

AFCAR - Alliance for the Freedom of Car Repair in the EU

AIRC * CECRA * EGEA * FIA * FIGIEFA

Commission stakeholder consultation on the

Preliminary draft proposal for a Regulation of the European Parliament and of the Council relating to emissions of atmospheric pollutants from motor vehicles (EURO 5)

Comments of AFCAR

AFCAR¹ would first of all like to thank the European Commission services for the opportunity to comment on the preliminary draft proposal for a Regulation of the European Parliament and of the Council relating to emissions of atmospheric pollutants from motor vehicles (EURO 5).

AFCAR welcomes in principle the objective of the proposal to lay down harmonised rules on the construction of motor vehicles with a view to ensuring the functioning of the internal market while at the same time providing for a high level of environmental protection regarding emissions of atmospheric pollutants.

However, AFCAR is concerned about the lack of, or inadequate, provisions for effective and competitive aftermarket care in the preliminary draft Euro 5 proposal in Article 4 (3).

Hence, specific provisions for access to technical information for independent market operators and for ensuring the development of replacement components and generic tools were included, also at the express wishes of the European Parliament, with the intention

- to maintain effective competition in the automotive aftermarket and thereby free consumer choice and affordable mobility;
- to ensure functionality and environmental compliance throughout the life of the vehicle;
- to protect the thousands of SME companies and more than 3,5 million European employees of the automotive aftermarket, and
- to reduce the cost burden of environmental legislation through free competition in the supply of aftermarket care;
- to uphold the residual value of vehicles by ensuring their ongoing compliance and reparability.

AFCAR is concerned about the proposal to repeal Directive 70/220/EC and its twenty adaptations and rectifications as mentioned in Article 12 without making clear that all principles and technical provisions required for *effective and competitive aftermarket care* are covered in the new Euro 5 Regulation.

¹ **AFCAR** (Alliance for the Freedom of Car Repair in the EU) is an alliance of independent European associations. Its objective is to maintain free competition in the automotive aftermarket. **Members of AFCAR** are **AIRC** (Vehicle Body Repairers), **CECRA** (Motor Traders and Repairers), **EGEA** (Garage Equipment Association), **FIA** (Tourism and Motorist Clubs) and **FIGIEFA** (Independent Automotive Aftermarket Distributors).

AFCAR therefore invites the European Commission:

- 1) To provide for the unrestricted access to technical information for independent operators and to include all provisions already laid down in the OBD-Directive 98/69/EC into the new Euro 5 Regulation. To make unrestricted access to technical information *workable in practice*, and to require therefore that the information must be presented according to the standardised meta-data tagging structure developed with all stakeholders under the auspices of DG Enterprise.
- 2) To make sure that the development of replacement components and generic tools is not restricted due to the unavailability of pertinent OBD-related information. Therefore, the commission should incorporate into the new Euro 5 Regulation all provisions relating to the 'parts compatibility requirements' already laid down in the OBD-Directive 98/69/EC and more specifically in Directive 2002/80/EC.

and

- 3) To update these provisions and to adapt them to the needs of modern repair to cope with growing vehicle complexity. This updating exercise should take account of pertinent EU legislation in the field of competition law and international standards, and it should ensure consistency with world-wide requirements.

AFCAR would be pleased to see its suggestions incorporated in the official Commission proposal on a EURO 5 Regulation.

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