



INTERNATIONAL MOTOR VEHICLE INSPECTION COMMITTEE

Ref.: L2023-006

Brussels, 7 March 2023

Open letter

Ms Ursula von der Leyen
President
European Commission

Concerns: Sector-specific European legislation on access to in-vehicle data and functions is crucial for sovereign tasks

Dear President von der Leyen,

We have learnt that the EU Commission has decided against passing the impact assessment of a sector-specific regulation on access to vehicle data, previously carried out to the Regulatory Scrutiny Committee for consideration in February. As a result, the work on the legislation could now be delayed until after the European elections in May 2024.

Concerning sovereign tasks for road safety and environmental protection, we see an extraordinary need for action and ask the European Commission to reconsider this decision and act now on the sector-specific legislation.

Multiple studies, including the ones carried out by the Joint Research Centre in 2018 and the consultants (TRL) on behalf of the European Commission in 2017 and 2021, have shown that horizontal legislation, such as the Data Act, is not sufficient and specific legislation on access to in-vehicle data is essential. The policy options presented by TRL on behalf of DG GROW indicated the same conclusion on the need for sector-specific automotive regulation.

CITA underlines that independent access to vehicle data, functions and resources is a core element in the further development of vehicle testing to keep on fulfilling the sovereign tasks in the interest of road safety along with climate and environmental protection. In this context, CITA developed a specific position¹ which advocates for these fundamental issues:

- Vehicle data must be available for sovereign use cases for the benefit of road safety and environmental compatibility.

¹ Please refer to CITA Position Paper “Future EU legal framework for access to in-vehicle data”
<https://citainsp.org/wp-content/uploads/2022/01/CITA-Position-Paper-Access-to-Data-20220126.pdf>



- There must be fair competition, innovation and freedom of choice for vehicle users.
- A legal framework for remote access to in-vehicle data shall ensure independent and trusted access through the principle of “separation of duties”.
- Standardization of data and data access is required to enable data use.
- The range and characteristics of available data and functions can only be limited by the technological design of the vehicle and not by a minimum data set.
- A uniform and practical solution is required to continue to ensure an unrestricted direct vehicle data stream via OBD for sovereign public bodies and independent operators.
- Data protection, data security and road safety must be taken into account.

We are very concerned about this further delay since sovereign activities cannot rely on the market’s self-regulation. These delays have real-world consequences on the safety of vehicles and environmental protection as manufacturers’ current exclusive technical access to vehicle data compromise to keep on fulfilling the sovereign tasks.

We, therefore, call on the European Commission to come forward with a draft sector-specific legislation, preferably before the end of the first half of this year, to ensure that the draft can be referred to co-legislators within this Parliamentary term.

If you have any questions or require additional information, please do not hesitate to contact us.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Müller', is written over a light grey rectangular background.

Gerhard Müller
President

CITA is the worldwide association of authorities and authorized companies active in vehicle compliance.

More information and contact: www.citainsp.org and secretariat@citainsp.org

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