

1/2/2023

**RE: Industry call upon the European Commission to urgently adopt proposal for sector specific legislation on Access to Vehicle Data and Functions**

Dear Commissioner,

The undersigned companies are writing to you to ask you to give the green-light to sector-specific regulation on access to in-vehicle data. We represent some of Europe's largest vehicle, agriculture machinery and fleet-based mobility service providers. The combined European Leasing and Rental sector represented over fifty percent of European new vehicle purchases in 2022. All our members have experienced the impacts of the multiple supply shocks in the production chain.

It is unusual that business actively calls for regulation. However, without it, we will not be able to directly access and in real-time the data generated by the vehicles we own. The draft Impact Assessment, expertly produced by your Services, categorically asserts that enabling-regulation is required to make this happen. The Data Act, while a welcome step forward towards a more equitable data-sharing framework in Europe, is not sufficient to overcome the by-design vehicle architecture which currently confers an unassailable advantage to the vehicle and agriculture machinery manufacturers. Development and deployment of new and innovative mobility solutions and agricultural services requires vehicle generated data to be shared among all interested parties and not kept only within the manufacturer's own ecosystem. This would create a monopolistic situation that restricts competition, limits new developments and increases costs for the consumer. This is not just our claim, it is the conclusion of four major studies conducted for or by Commission: TRL 2016, JRC 2018, TRL 2021 and the draft Impact Assessment. In the agriculture sector, farmers are increasingly forced to pay substantial sums for access to mission-critical data, including for food production, from the machines they themselves own! This gives a very worrying forestate of what happens when manufacturers are able to use the vehicle design to ration access to data at artificially high prices. The total eco-system has to pay monopoly rents, underlining their own business models and profitability.

The current Commission, with yourself to the fore, have tackled several consequential data and platform market distortions in the wider internet economy in Europe. At the point of adoption by the legislator of the Digital Markets Act, you stated:

*"Gatekeeper platforms will have to finally adapt their technologies and business models to give more choice to consumers and stop creating obstacles to smaller innovative tech companies: no need to wait for a case-by-case decision, their obligations of interoperability, sideloading, no self-preferencing and more are by now clearly spelled out and will apply immediately.*

**We urgently need the certainty of such a bright line rules framework to apply across the automotive and mobility sectors.** This will give a clear market signal and the certainty for our businesses to invest and innovate, safe that we can access the data generated by the assets we purchase and we own.

You also stated at the conclusion of the DMA:

*"Many thought that regulation would take years, would be impossible, too complicated, the lobbying too strong... Today's vote shows that, when we work together, much can be done in the general interest of Europeans."*

You showed what can be achieved with political will and determination. **We ask the same of you now for the benefit of all Europeans who use mobility or consume the fruits of Europe's agricultural production every single day.**

Your sincerely,



Michelin Group

