

Disclaimer, Privacy, and Usage Policies

Scroll down or click on a link to view a specific section.

Disclaimer – Warranties, Liabilities, and Endorsement of Products and Information

Privacy Statement – Protection of Information Provided by Members and Customers

Usage of Materials – Guidelines and Requirements for Use of ITRC Materials

Conflict of Interest – Policy for ITRC Members

Disclaimer

This Web site and the Interstate Technology & Regulatory Council's (ITRC's) documents and training are products designed to help regulators and others develop a consistent approach to their evaluation, regulatory approval, and deployment of specific technologies at specific sites. Although the information in all ITRC products is believed to be reliable and accurate, the product and all material set forth within are provided without warranties of any kind, either express or implied, including but not limited to warranties of the accuracy or completeness of information contained in the product or the suitability of the information contained in the product for any particular purpose. The technical implications of any information or guidance contained in ITRC products may vary widely based on the specific facts involved and should not be used as a substitute for consultation with professional and competent advisors. Although ITRC products attempt to address what the authors believe to be all relevant points, they are not intended to be an exhaustive treatise on the subject. Interested parties should do their own research, and a list of references may be provided as a starting point. ITRC products do not necessarily address all applicable health and safety risks and precautions with respect to particular materials, conditions, or procedures in specific applications of any technology. Consequently, ITRC recommends also consulting applicable standards, laws, regulations, suppliers of materials, and material safety data sheets for information concerning safety and health risks and precautions and compliance with then-applicable laws and regulations. The use of information on this Web site and in ITRC products and the materials set forth herein is at the user's own risk. ECOS, ERIS, and ITRC shall not be liable for any direct, indirect, incidental, special, consequential, or punitive damages arising out of the use of any information, apparatus, method, or process discussed in ITRC products. ITRC product content may be revised or withdrawn at any time without prior notice.

ECOS, ERIS, and ITRC do not endorse or recommend the use of, nor do they attempt to determine the merits of, any specific technology or technology provider through ITRC training or publication of guidance documents or any other ITRC document. The type of work described on this Web site and in any ITRC training or document should be performed by trained professionals, and federal, state, and municipal laws should be consulted. ECOS, ERIS, and ITRC shall not be liable in the event of any conflict between ITRC Web information, training, or guidance documents and such laws, regulations, and/or ordinances. Mention of trade names or commercial products does not constitute endorsement or recommendation of use by ECOS, ERIS, or ITRC. The names, trademarks, and logos of ECOS, ERIS, and ITRC appearing in ITRC products may not be used in any advertising or publicity, or otherwise indicate the sponsorship or affiliation of ECOS, ERIS, and ITRC with any product or service, without the express written permission of ECOS, ERIS, and ITRC.

Links to Web sites outside the ITRC Web site and to non-ITRC documents are provided for the convenience of the user and consistent with the intended purpose of this Web site. The existence of hyperlinks does not constitute endorsement by ITRC of these Web sites or documents or of the information contained therein. ITRC does not exercise any editorial control over the information on these Web sites and in these documents, nor does it guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Users of this Web site assume the risk of use or reliance on such information.

Privacy Statement

This Web site is owned and operated by the Interstate Technology & Regulatory Council (ITRC). ITRC information presented here is public information and may be distributed or copied for noncommercial purposes. Use of appropriate byline/photo/image credits is requested. Presentations available on this site may not belong to ITRC. Permission to use such information should be obtained directly from the presentation author. Contact information provided by members and customers (defined below) is used only for ITRC activities. ITRC does not release such information to others.

Members

ITRC “members” are individuals participating in an active ITRC team including all state, federal, stakeholder, and industry representatives and the team’s contractor support. Team leads, State Engagement Team points of contact, members of the Board of Directors, and ITRC staff are listed on the publicly accessible portion of this Web site. This information includes names, roles in ITRC, organization addresses, phone and fax numbers, and e- mail addresses. Files containing contact information for team members are located on password-protected pages. Members are automatically placed on lists to receive occasional e-mail notices and special mailings.

Customers

ITRC “customers” are users of ITRC’s products (documents) and services (training classes). Customers who visit this Web site remain anonymous unless they voluntarily supply contact information. Web site visitors can request the *Quarterly Update*, order ITRC’s published documents, register for events, and offer input or request assistance using the Web site’s feedback feature.

If visitors provide contact information, ITRC will periodically mail or e-mail ITRC-related announcements, information about upcoming ITRC events, or requests for feedback. If customers provide credit card information to pay for training or conference registration, the information is transmitted through the use of Secure Socket Layer (SSL) encrypted protection and stored on a secured server. These policies apply to ITRC members when they act as customers.

Guidelines for Use of ITRC Materials

ITRC Members:

Members of the ITRC, such as POCs, team leaders, team members, etc. presumably have the interests of the ITRC at heart and when giving a presentation, may use some ITRC materials such as training slides, graphics from documents or other materials as part of non-ITRC Sanctioned activities as long as they:

- 1) give proper attribution and credit to the ITRC;
- 2) show the ITRC disclaimer slide and make a brief statement as to its provisions as appropriate if presenting training materials (the use of a single or several ITRC slides as part of a larger presentation may not require the use of the actual disclaimer slide although the presenter should make a statement that ITRC does not endorse the use of any vendor or specific technology over another);
- 3) state that the presentation is not sanctioned by the ITRC and they are not providing a true ITRC training (if presenting training materials); and
- 4) inform the team leader as to their intentions to use team materials. (If the team leader or the ITRC Program Administrator believes that the proposed use of the materials is inappropriate or not in accordance with the [ITRC Conflict of Interest Policy](#), he/she may deny permission to use the materials).

If an ITRC member wants to use a substantial amount of materials from an ITRC course or teach the whole training package, the member needs permission from ITRC to use the materials. A team member must receive permission from the team leader. A non-team ITRC member must receive permission from the Team Leader and the ITRC Program Administrator. Use of ITRC materials in this manner without ITRC permission may be considered as copyright infringement.

Non-ITRC Members:

Non-ITRC members must request permission to use non-promotional ITRC materials by writing (or emailing) the ITRC Program Administrator. The Program Administrator may choose to grant permission or forward the request to the appropriate team leader for the team leader to grant permission to use the ITRC materials. Use of ITRC materials without ITRC permission may be considered as copyright infringement.

When non-ITRC members request permission to use ITRC materials, ITRC may use the following language as appropriate when giving the non-member permission to use the materials:

As per ITRC policy, "Documents and training curricula developed by training teams are the property of ITRC under U.S. copyright laws." The ITRC will allow the use of its materials as long as the user agrees to give credit to the ITRC for the development of the materials and makes a statement that they do not represent ITRC while using the materials.

If you agree to this, please respond in writing (by email or postal mail) stating that when you use the ITRC materials, you will make a statement along the line of: "While I am using slides from ITRC, today's presentation is not an official ITRC training course and this training course (or "presentation" as appropriate) as a whole has not gone through the ITRC review process.". Please also include a slide with

the ITRC disclaimer and summarize the disclaimer with a brief statement as to the ITRC not endorsing any specific vendor or product.

It is important for ITRC to document the use and value of our tools and resources. Please provide us feedback on how you are using ITRC documents and training courses. There is a link on the ITRC website to share successes. Go to www.itrcweb.org and click on "Feedback" to share your information or e-mail us at itrc@itrcweb.org.

Other:

- All use of ITRC Materials by ITRC members must be in accordance with the [ITRC Conflict of Interest Policy](#);
- ITRC promotional materials may be used by ITRC members without permission from ITRC.
- Non-ITRC members may use ITRC promotional materials without permission from ITRC.

The following disclaimer is to be inserted into each ITRC training curriculum and is the disclaimer to be used when presenting ITRC training slides:

Although the information in this ITRC training is believed to be reliable and accurate, the training and all material set forth within are provided without warranties of any kind, either express or implied, including but not limited to warranties of the accuracy, currency, or completeness of information contained in the training or the suitability of the information contained in the training for any particular purpose. ITRC recommends consulting applicable standards, laws, regulations, suppliers of materials, and material safety data sheets for information concerning safety and health risks and precautions and compliance with then-applicable laws and regulations. ECOS, ERIS, and ITRC shall not be liable for any direct, indirect, incidental, special, consequential, or punitive damages arising out of the use of any information, apparatus, method, or process discussed in ITRC training, including claims for damages arising out of any conflict between this the training and any laws, regulations, and/or ordinances. ECOS, ERIS, and ITRC do not endorse or recommend the use of, nor do they attempt to determine the merits of, any specific technology or technology provider through ITRC training or publication of guidance documents or any other ITRC document.

Copyright 2007 Interstate Technology & Regulatory Council, 444 North Capitol Street, NW, Suite 445, Washington, DC 20001

Conflict of Interest Policy

The ITRC has established a conflict of interest policy in accordance with ERIS Bylaws. The ITRC requires that all members adhere to the conflict of interest policy.

General Policy It is the policy of the ITRC Board of Advisors that ITRC members should act in a manner consistent with their fiduciary responsibilities to ITRC and should exercise particular care that no detriment to ITRC would result from conflicts between their interests and those of ITRC. ITRC seeks technical excellence and innovation, but is not a forum for marketing and advancing products. ITRC strives for consensus in decision making and during development of information resources. The level or type of funding provided by ITRC's federal partners or IAP members does not affect or influence ITRC's information resources and final products.

All members shall avoid conflicts of interest and shall disclose to the ITRC Board of Advisors any possible conflict of interest at the earliest practicable time. No Board member shall speak on any matter under consideration at a Board or committee meeting without first disclosing the actual or possible conflict of interest. No Board member shall vote on any matter in which there is or could be a conflict of interest. The minutes of such meeting shall reflect that a disclosure was made and that the Board member abstained from voting. IAP members must disclose non-obvious financial or potential financial benefits for themselves or their families that could result from ITRC participation. Any member who is uncertain whether a conflict of interest may exist in any matter may request the ITRC Board of Advisors resolve the question by majority vote.

An ITRC member shall be considered to have a conflict of interest if he or she and/or his or her family (including, but not limited, to spouse, parents siblings, children, and any other relative residing in the member's household) has existing or potential financial or other interests that could impair the member's independent, unbiased judgment in the discharge of his or her responsibilities to ITRC.

Specific Policy State members (including state affiliated Board members, POCs, team leaders, and team members who are state employees) and stakeholders shall not use ITRC or ITRC resources to obtain personal financial gain.

State team leaders and team members shall not engage in personal business relationships with other team members. State team members are required to disclose to their team and the Board their financial interest in any side business related to the Team's technical work. Board shall make a determination if this involvement constitutes a conflict of interest.

Gifts ITRC state members, stakeholders, employees and their family members are prohibited from accepting money, gratuities, or gifts that are substantial from the following:

- Persons receiving benefits or services from ITRC;
- Any person or entity performing or seeking to perform services under contract with ITRC; and
- Persons who are otherwise in a position to benefit from the actions of any employee or Board member of ITRC.

IAP members may not provide substantial gifts, money, or gratuities to state members or their families.

Board's Authority Items that are not covered in this Policy shall be addressed by the Board on a case-by-case basis. The Board is the final arbitrator for addressing conflict of interest matters.