
Hellevoetsluis, October 2006

Regarding: German snow tyre legislation

Dear client,

Over the past few months, there have been discussions in our sector regarding the definition of snow tyres with regard to German traffic regulations (Strassenverkehrsordnung - StVO) and the corresponding obligation to use snow tyres. Regulations state that in Germany, motor vehicles should always be correctly equipped with antifreeze in the windscreen wiper equipment and with the appropriate tyres.

The Dutch organisation for the tyres and wheels sector VACO discussed this matter at length with the German sector association BRV and has given us the following advice.

General

When drivers use tyres in Germany that according to German traffic regulations are inappropriate, they are in breach of the law and risk fines of up to € 40.00. If such drivers are involved in an accident, this may lead to joint liability as well as having to pay one's own cost, so that in some cases third-party cover will only pay out 70 to 80% of the damage. The use of inappropriate tyres can also be considered as 'gross negligence', so payment from your comprehensive cover may be refused.

Snow tyres definition

In the media, the regulations regarding the appropriate tyres are usually explained as the obligation to use snow tyres in Germany. It is indeed expected that the current regulations, which make it compulsory for drivers to adjust their tyres to weather conditions, will result in the obligation to have snow tyres. Over the past few months, there have been discussions about which tyres are considered appropriate snow tyres in this context and about the concrete definition of snow tyres. At this moment, there is no legally prescribed definition of snow tyres. However, the ECE regulation no. 30 of the EU directive 92/23 and § 36 of the German Strassenverkehrs-ZulassungsOrdnung do state that snow tyres should always carry the indication M+S, M&S or M.S. This would mean that all tyres with an M+S indication (including some summer tyres) are considered appropriate snow tyres. Snow tyres should also have a minimum tread of 4 mm.

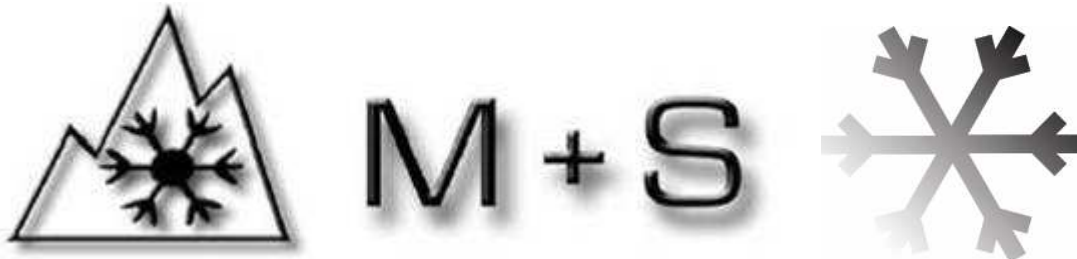
M+S tyres with snowflake symbol

Some tyre manufacturers decided to add the snowflake symbol to their M+S indication. The use of the snowflake symbol on snow tyres is currently only compulsory in the United States and Canada. In the EU, it is only a voluntary indication that is not regulated by law. However, established US tests have shown that tyres with the snowflake symbol have 10% more traction on a snowy road surface than tyres without this symbol. The meaning of the snowflake symbol is also unmistakable to both tyre expert and consumer. The snowflake symbol is also sometimes used as part of the so-called 4-seasons symbol. This symbol does not reflect anything about the tyre's qualification as a snow tyre. A 4-seasons tyre with such a can only be considered as a snow tyre if the tyre is also showing M+S in combination with the snowflake symbol (separately).

VACO advice

This does not mean that snow tyres without these symbols automatically have fewer or no snow tyre characteristics at all. They may still be considered as snow tyres under German or European traffic regulations. Nevertheless, after extensive discussions with the German sector association BRV and with a view to the new German StVO legislation and its consequences for your customers, VACO recommends only to sell tyres with both the M+S indication and snowflake symbol as snow tyres.

Symbols



Exclusive brands

The snow tyres of our private brands (Blackstone and Novex) and exclusive brands (Federal, and Sava) show the abovementioned symbols, indicating that they are genuine snow tyres. For your information, we would like to add that many brands also use the M+S indication on summer tyres for the American market. This is also the case for patterns of our Novex and Federal summer tyres. However, such tyres do not show the snow flake and can therefore not be considered as snow tyres.

We hope this provides you with sufficient information. We would like to advise you to pass on this information to your customers in order to ensure that the entire sector and consumers are up to date.

With best regards,

Van den Ban Autobanden BV