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## **Tyre Technical Advisory Committee**

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### **Consumer guide to the tyre warranty complaint process**

Modern day tyre production is a high tech process and leading tyre manufacturers place significant emphasis on quality control throughout the manufacturing process. The likelihood that a faulty product appears in the marketplace is therefore extremely low.

Experience within the industry over many years shows that tyre complaints are most commonly the result of poor care and maintenance or driver influence. Any under performance of a tyre is rarely due to manufacturing defects.

Nevertheless, there exists an established process for returning tyres under complaint and the following sets out the various cases that can arise.

#### **1. Return the tyre to the retailer from whom it was purchased**

If a consumer has a complaint the tyre(s) should be returned to the retailer from whom it was originally purchased. The dealer has a legal responsibility to handle any complaint the consumer may have relating to the purchase.

If at the time of returning the tyre to the retailer, the cause of a fault or deficiency is unclear, the retailer may advise the product is returned to the respective manufacturer (or sole agent) for detailed examination. If this course of action is accepted, the consumer will be asked to complete relevant sections of an industry "Standard Application Form".

It is important that all relevant sections are completed and the consumer reads the conditions of examination and the declaration statements before signing the form. Please note the product is still your property and the manufacturer may need to render the product unsuitable for further use to fully examine it and hence requires the consumer's consent beforehand.

It is very important to note at this stage the retailer is under the obligation to deal fairly with the consumer's complaint, but it is a matter for negotiation as to whether a replacement product is offered by the retailer and at what price. Most retailers will offer to sell another product to the consumer and if the manufacturer makes an allowance an amount will be refunded to the consumer.

The value of an allowance is based upon the residual life of the tyre (i.e. the unused portion of the tread pattern depth). Any allowance offered is a gesture of goodwill and does not constitute any admission of liability or fault with the product.

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### **2. Return the tyre to a retailer from whom it was not purchased**

Where the consumer has a replacement tyre supplied by a dealer other than by the dealer that supplied the tyre considered to be at fault, the former may be willing to take up the consumer's concerns with the manufacturer. However, he has no obligation to do so since he has no contractual relationship with the consumer as far as the alleged faulty tyre is concerned. If he does so the dealer accepts responsibility to pass on any allowance granted.

### **3. Tyres bought over the internet from a dealer**

A consumer's rights when buying over the internet are the same as when buying from a high street dealer. There are some additional rights under the Distance Selling Regulations if the tyre is ordered from within the UK and elsewhere in the European Union. Remember that if the tyre is bought from abroad and problems occur with it there may be difficulties in getting the complaint properly dealt with. Moreover, if the consumer's tyre is fitted by an agent different from the seller it may be more difficult to establish responsibility for any defect identified in the tyre.

### **4. Tyres supplied as original equipment on a new vehicle**

If a consumer has a problem with a tyre that was fitted as original equipment on a new vehicle in the first instance, return the tyre to the vehicle dealer from whom the vehicle was purchased. The vehicle dealer will advise on the appropriate complaint procedure to follow.

### **Reporting Process**

Upon receipt of the tyre(s) the manufacturer will endeavour to complete the examination and issue a report to both the dealer and consumer within fifteen working days of receipt of the tyre by the manufacturer. However, there may be exceptional circumstances associated with certain types of complaints where the investigation may take longer.

Any allowance offered will be passed onto the consumer via the tyre (or vehicle) dealer.

In the event that the consumer is not satisfied with the outcome of the manufacturer's examination it is possible to engage an Independent Tyre Examiner at the consumer's expense and to lodge an appeal.

Names and contact details of Independent Tyre Examiners are available from the BTMA.

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