harbor Framework allows companies outside the EU consistent with EU law. To join the framework, companies must self-certify to the U.S. Department of Commerce principles and related requirements that have been developed by the U.S. Department of Commerce providing “adequate” privacy protection. These principles include data transfer, security, data integrity, access, and enforcement. For more information, visit www.export.gov/safeharbor

[www.export.gov/safeharbor](#), where it posts the names of companies that have self-certified to the Safe Harbor Framework. The listing of companies indicates whether their self-certification is “current” or “not current.” Companies are required to re-certify every year in order to retain their status as “current” members of the Safe Harbor Framework.

Dale Jarrett Racing Adventure is a race car driving school that offers consumers an opportunity to ride in and drive genuine stock cars with professional drivers, and was founded by NASCAR champion Dale Jarrett. According to the Commission’s complaint, since at least January 2015, Dale Jarrett Racing Adventure set forth on its website, <http://www.racingadventure.com/privacy.html>, privacy policies and statements about its practices, including statements related to its participation in the U.S.-EU Safe Harbor Framework.

The Commission’s complaint

Parts II through VI of the proposed order are reporting and compliance provisions. Part II requires Dale Jarrett Racing Adventure to retain documents relating to its compliance with the Order for a five-year period. Part III requires dissemination of the order now and in the future to persons with responsibilities relating to the subject matter of the order. Part IV ensures the notification to the FTC of changes in corporate status. Part V mandates that Dale Jarrett Racing Adventure submit an initial compliance report to the FTC, and make available to the FTC subsequent reports. Part VI is a provision “sunsetting” the order after twenty (20) years, with certain exceptions.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the proposed complaint or order or to modify the order’s terms in any way.