



Ursula von der Leyen
President of the European Commission
Rue de la Loi - 1049 Brussels

Brussels, 23rd January 2023

Dear President von der Leyen,

Re. Urgent action needed on pro-consumer and pro-competitive access to in-vehicle data legislation

Under your leadership, this Commission has achieved impressive progress in creating the conditions for competitive digital markets in Europe. We are writing to you to urge that the Commission take swift action on the long-promised regulation that will create the conditions for competition in the data-driven automotive and mobility sectors for the benefit of European consumers and businesses.

After several years of evidence-gathering, in December 2020 the Commission set out in its Sustainable and Smart Mobility Strategy Plan for a “new regulatory framework to open up access to car data to mobility services” by 2021. In 2022, Executive Vice President Margrethe Vestager and Commissioner Thierry Breton confirmed that sector-specific automotive regulation would be adopted to complement the Data Act. Specifically, Commissioner Breton confirmed this intention during a meeting with the leaders of the 10 undersigned associations in June 2022. We were informed that the DG GROW proposal expanding the Vehicle Type-Approval legislation would be sent for review by the Regulatory Scrutiny Board at the beginning of February 2023, to enable College adoption in Q2/2023. This final timeline, although tight, would still have allowed for scrutiny by the co-legislators and adoption before the European elections in May 2024.

We are, therefore, very dismayed to learn of yet another delay in the process. These delays have real world consequences for the vast majority of the automotive and mobility actors, while benefitting only one stakeholder group due to their privileged position in the data stream.

The Commission has a rich history of market-enabling legislation from telecoms to aviation, rail and energy. The recent series of legislative measures part of the European Data Strategy addresses significant market distortions and should therefore give rise to a more vibrant and competitive European internet economy that is not captive to a few dominant tech players. While these are positive developments, it is extremely disappointing that, despite all the evidence gathered, the European automotive and mobility ecosystem will continue to fall prey to the same market distortions and barriers that the EU itself has sought to address in the wider internet economy.

Almost every European citizen uses some form of mobility on a daily basis and should therefore enjoy the benefits of data-driven innovation, choice and affordability in the automotive and mobility ecosystem. This can only happen provided the right regulatory framework is in place.

According to what was reported in the press, the findings of DG GROW’s own draft Impact Assessment confirm that the introduction of such a regulatory proposal would have a net benefit of up to 5.2 billion Euro by 2030, as against no regulatory framework being put in place. The draft also warns of the danger of an increasing dominance of the sector by a few tech giants in the absence of regulatory intervention.

The undersigned Independent Services Providers, urge you to put an end to these repeated delays and ensure the expeditious adoption of an effective sector-specific regulatory proposal enshrined under the Vehicle Type-Approval. This should happen by Q2/2023 at the very latest to allow scrutiny by the co-legislators within this Parliamentary term. Only a pro-consumer and pro-competitive European regulation can unlock the market and enable European consumers and businesses alike to reap the benefits of innovative and competitive vehicle-data based services and mobility solutions. They deserve no less than this and many of the road transport components of the EU Sustainable and Smart and Mobility Strategy depend on it.

Sincerely yours,

The Undersigning Associations

ADPA – AIRC – CECRA – CLEPA – EGEA – ETRMA – FIA – FIGIEFA – Insurance Europe – Leaseurope

cc Executive Vice Presidents Vestager, Timmermans and Dombrovskis

Commissioners Breton, Vălean, Reynders, Simson, Gabriel, Gentiloni and Wojciechowski

	<p>ADPA – the European Independent Data Publishers Association aims to ensure fair access to automotive data and information and to provide competitive framework conditions for independent data publishers. This will allow the publishers to be able to design and provide competitive, innovative and multi-brand products and services to operators of the automotive aftermarket. Contact: Pierre Thibaudat - Director General - pierre.thibaudat@adpa.eu - tel: +32 2 761 95 18.</p>
	<p>AIRC - stands for Association Internationale des Réparateurs en Carrosserie. Formed in 1970, the AIRC is the global federation of leading national organisations in the area of vehicle repairs. These member organisations together represent more than 50,000 vehicle repair and vehicle builder companies in many countries. Contact: Thomas Aukamm - Managing Director - aukamm@zkf.de - tel: +49 6031 79479-0.</p>
	<p>CECRA - the European Council for Motor Trades and Repairs- is the European Federation representing the interests of the motor trade and repair businesses and European Dealer Councils on behalf of vehicle dealers for specific makes. Its aim is to maintain a favourable European regulatory framework for the enterprises of motor trade and repair businesses it represents. Contact: Bernard Lycke - Director General - Bernard.lycke@cecra.eu - tel: +32 2 771 96 56.</p>
	<p>CLEPA - the European Association of Automotive Suppliers, represents over 3,000 companies supplying state-of-the-art components and innovative technologies for safe, smart, and sustainable mobility. CLEPA brings together over 120 global suppliers of car parts, systems, and modules and more than 20 national trade associations and European sector associations. CLEPA is the voice of the EU automotive supplier industry linking the sector to policy makers. The automotive sector accounts for 30% of R&D in the EU, making it the number one investor. European automotive suppliers invest over 30 billion euros yearly in research and development. Automotive suppliers register over 9,000 new patents each year. Automotive suppliers in Europe generate 1.7 million direct jobs. Contact: Benjamin Krieger - Secretary General - b.krieger@clepa.be - tel: +32 2 743 91 30.</p>
	<p>EGEA - the European Garage and Test Equipment Association represents both manufacturers and importers of tools and equipment for the repair, servicing and technical inspection of vehicles, as an integral part of supporting the automotive industrial value chain. Its role is to ensure that its associations' members can provide the best equipment and service to the automotive aftermarket by striving to keep members up-to-date concerning new vehicle technologies and legislative and standardisation requirements and thus be competitive in the garage and test equipment supply, service and calibration industry. Contact: Jordi Brunet - Secretary General - secretariat@egea-association.eu - tel: +32 2 761 95 15.</p>
	<p>ETRMA is the voice of tyre and rubber goods producers to various European institutions. ETRMA activities focus on the following key interdependent areas: representation, co-ordination, communication, promotion and technical liaison. The primary objective of ETRMA is to represent the regulatory and related interests of the European tyre and rubber manufacturers at both European and international levels. ETRMA is the sole interlocutor, specifically designated by the European tyre and rubber producers to carry out this critical task. Contact: Adam McCarthy - Secretary General - a.mccarthy@etrma.org - tel: + 32 2 218 49 40.</p>

	<p>FIA Region I Founded in 1904, the Fédération Internationale de l'Automobile (FIA) brings together leading national motoring organisations from 146 countries worldwide and is the governing body for world motor sport. The FIA Region I office, based in Brussels, is a consumer body comprising 100 Mobility Clubs that represent over 36 million members from across Europe, the Middle East and Africa. Contact: Laurianne Krid - Director General - lkrid@fia.com - tel: +32 (2) 282 08 18.</p>
	<p>FIGIEFA is the international federation of independent automotive aftermarket distributors. Its members represent independent distributors and wholesalers of automotive replacement parts and components and their associated repair chains. The 44,000 companies represented employ over 350,000 people in Europe in their 64,000 outlets, spread across Europe. Many of these companies are SMEs. FIGIEFA's aim is to maintain free and effective competition in the market for vehicle replacement parts, servicing and repair. Contact: Sylvia Gotzen - CEO - sylvia.gotzen@figiefa.eu - tel: +32 2 761 9510.</p>
	<p>Insurance Europe is the European insurance and reinsurance federation. Through its 36 member bodies — the national insurance associations — it represents all types and sizes of insurance and reinsurance undertakings. Insurance Europe, which is based in Brussels, represents undertakings that account for around 95% of total European premium income. Insurance makes a major contribution to Europe's economic growth and development. European insurers pay out over €1 000bn annually — or €2.8bn a day — in claims, directly employ more than 920 000 people and invest over €10.6trn in the economy. Contact: Nicolas Jeanmart - jeanmart@insuranceeurope.eu - +32 485 893031.</p>
	<p>Leaseurope - the European Federation of Leasing Company Associations - represents both the leasing and automotive rental industries in Europe. The scope of products covered by Leaseurope members' ranges from hire purchase and finance leases to operating leases of all asset categories (automotive, equipment and real estate). It also includes the short-term rental of cars, vans and trucks. Contact: Richard Knubben - Director-General - r.knubben@leaseurope.com - tel: +32 2 778 05 68.</p>