Basic information

2005/0282(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Motor vehicles: type approval with respect to emissions and on access to repair information Repealing Directive 96/69/EC 1994/0286(COD) Repealing Directive 2001/1/EC 2000/0040(COD) Repealing Directive 2001/100/EC 2000/0211(COD) Repealing Directive 2004/3/EC 2001/0255(COD) Amending Directive 2005/55/EC 2003/0205(COD) Repealed by 2022/0365(COD) Amended by 2007/0295(COD) Amended by 2016/0014(COD) Amended by 2017/0293(COD) **Subject** 2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance 3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles 3.70.02 Atmospheric pollution, motor vehicle pollution	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	GROOTE Matthias (PSE)	29/11/2005

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	BELET Ivo (PPE-DE)	31/01/2006
IMCO Internal Market and Consumer Protection (Associated committee)	WEISGERBER Anja (PPE-DE)	21/02/2006
TRAN Transport and Tourism	LIBERADZKI Bogusław (PSE)	07/02/2006

Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
JURI Legal Affairs	SPERONI Francesco Enrico (NI)	12/06/2006

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Employment, Social Policy, Health and Consumer Affairs	2803	2007-05-30
	Competitiveness (Internal Market, Industry, Research and Space)	2715	2006-03-13
	Environment	2713	2006-03-09
	Environment	2740	2006-06-27

European Commission	**Commission DG**	**Commissioner**
	Internal Market, Industry, Entrepreneurship and SMEs	VERHEUGEN Günter

Key events

Date	Event	Reference	Summary
21/12/2005	Legislative proposal published	COM(2005)0683	Summary
19/01/2006	Committee referral announced in Parliament, 1st reading		
09/03/2006	Debate in Council		Summary
13/03/2006	Debate in Council		Summary
16/03/2006	Referral to associated committees announced in Parliament		
27/06/2006	Debate in Council		Summary
13/09/2006	Vote in committee, 1st reading		Summary
21/09/2006	Committee report tabled for plenary, 1st reading	A6-0301/2006	
12/12/2006	Debate in Parliament		
13/12/2006	Decision by Parliament, 1st reading	T6-0561/2006	Summary
13/12/2006	Results of vote in Parliament		
30/05/2007	Act adopted by Council after Parliament's 1st reading		Summary
20/06/2007	Final act signed		
20/06/2007	End of procedure in Parliament		
29/06/2007	Final act published in Official Journal		

Technical information

Procedure reference	2005/0282(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Directive 96/69/EC 1994/0286(COD) Repealing Directive 2001/1/EC 2000/0040(COD)

	Repealing Directive 2001/100/EC 2000/0211(COD) Repealing Directive 2004/3/EC 2001/0255(COD) Amending Directive 2005/55/EC 2003/0205(COD) Repealed by 2022/0365(COD) Amended by 2007/0295(COD) Amended by 2016/0014(COD) Amended by 2017/0293(COD)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/33007

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE372.132	05/05/2006	
Amendments tabled in committee		PE374.359	15/06/2006	
Committee opinion	ITRE	PE371.877	21/06/2006	
Committee opinion	TRAN	PE371.918	26/06/2006	
Committee opinion	JURI	PE376.593	17/07/2006	
Committee opinion	IMCO	PE370.266	13/09/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0301/2006	21/09/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0561/2006	13/12/2006	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03602/4/2007	20/06/2007	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2005)0683	21/12/2005	Summary
Document attached to the procedure	SEC(2005)1745	21/12/2005	
Commission response to text adopted in plenary	SP(2007)0303	24/01/2007	
Follow-up document	COM(2016)0782	09/12/2016	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary

EESC	Economic and Social Committee: opinion, report	CES1154/2006	13/09/2006	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Regulation 2007/0715 OJ L 171 29.06.2007, p. 0001	Summary

Motor vehicles: type approval with respect to emissions and on access to repair information

2005/0282(COD) - 30/05/2007

The Council, accepting all the amendments suggested by the European Parliament in its first reading opinion, adopted a Regulation on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles and on access to vehicles repair and maintenance information.

Motor vehicles: type approval with respect to emissions and on access to repair information

2005/0282(COD) - 21/12/2005 - Legislative proposal

PURPOSE : to lay down harmonised rules on the construction of motor vehicles with respect to emissions and to provide for a high level of environmental protection regarding atmospheric emissions and to amend Directive 72/306/EEC.

PROPOSED ACT : Regulation of the European Parliament and of the Council

CONTENT : Euro 4 emission limits for cars came into force on 1 January 2005 for new type approvals.

Several Member States have a history of using tax incentives to accelerate the introduction of cleaner vehicles. In order to avoid disruption of the single market through various Member States introducing fiscal incentives in January 2005 based on differing limit values, the Commission services published a staff working paper which suggested a limit value for particulate matter. The working paper invited those Member States wishing to introduce fiscal incentives to base their incentives on the 5 mg/km value set out in the working paper. With no change in the policy of reducing emission levels for motor vehicles, there is a high risk that the functioning of the internal market would be impaired with Member States seeking to take unilateral action. Poor air quality will also remain an issue in the EU with atmospheric pollution continuing to have a detrimental impact on human health.

This proposal makes the following points:

- The main aspect of this Regulation is that it requires a further tightening of vehicle emission limits for particulate matter and nitrogen oxides (NOX).

- a large reduction (80%) in the mass of particulate emissions from diesel vehicles will be required. While this lower emission limit does not prescribe a particular technology, it will de facto require the introduction of diesel particulate filters (DPFs).

- At present, the emission limit selected can only be met by closed filters, which have the benefit of reducing the ultra fine particles that are considered most harmful to health. To prevent the possibility that in the future open filters are developed that meet the new particulate mass limit but enable a high number of ultra fine particles to pass, there will be introduced at a later stage a new standard limiting the number of particles that can be emitted. At the moment, it is not appropriate to define a number standard as research is being conducted at the UN/ECE under the Particulate Measurement Programme (PMP). The UN/ECE working party is still examining this issue. Once the results of the PMP programme are available, a number standard will be implemented through comitology.

- The PMP programme is also testing a new protocol for measuring particulate emissions. A key benefit of the new approach is that it provides for greater repeatability in measuring emissions in the laboratory. Once the programme is complete, consideration will be given to replacing the current measurement procedure with the new approach. When the new measurement procedure is implemented, the Commission will have to recalibrate the PM mass emission limits set out in this proposal, as the new technique records a lower level of mass than the current method.

- For diesel vehicles, only a small reduction (20%) in NOx is planned. This emission limit hasbeen set so that reductions can be achieved by further internal engine measures. As the proposal will lead to the installation of particulate filters in the exhaust stream, the Commission wished to avoid an obligation for installing an additional NOx after-treatment system at this stage. As the technology for further NOx reduction is not yet mature, it is therefore proposed not to reduce NOx emissions beyond the 200 mg/km limit value.

- The proposal includes further reductions in emissions from petrol cars. The Commission proposes a 25% reduction in NOx with a limit value of 60 mg /km and a 25% reduction in hydrocarbons (HC) with a limit value of 75 mg/km. Many petrol vehicles currently sold in the EU are comfortably beneath this proposed emission limit, others can be made to respect it at relatively low cost.

- Emission limits on the mass of particulate emissions from petrol engines are also proposed. These limits apply only to direct injection vehicles operating in lean burn mode, as PM emissions are not an issue for petrol vehicles that operate with purely stoichiometric combustion.

- A further change is the proposal that the durability period over which manufacturers must ensure the functioning of pollution control devices has been extended from 80 000 km to 160 000 km. This change will more realistically reflect the actual life of vehicles and ensure that emission control systems continue to function throughout the life of the vehicle.

- The proposal includes a requirement that vehicle repair information be made available through websites in the standardised format developed by a technical committee of stakeholders (the so-called 'OASIS standard').

- A final aspect is the removal of the exception in previous legislation which enabled heavy passenger vehicles (Class M1, over 2 500 kg) to be type approved as light commercial vehicles. There is no longer seen to be any justification for this exemption.

- Directive 70/220/EEC will, consequently be repealed.

- Since the Commission proposes to integrate into this Regulation and its implementing measures the requirements and test procedures for measuring carbon dioxide emissions and fuel consumption of light duty vehicles set out in Directive 80/1268/EEC, the latter Directive can also be repealed.

- The Commission also integrates the test requirements for measuring diesel smoke contained in Directive 72/306/EEC into this proposal. Council Directive 72/306/EEC will be amended as all requirements related to the measurement of smoke opacity with light duty vehicles should be included in this Regulation and its implementing measures. This Directive will be able to be repealed in the future when similar requirements are introduced into emissions legislation relating to heavy duty vehicles.

The Commission intends to review in 2009 the issue of further improvements of emissions, following the mid-term review of the CARS 21 report, with a view to proposing a further significant reduction of limit values (including NOx) that reflect the development in vehicle emission technology at that point in time and cost-effectiveness considerations.

Motor vehicles: type approval with respect to emissions and on access to repair information

2005/0282(COD) - 27/06/2006

The Council adopted a Decision on the position of the European Community regarding the adaptation to technical progress of Regulation No 51 of the United National Economic Commission for Europe.

Motor vehicles: type approval with respect to emissions and on access to repair information

2005/0282(COD) - 09/03/2006

Pending the opinion of the European Parliament, the Council held a policy debate on a proposal for a Regulation on type-approval of motor vehicles with respect to emissions and on access to vehicle repair information.

The debate covered, in particular, the following issue: should the new (Euro 5) Regulation provide a longer-term perspective and therefore already include a second stage of significantly lower emission limits, in particular with regard to NOx?

A majority of delegations was in favour of including long term limits in the proposal. The Commission pointed out, however, that any further limits should be technologically and economically feasible, and might require a specific impact assessment. The outcome of the debate provides guidance for the Council's further work on this issue.

Motor vehicles: type approval with respect to emissions and on access to repair information

2005/0282(COD) - 13/12/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution based on the report drafted by Matthias **GROOTE** (PES, DE) by 540 votes in favour to 87 against, and made several amendments to the Commission's proposal:

- Parliament extended the 18-month implementation deadline proposed by the Commission, saying that the new Euro 5 standard should apply from 1 September 2009 for private cars (M1) and from 1 September 2010 for category N1 class II and III vehicles (light commercial vehicles);

- the transition periods for registration, sale and entry into service were also extended to run up to 1 January 2011 (M1) and 1 January 2012 (N1) respectively;

- in order to ensure a smooth transition from the existing Directives to this Regulation, certain exceptions for vehicles designed to fulfil specific social needs should be foreseen in the Euro 5 stage. These exceptions should cease with the entry into force of the Euro 6 stage. The exception which enabled category M1 vehicles over 2500 kg to be type approved as N1 class II and III vehicles should be maintained in the Euro 5 step for vehicles "designed to fulfil specific social needs" (i.e. to take wheelchairs or to seat seven or more people). Vehicles with a maximum laden weigh of more than 2,500 kg and designed to meet specific social needs - to take wheelchairs or to seat seven or more people - and light commercial vehicles (N1) will have until 1 September 2010 to comply to the EURO V standard and until 2015 for the EURO VI standard;

- the Commission will establish specific procedures, tests and requirements for type approval, as well as a revised measurement procedure for particulates and a particle number based limit value, and adopt measures concerning the use of defeat devices, access to vehicle repair and maintenance information and test cycles used to measure emissions. Since those measures are of general scope and are designed to supplement the Regulation by the addition of new non-essential elements, they will be adopted in accordance with the new regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC;

- the Commission's proposed Euro 5 limit values for emissions of nitrogen oxides (NOx) for compression ignition (CI) vehicles should be reduced by a further 10%, i.e. they should be 180 mg/km rather than 200 mg/km as specified in the proposal;

- Parliament introduced a new table into the Annex setting out limit values for the next stage, i.e. Euro 6. The EURO 6 standard reduces the NOx emission limits even further (60 mg/km for petrol engines and 80 mg/km for diesel engines);

- starting dates are set for the Euro 6 stage: 1 September 2014 for M1 vehicles and 1 September 2015 for N1 vehicles. The transition periods for registration, sale and entry into service should run up to 1 September 2015 and 1 September 2016 for M1 and N1 vehicles respectively;

- a number of new definitions were introduced into the regulation including "vehicles designed to fulfil specific social needs" and "alternative fuel vehicle" which means a vehicle designed to be capable of running on at least one type of fuel that is either gaseous at atmospheric temperature and pressure, or substantially non-mineral oil derived;

- in order to facilitate the introduction and to maintain the existence of alternative fuel vehicles, which can have low nitrogen oxide and particulate emissions, and at the same time to encourage reduced emissions from petrol-powered vehicles, the Regulation introduces separate limit values for total hydrocarbons and total non-methane hydrocarbons;

- manufacturers must provide access to vehicle repair and maintenance information to independent operators through websites via a standardised format. With a view to facilitating the achievement of this objective, the information shall be submitted in a consistent manner, initially in accordance with the technical requirements of the format by the Organization for the Advancement of Structured Information Standards (OASIS). Manufacturers shall also make training material available to independent operators and authorised dealers and repair shops.

Motor vehicles: type approval with respect to emissions and on access to repair information

2005/0282(COD) - 20/06/2007 - Final act

PURPOSE: to establish common technical requirements for the type approval of motor vehicles (vehicles) and replacement parts, such as replacement pollution control devices, with regard to their emissions.

LEGISLATIVE ACT: Regulation (EC) No 715/2007 of the European Parliament and of the Council on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information.

CONTENT: the Council, accepting all the amendments suggested by the European Parliament in its first reading opinion, adopted a regulation on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles and on access to vehicles repair and maintenance information. The regulation harmonises the technical requirements for the type approval of motor vehicles with regards to emissions, while ensuring a high level of environmental protection.

The thematic strategy on air pollution, adopted by the Commission communication of 21 September 2005, concludes, namely, that to achieve EU air quality objectives, further reductions in emissions from the transport sector will be needed. The Euro 5 and 6 standards are one of the measures designed to reduce emissions of particulate matter and ozone precursors such as nitrogen oxides and hydrocarbons.

The regulation establishes a standardised method of measuring fuel consumption and carbon dioxide emissions of vehicles, which is necessary to ensure that no technical barriers to trade arise between Member States. Furthermore, it provides for supplying customers and users with objective and precise information. Member States should be able, by means of financial incentives, to accelerate the placing on the market of vehicles which satisfy the requirements adopted at Community level as long as such incentives comply with the provisions of the Treaty, in particular the rules on state aid, in order to avoid distortions of the internal market.

This Regulation shall apply to vehicles of categories M1, M2, N1 and N2 as defined in Annex II to Directive 70/156/EEC with a reference mass not exceeding 2 610 kg. At the manufacturer's request, type approval granted under this Regulation may be extended from vehicles covered by paragraph 1 to M1, M2, N1 and N2 vehicles as defined in Annex II to Directive 70/156/EEC with a reference mass not exceeding 2 840 kg and which meet the conditions laid down in this Regulation and its implementing measures.

With effect from the entry into force of this Regulation (2 July 2007), if a manufacturer so requests, the national authorities may not, on grounds relating to emissions or fuel consumption of vehicles, refuse to grant EC type approval or national type approval for a new type of vehicle, or prohibit the registration, sale or entry into service of a new vehicle, where the vehicle concerned complies with this Regulation and its implementing measures, and in particular with the Euro 5 or Euro 6 limit values. With effect from 1 September 2009, and from 1 September 2010 in the case of category N1 class II and III and category N2 vehicles, the national authorities shall refuse, on grounds relating to emissions or fuel consumption, to grant EC type approval or national type approval for new types of vehicle which do not

comply with this Regulation and its implementing measures, and in particular with the Annexes, with the exception of the Euro 6 limit values set out in Annex I. For the test on tailpipe emissions, the limit values applied to vehicles designed to fulfil specific social needs shall be the same as for category N1 class III vehicles.

The timetable for the application of the specific standards are as follows:

- September 2009: Euro 5 applies to all new car models (light commercial vehicles and special needs cars in September 2010).
- January 2011: Euro 5 applies to all new cars (light commercial vehicles and special needs cars in January 2012).
- September 2014: Euro 6 applies to all new car models (light commercial vehicles and special needs cars in January 2015).
- September 2015: Euro 6 applies to all new cars (light commercial vehicles and special needs cars in January 2016).

Member States should be able, by means of financial incentives, to accelerate the placing on the market of vehicles which satisfy the requirements adopted at Community level as long as such incentives comply with the provisions of the Treaty, in particular the rules on state aid, in order to avoid distortions of the internal market.

In addition, the technical measures taken by the manufacturer must be such as to ensure that the tailpipe and evaporative emissions are effectively limited, pursuant to this Regulation, throughout the normal life of the vehicles under normal conditions of use. Therefore, in-service conformity measures shall be checked for a period of up to five years or 100 000 km, whichever is the sooner.

Durability testing of pollution control devices undertaken for type approval shall cover 160 000 km. To comply with this durability test, the manufacturers should have the possibility to make use of test bench ageing.

The specific procedures, tests and requirements for type approval as well as implementation requirements, which are designed to amend non-essential elements of this Regulation, by supplementing it, shall be adopted by 2 July 2008 in accordance with the regulatory procedure with scrutiny. This shall include establishing the requirements relating to: (a) tailpipe emissions, including test cycles, low ambient temperature emissions, emissions at idling speed, smoke opacity and correct functioning and regeneration of after treatment systems; (b) evaporative emissions and crankcase emissions; (c) OBD systems and in-use performance of pollution control devices; (d) durability of pollution control devices, replacement pollution control devices, in-service conformity, conformity of production and roadworthiness; (e) measurement of greenhouse gas emissions and fuel consumption; (f) hybrid vehicles and alternative fuel vehicles; (g) extension of type approvals and requirements for small volume manufacturers; (h) test equipment; and (i) reference fuels, such as petrol, diesel, gaseous fuels and biofuels, such as bioethanol, biodiesel and biogas.

As regards vehicle repair and maintenance information, the main measures of the Regulation are the following:

- Manufacturers shall provide unrestricted and standardised access to vehicle repair and maintenance information to independent operators through websites using a standardised format in a readily accessible and prompt manner, and in a manner which is non-discriminatory compared to the provision given or access granted to authorised dealers and repairers. With a view to facilitating the achievement of this objective, the information shall be submitted in a consistent manner, initially in accordance with the technical requirements of the OASIS format. Manufacturers shall also make training material available to independent operators and authorised dealers and repairers;

- For the purposes of the design and manufacture of automotive equipment for alternative fuel vehicles, manufacturers shall provide the relevant on-going diagnostic (OBD) and vehicle repair and maintenance information on a non-discriminatory basis to any interested manufacturer, installer or repairer of equipment for alternative fuel vehicles;

- The manufacturer shall make subsequent amendments and supplements to vehicle repair and maintenance information available on its websites at the same time they are made available to authorised repairers;

- Manufacturers may charge reasonable and proportionate fees for access to vehicle repair and maintenance information covered by this Regulation; a fee is not reasonable or proportionate if it discourages access by failing to take into account the extent to which the independent operator uses it.

- Manufacturers shall make available vehicle repair and maintenance information on a daily, monthly, and yearly basis, with fees for access to such information varying in accordance with the respective periods of time for which access is granted;

- Not later than 2 July 2011, the Commission shall present to the European Parliament and to the Council a report on the operation of the system of access to vehicle repair and maintenance information, with particular consideration being given to the effect on competition and the operation of the internal market and the environmental benefits. The report shall consider whether it would be appropriate to consolidate all provisions governing access to vehicle repair and maintenance information within a revised framework directive on type approval;

- Manufacturers shall demonstrate that all new vehicles sold, registered or put into service in the Community are type approved in accordance with this Regulation and its implementing measures. Manufacturers shall also demonstrate that all new replacement pollution control devices requiring type approval which are sold or put into service in the Community are type approved in accordance with this Regulation and its implementing measures.

The regulation establishes a standardised method of measuring fuel consumption and carbon dioxide emissions of vehicles, which is necessary to ensure that no technical barriers to trade arise between Member States. Furthermore, it provides for supplying customers and users with objective and precise information.

Member States should be able, by means of financial incentives, to accelerate the placing on the market of vehicles which satisfy the requirements adopted at Community level as long as such incentives comply with the provisions of the Treaty, in particular the rules on state aid, in order to avoid distortions of the internal market.

Member States shall lay down the provisions on penalties applicable for infringement by manufacturers of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by 2 January 2009 and shall notify it without delay of any subsequent amendment affecting them. The types of infringements which are subject to a penalty shall include: a) making false declarations during the approval procedures or procedures leading to a recall; b) falsifying test results for type approval or in-service conformity; c) withholding data or technical specifications which could lead to recall or withdrawal of type approval; d) use of defeat devices; and e) refusal to provide access to information.

ENTRY INTO FORCE: 02/07/2007. It will apply from 03/01/2009, with the exception of Articles 10(1) (type approval) and 12 (financial incentives) which shall apply from 02/07/2007.

Motor vehicles: type approval with respect to emissions and on access to repair information

2005/0282(COD) - 13/03/2006

Pending the opinion of the European Parliament, the Council held a policy debate on a proposal for a Regulation on type-approval of motor vehicles with respect to emissions and on access to vehicle repair information. The debate covered, in particular, the following issue: should the new (Euro 5) Regulation provide a longer-term perspective and therefore already include a second stage of significantly lower emission limits, in particular with regard to NOx?

A majority of delegations was in favour of including long term limits in the proposal. The Commission pointed out, however, that any further limits should be technologically and economically feasible, and might require a specific impact assessment. The outcome of the debate provides guidance for the Council's further work on this issue.

Motor vehicles: type approval with respect to emissions and on access to repair information

2005/0282(COD) - 09/12/2016 - Follow-up document

In accordance with Article 9 of Regulation (EC) No 715/2007 (the Euro 5 and Euro 6 Regulation), the Commission submitted a report on the operation of the Vehicle Repair and Maintenance Information Access System (RMI).

In order to cope with competition in the vehicle repair market, independent repairers must be able to access technical information necessary for the repair of vehicles. This information is becoming increasingly important due to the increasing complexity of vehicles, the increasing number of automotive parts and the increased use of on-board electronics.

To this end, “original equipment manufacturers – OEMs” are required under EU law to guarantee independent, unrestricted and standardised access to independent RMIs for vehicles.

This report is based on a study launched by the Commission in 2014 which provides a comprehensive and detailed analysis of the functioning of the Vehicle RMI Access System (the “RMI study”). It examines the degree of compliance of the OTF with its obligations regarding access to vehicle RMI. It also examines whether the system of access to RMI set up by the Regulation meets its objectives with regard to the effects on competition and the environmental benefits.

Overall impact: in general, the report concludes that the implementation of the RMI regulations has contributed to the **overall improvement of access to RMI** in recent years. However, there are still some barriers depending on the OEMs and the type of specific information required, which weakens competition between official and independent repairers and creates unequal conditions of competition.

Changes to consider: the report identified several possible areas for improvement of RMI regulations:

- the **principle of "unrestricted access to RMI and in a standardised format in a non-discriminatory manner":** experience has shown that the information required by independent operators (IOs) is not always the same as that required by official dealers . Consequently, the revision of this principle could be envisaged in order to refine the latter.

- information that can be considered safety-related: it is important to achieve a common understanding of the content and limitations of this concept.

The implementation of the **SERMI** (Safety Repair and Maintenance Information) system is expected to improve the situation. However, further technical discussions will be required to develop a roadmap for the implementation of the SERMI system and its integration into the RMI regulations. Legislative changes may be required.

- **Improve the procedure for lodging complaints with the vehicle approval authorities:** standardisation of the administrative provisions concerning complaints lodged by the IOs with the competent authorities could help to solve problems of an occasional or non-systematic nature. If necessary, simple procedural guidelines could be developed.

- **Access to information on data on automotive parts, as identified by vehicle identification number (VIN):** IOs consider access to this information essential for their current business model. It should allow them to manage logistics and inventory and ensure that the right parts are available, delivered on time and with minimal returns.

A future **common structured process** for the exchange of these data could therefore be included in the RMI regulations when they are revised in the future.

- **very small, niche and special purpose vehicles:** some very small and niche vehicle manufacturers consider current RMI regulations to be disproportionate to the size of their business. **Derogations** for these manufacturers could be envisaged in the context of future amendments to the RMI regulations.

- **adaptation to technical progress:** in the context of the examination of the effects on competition of the vehicle access RMI system, the RMI study deals with new challenges, the main one being **telematics**.

Specific definitions and means for the exchange of data should be clarified and included in the RMI regulations to ensure equitable access to information that can be transferred wirelessly.

European legislation should ensure that certain essential conditions are met, such as the prior consent of the driver or owner of the vehicle, fair competition, protection of data and privacy and non-falsifiable access.

Other points: the Commission is also encouraging OEMs and IOs to continue their discussions with a view to reaching agreement on certain matters which **fall outside the scope of the type-approval legislation** and which relate to contractual clauses or guidelines governed by commercial law and agreements between the parties (e.g. definition of the level of costs, practical guidance on contract negotiation methods, contractual clauses to ensure data protection).