

# Press Release

Brussels, 17 April 2023

## New Motor Vehicle Block Exemption Regulation and Supplementary Guidelines announced

In today's press release, the European Commission announced that it would soon publish the newly updated Motor Vehicle Block Exemption Regulation and its Supplementary Guidelines which will come into force on 1 June next.

The Commission has adopted a five-year prolongation period meaning that it will be applicable until 31 May 2028. During this period, the Commission will evaluate more closely the market developments and fundamental legislative changes might be needed after this period.

CECRA, which participated in the open consultations in 2021 and 2022, welcomes the prolongation of this sector specific Regulation and will now start to analyse it in-depth as soon as all the documents are available. But according to the press release it seems that the changes have focused on the issue of in-vehicle data and at first sight, it looks promising.

The updated Supplementary Guidelines stipulates that:

- Clarify that data generated by vehicle sensors may be an essential input for the provision of repair and maintenance services. Therefore, to comply with Art. 101 of the Treaty on the Functioning of the European Union ('TFEU'), authorised and independent repairers should have access to such data on an equal footing. The existing principles for the provision of technical information, tools and training necessary for the repair and maintenance services have been extended to explicitly cover vehicle-generated data.
- Specify that vehicle suppliers must apply the proportionality principle when considering whether to withhold inputs, such as vehicle-generated data, on the basis of potential cybersecurity concerns.
- Warn that Art. 102 TFEU may be applicable where a supplier unilaterally withholds from independent operators an essential input, such as vehicle-generated data.

CECRA however remarks that authorised repairers continue to be the benchmark of what independent operators might receive as data. The inclusion of the proportionality principle and the reference to Art. 102 might be some good news. This needs to be analysed.

European Commission's Press release announcing [the prolongation of the Motor Vehicle Block Exemption](#) ('MVBEX') with 5 years and the [update of its Supplementary Guidelines](#).

### For more information

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