



ALDENHOVEN
testing
center



TERMS OF USE

of the Proving Ground Aldenhoven Testing Center (ATC)

Valid from 05/2019

A. General Provisions

1. Use of the Proving Ground

Prerequisites for using the proving ground are:

- an official and valid driving license and
- a signed declaration that instructions for use and applied safety rules of the ATC proving ground have been received (safety briefing) and are acknowledged and
- the existence of insurance for the vehicle used in accordance with No. 4 and
- a written and complete booking request, which has been checked and positively approved by ATC GmbH.

2. ATC Authorisation

The ATC authorisation (badge) is issued by ATC GmbH to those users who repeatedly or regularly carry out testing on the proving ground. It is a company-internal, non-transferable permit, which is renewed every year and always has to be visibly worn while on ATC premises. At the time of issuance, the users confirm by their signature that they have received instructions regarding the use of the proving ground (safety briefing) and that they know and observe the version of the Terms of Use being applicable from time to time. In the cases stated below, the ATC admission certificate has to be immediately returned to ATC GmbH:

- withdrawal of the official driving license,
- revocation by the ATC management,
- if not renewed upon expiry of the stated period of validity,
- when changing the job or affiliation.

3. Visitors

Visitors are only allowed to enter the proving ground when provided with a visitor's badge and in company of the visited person. Visitors are to be picked up at the ATC building and accompanied back there at the end of their visit. When handing over the visitor's badg-

es, the visitors are expressly notified of the posted Terms of Use, as well as the obligation of secrecy and the prohibition of taking photos and making films. Visitors acknowledge these regulations by signing the respective declaration.

4. Insurance

It is only permitted to use the proving ground with vehicles, for which an insurance policy was taken out. Proof of insurance must be provided upon request. The proof of insurance must at least comply with the statutory requirements for vehicles approved for public road traffic, in particular with those of the “Pflichtversicherungsgesetz” (German Act on Compulsory Insurance). Therefore a liability insurance policy with sufficient cover against any damages to be expected, in particular against bodily injuries, property damages and indirect losses must be kept in force for every vehicle above all in the sense of statutory requirements. Furthermore, the insurance must explicitly cover the usage of test tracks resp. proving grounds.

5. Duty of Secrecy

Every user/visitor of the proving ground undertakes to keep any and all technical, commercial, business and other information and data possibly acquired from third parties during his/her stay on the premises strictly secret. This obligation applies both to external parties and to other employees who are not directly involved in the corresponding subject area. Any observation of incidents suggesting an infringement of the duty of secrecy has to be immediately reported to ATC GmbH.

Excluded from the confidentiality are information that is demonstrably already known; the user/visitor had already been previously granted access by ATC GmbH or its representatives on a non-confidential basis; the user/service provider was made accessible by third parties on a non-confidential basis, unless the user/visitor was aware that this third party had violated a confidentiality agreement with ATC GmbH by passing on the information. Furthermore, the confidentiality obligation does not exist for any existing legal or official information obligations. The obligation to maintain secrecy

shall remain in effect even after termination of the contractual relationship.

6. Ban on Taking Photos and Making Films

On the proving ground, it is absolutely forbidden to take photos and to make films. Any contraventions are punished with a ban on entering the site, and the corresponding photo/film material will be confiscated and destroyed. Any applications for exemption must be addressed to the management of ATC GmbH. ATC operations management decides, whether the presence of an ATC employee at a charge is required during the shootings.



7. State of Health Required

Driving on the proving ground implies unrestricted driving ability of the driver. In case an impairment of the physical or mental well-being should occur, the use of the proving ground has to be stopped immediately.

8. No Smoking / No Alcohol

Smoking is strictly forbidden on the whole proving ground, except for areas specially identified for this purpose. Consumption of alcoholic drinks and other intoxicants is forbidden on the premises.



9. No Smartphone and Station Radio

It is strictly forbidden to use smartphones or similar devices, which could distract the driver from his driving task, while test driving. This applies likewise to listening of station radio, music or similar. The driver is responsible for being able to hear and understand radio announcements of the dispatcher at any given time.



10. Infringements of the Terms of Use

In case of infringements of the Terms of Use, ATC GmbH is entitled to forbid the user to continue using the proving ground. The staff and the marshals of ATC GmbH are authorised to instruct the users in the use of the proving ground. The users are obliged to follow these instructions.



11. Organisation of Events

The organiser assigns a person who will be present during the whole period of the event and be responsible for the exchange of information between ATC GmbH and the persons participating in the event. At the end of the event, the organiser hands over a valid list of participants to ATC staff. Every participant has to sign the Declaration on the Use of the Proving Ground Aldenhoven Testing Center. The event organiser is free in introducing the Terms of Use to the event participants (safety briefing). In this case, the Terms of Use for the Proving Ground Aldenhoven Testing Center for Events apply.

12. Subleasing

Subleasing of track elements or premises is permitted only after prior approval by ATC GmbH. A use by associated companies is hereof exempted.

B. Use of the Test Tracks

1. Check-in before Using the Test Tracks

Every user has to check in at the dispatcher of ATC GmbH before using the tracks. Against signature, the user will get the safety equipment there. All drivers are obliged to read the Terms of Use before the first use of the test tracks and to acknowledge them in writing.

2. Track Instructions

Prior to the start of use, users of the proving ground who use the test tracks for the first time or whose ATC authorisation granted for one year has expired receive practical instructions from an ATC employee with regard to traffic regulations and rules of conduct on the tracks, as well as with regard to the handling of technical equipment (safety briefing).

3. Application of the German Road Traffic Regulations (StVO)

In principle, the regulations of the German StVO and in particular the command of mutual consideration apply to any and all tracks, roads and connection roads on the ATC ground. On the test tracks, the following rules apply:

- Drive with low beam lights
- Fasten seat belts
- Never carry out repairs or modifications on vehicles on or beside the track, use instead the reserved areas
- Only leave the vehicle on the proving ground with a high-visibility vest
- Operation of the measuring devices by the driver is forbidden while driving

ATC GmbH reserves the right to check these points installations and request improvements in case.

4. Permissible Noise Level

The ATC area can be used only with vehicles whose noise emissions correspond to the noise levels specified in the vehicle registration certificate or do not exceed a sound pressure level of 77 dB (A) at the accelerated passing under full load at 10 m distance. On request, corresponding proof of this must be submitted to ATC GmbH.

5. Personal Protective Measures

Every driver is directly responsible for his/her personal protective equipment (PPE) as well as the adequate equipment of his/her vehicle. ATC recommends:

- to carry along a fire extinguisher, a safety belt knife and a glass hammer
- to use a safety helmet
- to wear protective clothing (protectors etc.)
- adequate safety equipment for the vehicle (supporting wheels, safety cage, harness belts etc.)
- to sufficiently fasten any measuring devices



6. Approach to the Track Elements

Every track element may only be entered or left by using the access roads described in the instructions. The dispatcher must be notified before entering or leaving any tracks via radio.

7. Maximum Number of Vehicles

The number of vehicles simultaneously admitted for using a track module depends on the current state of traffic and the safety requirements of the relevant element and can be limited by ATC GmbH. Coordination between the users has to be made if required.

8. Two-wheelers/Passenger Cars/Commercial Trucks

The vehicle dynamics area, the hill section, the oval circuit, the rough road as well as the urban environment can also be used by two-wheelers. ATC GmbH's dispatcher therefore provides an explicit briefing. The handling track may only be used by passenger cars. On all other track elements, passenger cars and commercial trucks are allowed.



9. Speed

Outside the test tracks, in the area of the buildings and parking lots, a speed limit of 30 km/h has to be observed.

Within the test tracks, the following regulations apply:

- On access roads, a speed limit of 30 km/h has to be observed.
- If any road damage, slippery road surface, black ice, fog or similar conditions prevail, the speed has to be adjusted to the road and weather conditions and the dispatcher has to be notified.

Every user should familiarise him-/herself with the special features of the test tracks by driving at reduced speed.

On the test tracks, the driver should adjust the speed so that sufficient stopping distance is available at any time and no other users are put at risk. In general "cautious approaching" to the maximum speed is required. This particularly applies when special tyres or

tyres with reduced tread depth are used. In any case, sufficient load-bearing capacity of the tyres has to be ensured. The recommended speed for the tyres applies to vehicles with standard tyres approved for public road traffic (spike tyres and snow chains are not allowed).

10. Vehicle Tests with Increased Hazard Potential/Safety Risk

If a user intends to perform a vehicle test involving increased hazard potential or safety risk, the following rules should be observed:

- A vehicle test with increased hazard potential or safety risk must be notified in time to ATC GmbH by the user.
- ATC GmbH decides whether the intended driving manoeuvre should be classified as dangerous or risky and whether the corresponding track element has to be blocked or coned off.
- The user must wait until the test track is released for use by ATC GmbH.
- ATC GmbH reserves the right to take further safety precautions.

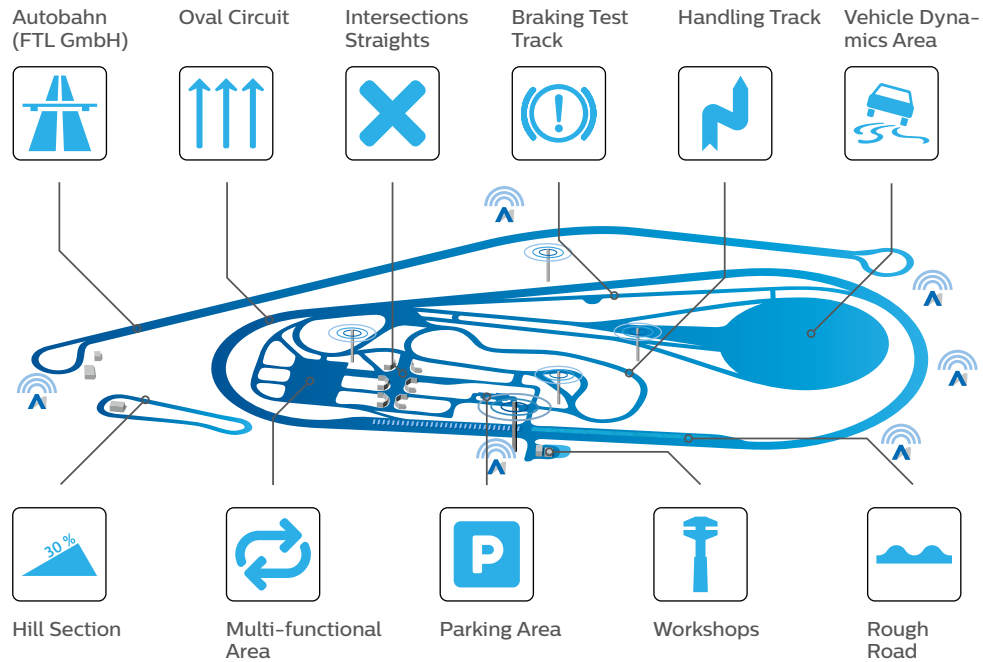


11. Check-out before Leaving the Testing Center

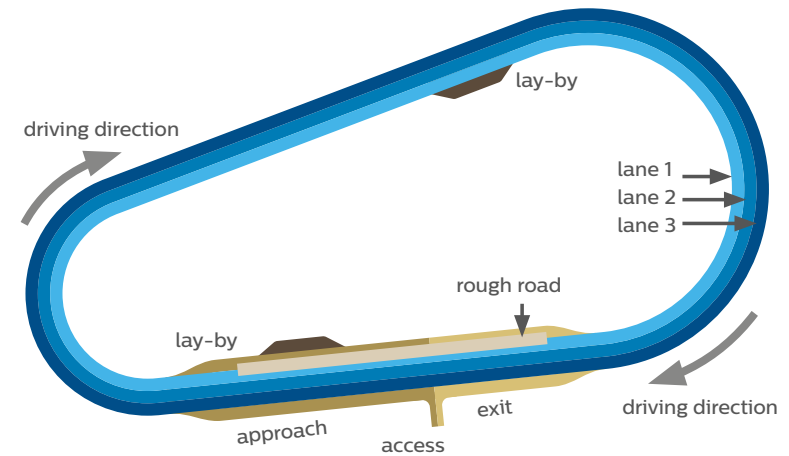
When leaving the proving ground, every user must check out at ATC GmbH and return the items received during check-in.

C. Use of the Individual Test Track Elements

The user undertakes to use and approach all track elements and connection roads exclusively in accordance with the instructions.



Oval Circuit



Approach and Exit

The oval circuit can be approached and left by using the approach/exit area of the proving ground. As the approach to the braking test track and rough road element is also provided via the oval circuit, particular caution and increased attention is required in these areas.

Driving Direction

The allowed driving direction is only clockwise. For changing the driving direction, the oval circuit must be booked on an exclusive basis. In this case and due to their constructions, the safety rails can provide only a limited safety effect or even an additional safety risk. The user must confirm accepting this risk separately and in writing.

Lanes

The lateral force free speed achievable on the individual lanes in the area of banked curves varies due to different road inclinations and curve radii. On the upper lanes of the steep curves, a minimum speed must be observed. The relevant speed can be gathered from the instruction documents.

Speeds

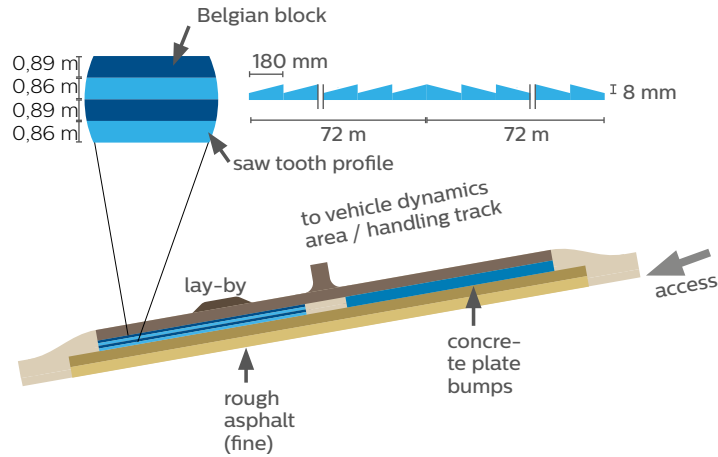
The maximum allowed speed in non-exclusive use is 120 km/h. Detailed speed ranges for the individual lanes are given during the safety briefing. Higher speeds are only possible in exclusive use and



have to be agreed with and explicitly permitted by the dispatcher. Maximum speed for two-wheelers in the oval curves is limited to 80 km/h.



Rough Road



Approach and Exit

The rough road can be approached and left via the oval circuit.

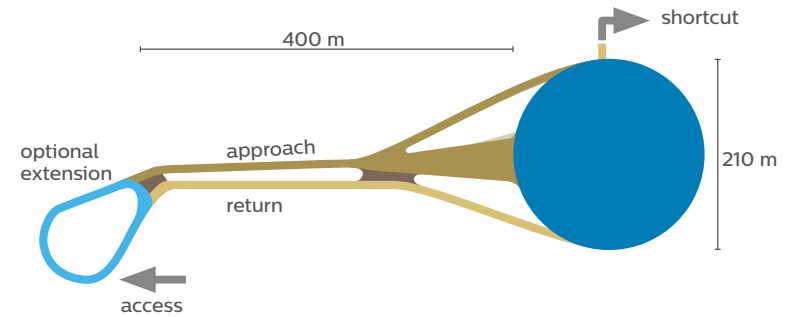
Driving Direction

The rough road must be used in the same direction as the oval circuit.

Speeds

Maximum speed for two-wheelers is limited to 80 km/h.

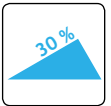
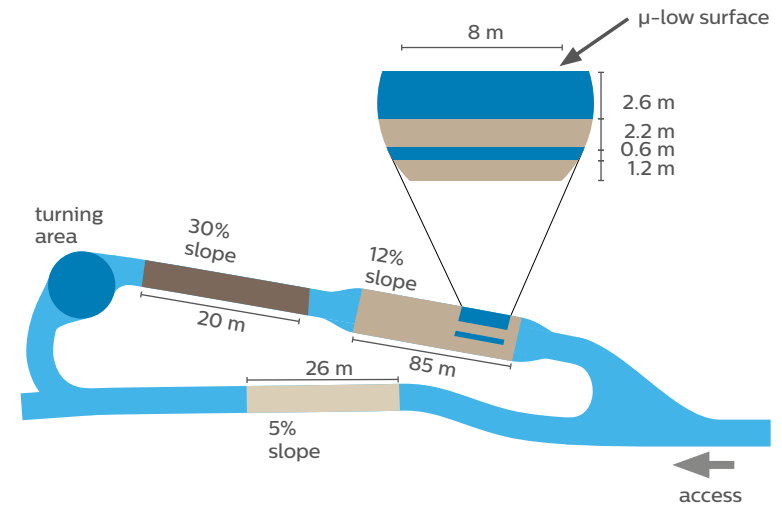
Vehicle Dynamics Area



Approach and Exit

The vehicle dynamics area can be approached and left from the oval or via infield as indicated in the safety briefing. The dispatcher decides upon the current traffic regulation situation-based. The usage of the short cut, which leads to the braking test track, has to be agreed with and explicitly permitted by the dispatcher.

Hill Section



Approach and Exit

The hill section can be approached and left via the approach road in front of the ATC site. Registration with ATC staff is required.

Driving Direction

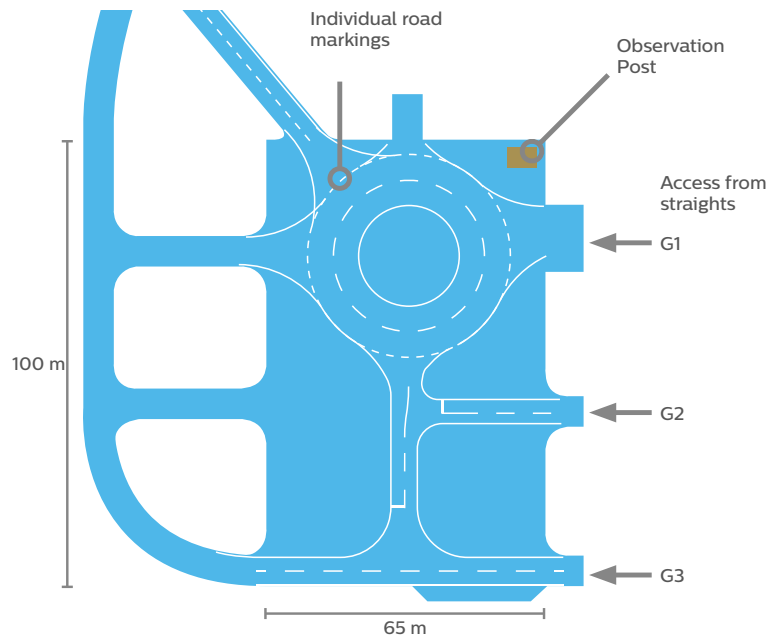
For the hill section only one driving direction is allowed at any time. This direction is defined by a sign. It may only be changed in agreement with and after explicit approval by the dispatcher.

Start-up tests on the Avertol surface are only allowed when it is flooded. This concerns in particular commercial vehicles.

The hill section may be used by two-wheelers for rolling tests only. The maximum speed is limited to 10 km/h. The Avertol surfaces must not be used by two-wheelers.



Multi-functional Area



The approach and exit to the multi-functional area is via the oval circuit. The dispatcher decides upon the current traffic regulation situation-based.

Driving Direction

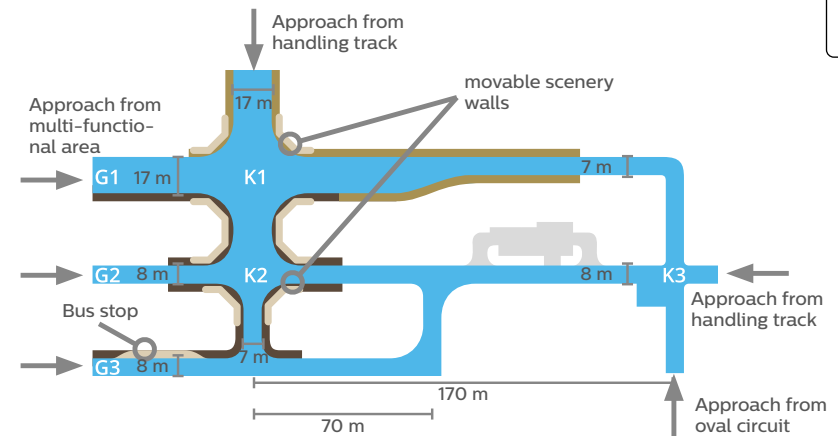
The driving directions are basically freely selectable.

The traffic signs and regulations in place in accordance with StVO apply. If there are several users in the urban environment at the same time, the users must agree on the planned driving manoeuvres.

Route Configuration

The route configuration and use of the individual segments of the urban environment (e.g. intersections or straights) correspond to those specified in the booking. Any changes have to be agreed with and explicitly permitted by the dispatcher.

Intersection/Straights



The approach and exit to the intersections/straights is via the oval circuit or the handling rack. The dispatcher decides upon the current traffic regulation situation-based.

Driving Direction

The driving directions are basically freely selectable. Cross traffic (east/west direction) at intersection K1 is only permitted if the handling track is not occupied or has been booked additionally. This applies in particular to higher speeds in transverse traffic.

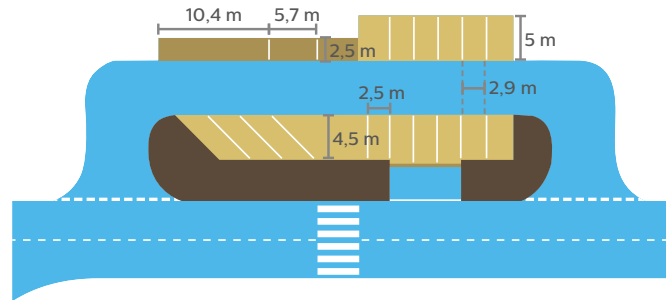
The traffic signs and regulations in place in accordance with StVO apply. If there are several users in the urban environment at the same time, the users must agree on the planned driving manoeuvres.

Route Configuration

The route configuration and use of the individual segments of the urban environment (e.g. intersections or straights) correspond to those specified in the booking. Any changes have to be agreed with and explicitly permitted by the dispatcher.



Parking Area



The approach and exit to the parking area is via the urban environment or oval circuit. The dispatcher decides upon the current traffic regulation situation-based.

Driving Direction

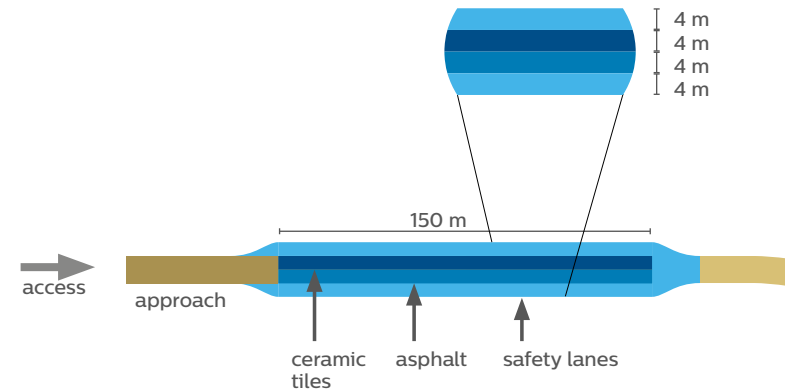
The driving directions are basically freely selectable.

The traffic signs and regulations according to StVO apply. If there are several users in the city environment at the same time, the users must agree on the respective planned driving manoeuvres.

Route Configuration

The route configuration and use of the individual segments of the urban environment (e.g. intersections or straights) correspond to those specified in the booking. Any changes have to be agreed with and explicitly permitted by the dispatcher.

Braking Test Track



Approach and Exit

The braking test track can be approached and left via the inner lane of the oval circuit in clockwise direction.

Driving Direction

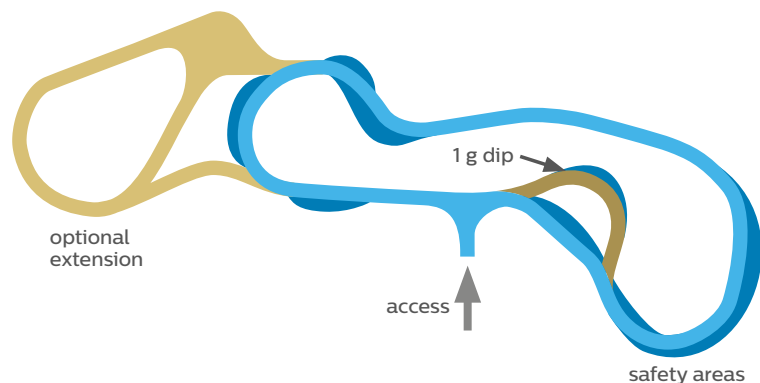
In mixed usage, the braking test track may only be approached from and left to the oval. In exclusive use, turning and driving back within the braking test track is allowed. However, the testing direction is for safety reasons strictly northbound. It must however be left in the driving direction of the oval in any case.

Speeds

The maximum allowable speed depends on the driving manoeuvre and is explained during the safety briefing. Higher speeds are only possible in exclusive use and have to be agreed with and explicitly permitted by the dispatcher.



Handling Track



Approach and Exit

The handling track can be approached and left via the approach and exit roads in the area of the infield as indicated during the safety briefing.

Driving Direction

For the handling track only one driving direction is allowed at any time. This direction is defined by a sign. It may only be changed in agreement with and after explicit approval by the dispatcher.

Track Configuration

The track configuration corresponds to that specified in the reservation and may only be changed in agreement with and upon approval by the dispatcher.

D. Damaging Events

1. Conduct in Case of Vehicle Defect

If vehicles break down on account of technical defects, the dispatcher has to be informed immediately via radio. The affected vehicle has to be secured as early as possible by means of warning devices (warning triangle, flash lights or other means) and removed without delay.

2. Conduct in Case of Accidents

In any case, accidents and other damaging events must be immediately reported to the dispatcher by indicating the nature and location of the event and the number of injured persons, if any. To this end, radio unit, telephone or other adequate means of communication should be used.

Emergency call dispatcher: +49 162 4903527

Further measures will be coordinated by the dispatcher. The instructions of the emergency staff have to be observed. Injured persons are in principle advised to subject themselves to a medical examination after first-aid measures by the rescue service. In any case, first-aid measures are to be carried out as top priority.

3. Continuation of Use after an Accident

The dispatcher will inform all vehicles about accidents. All testing on the test tracks is to be stopped immediately. The continuation of operation is only permitted after explicit release by the dispatcher.

E. Use of Premises and Parking Areas

1. Transfer of Rooms

The facilities of ATC have to be treated with care and kept clean. Any damages or defects should be notified to ATC GmbH without delay. During check-in, the keys for the leased rooms are handed over to the user. After the end of use, the rooms are to be left in same condition as provided. All keys are to be returned to the dispatcher when leaving the testing center. This also applies to every day of use in case of leasing for several days. If a key gets lost, the user will be liable for any and all damages resulting from this. ATC GmbH does not assume any liability whatsoever for items introduced by the user.

2. Offices, Workshops, Meeting Rooms

When using any of the machines, equipment and devices made available, the relevant operating instructions and safety notes have to be observed. The user must procure the necessary information

via ATC GmbH, as the case may be. It is forbidden to enter any rooms not leased on one's own. The mobile office must not be moved unauthorised.

3. Kitchenette

The kitchenette is not publicly available. Its use is only allowed after explicit approval by ATC staff and in case the room is marked as "frei" ("free").

4. Parking in the Area of Buildings

When parking in the area of the buildings, take care that the parked vehicles do not constitute an obstacle or risk to other road users. If possible, the marked parking spaces should be used.

F. Liability

1. Any claims for damages and repayment of expenses against ATC GmbH (hereinafter called "claims for damages"), for whatever legal reason, are excluded. This applies in particular to the breach of duties from an obligation or tortuous act. The exclusion of liability does not apply to injury to life, body or health, to cases of gross negligence or malicious intent, in case of assumption of a guarantee or procurement risk, in case of mandatory liability, e.g. according to the products liability act or in case of breach of essential contractual obligations.
2. The personal liability of the legal representatives, vicarious agents and employees of ATC GmbH for any damages caused by slight negligence is in any case excluded.
3. In case of breach of essential contractual obligations, the amount of claims for damages is limited to the foreseeable and direct damage being typical of the contract as well as to the damage that occurs as a rule in order to be able to assert the claim for damages relating to the direct damages. Clause F. 1. sentence 3 applies accordingly.
4. The liability for consequential losses and the liability for property damages are completely excluded. Clause F. 1. sentence 3 applies accordingly.
5. If the damage is covered by an insurance policy to be taken out by the user, ATC GmbH is only liable for any disadvantages suffered in this connection by the user, e.g. for higher insurance premiums or interest payable until settlement of the claim by the insurers.
6. No liability is assumed for loss of profits and business interruption suffered by the user. Clause F. 1. sentence 3 applies accordingly.
7. ATC GmbH does not assume any liability for damages caused by the use of prototypes. In particular, no liability is assumed for the publication of prototypes by photo or film shootings. The Film and Test Location adjacent to the testing center is mainly used for shooting films. Therefore, driving tests planned with vehicles worthy to be kept secret have to be explicitly announced by the client in advance so that an agreement can be made between ATC GmbH and FTL (Film and Test Location) GmbH for coordinating shootings of films.
8. The user undertakes to hold ATC GmbH harmless from any and all claims that might be asserted against it as the operator of the proving ground on account of a damage culpably caused by the user or representatives or agents of the latter or other third parties using the services of ATC GmbH and its facilities with the knowledge and will of the user.
9. The user is liable for any and all damages caused by his agents or representatives or by other persons acting with his knowledge and will on the proving ground.
10. ATC GmbH rejects any liability in cases of Force Majeure.
11. If the test track is blocked on account of an accident, ATC GmbH does not assume liability towards a user, who cannot use the proving ground as a result of these circumstances, for reimbursement of expenses like travelling expenses or loss of income.

G. Other Provisions

1. No modifications or amendments to these terms shall be valid unless set forth in writing.

2. The law of the Federal Republic of Germany shall apply by excluding any choice-of-law rules of German and international private law. The place of jurisdiction is the court having jurisdiction for the registered office of ATC GmbH.
3. If any of the terms hereof should be or become invalid, such invalidity does not affect the remaining terms.

Leaflet

- German highway code (StVO) effective on all grounds – exceptions explained during mandatory safety briefing.
- Maximum speed on all connecting roads and around the buildings 30 km/h.
- Alcohol and drugs prohibited. Smoking only in designated areas.
- Usage of smartphones or station radio prohibited while driving.
- Staff directions and signs must be followed.
- No driving on closed tracks.
- Driving on oval only clockwise.
- Crossing of oval is strictly forbidden at any place.
- Maximum speed on oval 120 km/h. Exemptions can be agreed upon at exclusive use.
- Driving on oval's service track only for stop & go cycles and only in agreement and after approval by the dispatcher.
- Driving on oval can lead to ESP intervention – deactivation is recommended.
- High-visibility vests must be worn when leaving car on tracks.
- Changes between track elements must be announced over radio.
- Lights on – fasten seat belts.
- Use indicators when turning or changing lanes.
- No photography or filming.
- Minimum and maximum velocities:
 - Oval: emergency lane 0 – 20 km/h, inner lane 0 – 50 km/h, middle lane 50 – 80 km/h, outer lane 80 – 120 km/h
 - Braking test track: μ -low (tiles) 70 km/h, μ -split 70 km/h, μ -high (asphalt) 100 km/h

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Ministry of Economic Affairs,
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State of North Rhine-Westphalia



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