

Policy On Dealer Unauthorized Vehicle Modifications

TO: SDC EST CEN WST
FROM: Subaru of America, Inc.
DEPARTMENT: Subaru Service
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CATEGORY: Parts/Service

POLICY ON DEALERS' UNAUTHORIZED VEHICLE MODIFICATIONS

Subaru of America, Inc. (SOA) strongly discourages dealers from making any modifications to Subaru vehicles other than those in which Genuine Subaru Parts and accessories are used. Dealers should be aware that they are assuming the following risks when making unauthorized vehicle modifications (that is, those made with other than Genuine Subaru Parts and accessories):

- The modifications may bring the altered vehicle out of compliance with safety or emissions regulations, potentially subjecting a dealer to fines and penalties under federal law as well as exposing members of the public to potential injury and property damage.
- The dealer would not be afforded insurance protection by SOA in a product liability lawsuit if injuries are alleged to be the result, in whole or in part, of the unauthorized modification. The dealer would instead have to rely upon its own insurance coverage or that of the vendor furnishing it the non-Genuine Subaru Parts or accessories or making the unauthorized vehicle alterations.
- Under the terms of the Subaru Dealer Agreement, the dealer would be required to defend, indemnify and hold SOA and its affiliates harmless in a product liability lawsuit relating to the unauthorized modification.
- The altered vehicle would not be afforded coverage under the Subaru Limited Warranty and under other warranties extended by SOA to retail customers for any malfunction, failure or damage related to the unauthorized modification. In situations in which a modification made to a vehicle constitutes a material alteration, the vehicle would not be eligible for any warranty coverage from SOA.

Dealers are also reminded of their obligation under the Subaru Dealer Agreement to clearly and conspicuously identify, in writing, to their customers that vehicle alterations have been made using other than Genuine Subaru Parts and accessories and stating that the non-Genuine Parts and accessories will not be afforded warranty coverage by SOA. Additionally, dealers are obligated to furnish SOA (or if applicable, SNE or SDC) with the vehicle identification numbers of all vehicles that have experienced unauthorized modifications.

Please read the policy in its entirety regarding vehicle modifications, abuse and lack of maintenance in Section 8.4.45 in the Warranty Claims Policy and Procedures Manual.
