



Way of Life!

## Powersports Dealer Advertising Policy

Suzuki Motor USA, LLC (“SMO”) requires dealer compliance with this advertising policy. This policy applies to all types of advertising media, including, but not limited to, print, television, radio, internet, and social media advertising. Suzuki dealers must promote, advertise, market and sell Suzuki products actively, aggressively, honestly, and effectively, subject to the terms and conditions of their Suzuki dealer agreement and this advertising policy. Suzuki dealers must ensure all staff members, employees, managers are professional, ethical, and knowledgeable in their positions, and are well trained in Suzuki products and Suzuki policies and practices.

Compliance with this advertising policy is not the same as meeting legal advertising requirements. Dealers and their agencies or vendors are *solely* responsible for ensuring that all advertising complies with all applicable federal, state, and local legal requirements. Dealers should know that federal and state laws require specific disclosures and/or disclaimers depending on the content of each ad and the terms offered, and that these requirements can vary from state to state. Dealers should therefore run all ads by their legal counsel before placing them in media to ensure compliance with all applicable laws. Dealerships alone are responsible for legal review of any advertising. SMO, its co-op vendor, and other SMO affiliates will not check and are not responsible for the legality of the dealer’s advertising. Dealer advertising that is misleading, deceptive, or otherwise violates this advertising policy constitutes a material breach of the Suzuki dealer agreement, and may be grounds for termination.

### **Truth in Advertising**

#### **Price**

Advertisements that include the price of a particular model must include a complete disclosure of what is or is not included for the advertised amount. A disclaimer referenced by an asterisk must state, as applicable, that the advertised price does not include preparation, destination and handling, freight, taxes, license, title fees or insurance. Advertisements must also state if the pictured model includes any optional equipment. If there is a limited supply of that particular vehicle, this must also be clearly noted along with any other limitations affecting the offer such as specific model year(s), one per customer, or particular set of accessories, colors, wheels or handlebars.

#### **Promotion**

SMO corporate promotions may include rebates, discount coupons on accessories, giveaways, and financing offers. Any dealer advertising that includes these promotions must include the precise dates that the offer is valid - e.g. offer runs July 31 to September 30, 2021 – and other conditions affecting the offer that must be included - e.g. "while supplies last," "must be licensed driver," "18 years of age or older to qualify," "no purchase necessary" and "visit dealership for complete details."

**Financing**

Individuals or businesses involved in promotional advertising of credit terms must recognize that all such advertisements must comply with the advertising requirements of the Truth In Lending Act (TILA) and Regulation Z.

**Prohibited Language**

Advertising must not include any form of the following words or phrases in any order or any words or phrases with similar meaning.

- 1) *instant reverse payment;*
- 2) *no payments for life; or*
- 3) *never make a single payment* unless such a statement is clearly and conspicuously qualified by a time limit - e.g. *never make a single payment for six months.*

**Tread Lightly!®'s Advertising Guidelines**

SMO encourages dealers to adhere to Tread Lightly!® principles in advertising to demonstrate to consumers that Suzuki cares about environmental issues. Tread Lightly!®'s Advertising Guidelines, not exclusive to its members, are intended to serve as recommendations to help produce images that depict minimum impact to the environment and / or responsible behaviors. Additional information may be found at <http://treadlightly.org>.

## Powersports Dealer Advertising Policy – Motorcycle Provisions

In this section we have outlined the SMO advertising policy intended to foster public awareness of responsible motorcycling. SMO believes that adhering to this policy is in the best interest of public safety and will benefit the long-term image and growth of the industry. By establishing this policy, SMO demonstrates its concern for public safety and the responsible use of motorcycles.

### **Creative**

All Suzuki-supplied ad slicks, radio scripts, and TV spots are pre-approved if ran as-is. For dealer created advertisements, Suzuki AdPlanner will help ensure that advertisements portray safe, responsible use of motorcycles. Refer to the Suzuki AdPlanner at <http://adplanner.suzukicycles.com>.

### **Safety Messages**

Refer to [http://adplanner.suzukicycles.com/safety\\_messages.aspx](http://adplanner.suzukicycles.com/safety_messages.aspx) for the text of the standard safety messages.

### **Responsible Use of Motorcycles**

- 1) In all photographs/illustrations depicting motorcycle operators and passengers, they must be shown wearing (if riding) or displaying (if not riding) protective gear, i.e., helmets and eye protection, long trousers, long-sleeved tops, gloves and over-the-ankle boots. Use of a helmet, at all times, by both rider and passenger, must be stressed. Helmets must be worn or prominently displayed by all people appearing to be potential riders of a pictured motorcycle.
- 2) When a motorcycle is shown on public streets or highways, its lights must be on and riders must be illustrated or written of as following the laws and rules of the road, being courteous to other vehicle operators and following safe riding practices. Practices such as "burnouts," "wheelies," "donuts" and "lane splitting," while not universally illegal, are not to be depicted because they can create a negative public perception and set a poor example for certain impressionable motorcyclists.
- 3) The irresponsible use of speed, acceleration, horsepower or power-to-weight ratios (including extreme rider positions) must be avoided in all advertising.

- 4) Racing environments are to clearly depict or specify closed-course facilities or sanctioned competition events by way of competition numbers, rider dress, course markings, racing officials or other ways to ensure viewer or reader awareness that the activity is not on a public roadway or in a fragile environment. Motorcycles designed for closed-circuit competition shall only be shown operating in the environment for which they were designed or in competition events for which they are legally sanctioned.
- 5) Motorcycles must not be shown or written of as using exhaust or engine modifications that would raise the exhaust emissions or sound level above legal limits for the environment shown.

## Powersports Dealer Advertising Policy – ATV Provisions

In this section we have outlined the SMO advertising policy intended to foster public awareness of responsible ATV use. SMO believes that adhering to this policy is in the best interest of public safety and will benefit the long-term image and growth of the industry. By establishing this policy, SMO demonstrates its concern for public safety and the responsible use of ATVs.

### **Creative**

All Suzuki-supplied ad slicks, radio scripts, and TV spots are pre-approved if ran as-is. For dealer created advertisements, Suzuki AdPlanner will help ensure that your ads portray safe, responsible use of ATVs. Refer to the Suzuki AdPlanner at <http://adplanner.suzukicycles.com>.

### **General**

- 1) Advertisements shall not appear in magazines designated as youth, children's or comics and comic techniques magazines or within or adjacent to (immediately preceding or following) any television program whose audience is projected to be composed of one third or more of children less than 16 years old.
- 2) Advertisements shall not portray a use or activity that requires substantial experience or advanced skills, except:
  - a. Advertisements for “sport models” and “competition models” may state, directly or by implication, that an attribute of the model advertised is its speed or depict ATVs being operated at organized races in: (1) advertisements appearing in race programs distributed at organized races; (2) sales brochures distributed at the dealership, consumer shows, and race events; and (3) rider enthusiast publications.
    - i. Advertisements for “sport models” and “competition models” may state, directly or by implication, that an attribute of the model advertised is its speed or depict ATVs being operated at organized races in: (1) advertisements appearing in race programs distributed at organized races; (2) sales brochures distributed at the dealership, consumer shows, and race events; and (3) rider enthusiast publications.
    - ii. Any photographs must make it clearly evident that the ATVs are actual racing vehicles with professional operators or race-sanctioned amateurs.

- b. Any promotional videos depicting scenes from actual organized racing events must conform to the following requirements:
  - i. Any racing scenes that are inconsistent with these provisions will be edited from the tape, except that an ATV's wheels may be shown leaving the ground during the normal course of racing.
  - ii. The video must contain the following message: "Racing scenes photographed during an organized race involving professional or race-sanctioned operators under controlled conditions". The message must be delivered orally and visually at both the beginning and end of the video. In addition, the message must be superimposed during race scenes as follows:
    - 1. In racing scenes of five minutes or less, it must be superimposed at the beginning of the scene, and every sixty seconds thereafter. In racing scenes lasting more than five minutes, it must be superimposed at the beginning of the scene and every two minutes thereafter.
    - 2. Each time, it must be superimposed on the screen for ten seconds in legible print, against a contrasting background, and of sufficient size to be clearly read by a person of normal eyesight at normal viewing distance.
- 3) Advertisements shall not represent directly or by implication that a use of an ATV which is not possible is in fact possible.
- 4) Advertisements shall be consistent with all safety messages, including those in warning labels and owners' manuals.

### **Ease of Use**

- 1) Advertisements shall not state or imply that ATVs are easy to ride or that ATVs can be operated without proper training.
- 2) Advertisements shall not state or imply that an ATV is a toy. Example: Cannot refer to youth models as "toys," or to recreational riding as "play."
- 3) Advertisements shall not state or imply that ATVs can go "anywhere" or do "every" type of task.
- 4) Advertisements shall not state or imply that ATVs are stable, or that certain features make one ATV more stable than another.

- 5) Advertisements shall not refer to ATV use that requires substantial experience or advanced skills. Example: Cannot show an operator climbing a steep hill or other difficult terrain.

### **Minimum Ages and Youth Models**

- 1) Advertisements shall not state or imply that ATVs are appropriate for use by everyone, by all family members, or by persons of all ages.
- 2) Youth model ads that depict (by an illustration, photo, or video) a child who is under 16 years old operating an ATV must also depict an adult clearly supervising the child. In addition, all youths pictured in the ad must actually be, and must appear to be the following minimum ages:
  - a. between 6 and 11 years for a Y-6+ Youth-Size ATV;
  - b. between 12 and 15 years for a Y-12+ Youth-Size ATV;
  - c. between 14 and 15 years for a T-14+ Youth-Size ATV;
  - d. 16 years and older for Adult-Size ATVs.
- 3) For all youth model ads, the text or voiceover shall stress the importance of adult supervision.

### **Power**

- 1) Statements concerning an ATV's power must be directly related to its use for utility purposes. Example: You can say an ATV which is marketed for utility use has "stump-pulling power," but you cannot state that an ATV has a "powerful engine" or that it has "the most power in its class."
- 2) Advertisements shall not state or imply that an attribute of an ATV is its speed or that riding at a fast speed is safe or appropriate.

### **Riding Style and Environment**

Advertisements shall not state or imply that any of the following maneuvers or forms of behavior are safe or appropriate:

- 1) Operator inattention, including operator failure to keep his or her eyes on the path ahead or failure to keep both hands on the handlebars.

- 2) Formations of operators following too closely for the speed traveled.
- 3) Wild or reckless behavior or dangerous use of ATVs.
- 4) Wheelies, jumps, or any other maneuver in which one or more of an ATV's wheels leaves the ground (except that wheels may leave the ground slightly and momentarily as part of normal operation).
- 5) Aggressive or prolonged sliding or skidding. Example: Close-ups of wheels spraying dirt, sand, gravel, snow, water, or other material are prohibited. Ads for Sport models may depict riding maneuvers that require advanced skills or substantial experience if captioned "Experienced rider with advanced skills shown".
- 6) Speeding through water or riding through water that is deeper than specified in owner's manual.
- 7) ATV use on paved surfaces or public roads.
- 8) More than one rider on an ATV.

### **ATV/Operator Equipment**

- 1) All operators must wear a helmet, eye protection, gloves, long pants, long-sleeved shirt or jacket, and sturdy boots that cover the ankle. Such apparel must also be worn or clearly visible for any person appearing to be a potential operator. Example: If the potential operator is standing near the ATV, he or she must be wearing appropriate clothing, but the helmet, goggles, and gloves can be placed on the ATV's seat or cargo rack, as long as they are visible in the photo.
- 2) Headlights (if equipped) must be turned on when the ATV is running (except in racing scenes).
- 3) A whip antenna and flag approximately 8 feet in height must be mounted to the ATV when operating on sand dunes or other similar areas of limited vision.

### **Cargo and Trailers**

- 1) Advertisements shall not state or imply that it is safe or appropriate to carry cargo or tow a trailer which exceeds recommended weight limits for an ATV.
- 2) Cargo on racks or in trailers shall always be properly secured and evenly balanced, left to right, and appropriately balanced front to rear. Headlights must not be obscured.



- 3) Advertisements shall not state or imply that heavy loads may be carried or towed up or across steep slopes.

### **Safety Messages**

#### **A. Scope**

Refer to [http://adplanner.suzukicycles.com/safety\\_messages.aspx](http://adplanner.suzukicycles.com/safety_messages.aspx) for the text of the standard safety messages. The provisions of this section shall apply to all advertising and promotional materials except:

- 1) Dealer advertising or promotional material which promotes only:
  - a. local dealer sales events;
  - b. model price information; or
  - c. dealership product and location information.
- 2) Advertising and promotional materials which:
  - a. depict only an ATV(s) and the manufacturer's name and/or model designation(s) without accompanying text;
  - b. are designed simply to present multiple product lines of the respective companies, including products other than ATVs, without addressing ATV performance in operation or "image" characteristics of individual products; or
  - c. are primarily intended to promote company products other than ATVs (motorcycles, outboard motors, etc.) but which also refer to or depict ATVs as part of the company's product line without addressing ATV performance in operation or "image" characteristics of ATVs.

#### **B. Magazines, Newspapers, Sales Brochures and the Internet**

- 1) All advertisements and promotional materials in magazines, newspapers, sales brochures, and the Internet shall contain:
  - a. The age recommendations for each model depicted or referred to (specifically or as part of a class of ATV models).
  - b. A message similar to the following:

“Suzuki recommends that all ATV riders take a training course. For safety and training information, see your dealer or call SVIA at (800) xxx-xxxx.”

- c. The following warning: “ATVs Can Be Hazardous to Operate.”
- 2) In magazines and newspapers, the above warning shall be followed by the words “For your safety” and appropriately worded messages addressing at least two of the following “safety tips” on a rotating basis:
    - a. Always wear a helmet, eye protection, and protective clothing;
    - b. Never ride on paved surfaces or public roads;
    - c. Never carry passengers on vehicle designed for one person only;
    - d. Never engage in stunt driving;
    - e. Riding and alcohol/drugs don't mix;
    - f. Avoid excessive speeds; and
    - g. Be particularly careful on difficult terrain.
  - 3) In sales brochures, the above warning shall be followed by the words “For your safety:” and appropriately worded messages addressing each of the “safety tips” noted above.
  - 4) Form of Safety Messages
    - a. Safety messages may appear as part of the advertising copy or may appear as a separate message set apart from the rest of the promotional copy.
    - b. The safety messages shall appear in conspicuous and legible type in contrast by typography, layout or color with other printed material in the advertisement.

### **C. Social Media**

Social media safety messages shall comply with all aspects of this policy regarding promotional communications to consumers to promote the sale of all-terrain vehicles (ATVs). Social media includes weblogs (blogs), wikis, podcasts, webinars, message boards and forums, social bookmarking websites, social networking websites, and content sharing websites.

### **D. Television and Video Promotions**

- 1) Contents of Safety Messages:

All television and video advertisements and promotional materials shall contain a safety message that states the age recommendations for each model depicted or referred to (specifically or as part of a class of ATV models) and addresses the importance of training.

2) Form of Safety Messages:

The safety messages shall be either:

- a. Verbal; or
- b. Superimposed on the screen in legible print, against a contrasting background, and of a sufficient size and for a sufficient duration to meet network standards for commercials.

**E. Radio**

All radio advertisements shall include a verbal safety message that states the age recommendations for each model depicted or referred to (specifically or as part of a class of ATV models) and addresses the importance of training.

**F. Posters**

- 1) All posters intended for distribution to consumers (not including materials intended solely for use in dealership showrooms or company offices) shall:
  - a. Affirmatively represent the age recommendation(s) for the model(s) depicted; and
  - b. Contain the warning statement as set forth above.
- 2) The above messages shall appear in conspicuous and legible type in contrast by typography, layout or color with other printed material in the posters.