

EXTRACTS¹ **of 'EURO VI' HEAVY DUTY VEHICLES** **AFTERMARKET PROVISIONS**

- Mother Regulation -

Note of the editor: To facilitate the readability, articles not relevant for the aftermarket were omitted. The parts highlighted in bold refer to changes introduced in the course of the legislative decision-making; they were not introduced by the editor.

1. Extracts from Regulation (EC) 595/2009

REGULATION (EC) 595/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 June 2009

On type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC

(Text with EEA relevance)

Recital

- (8) Unrestricted access to vehicle repair information, via a standardised format which can be used to retrieve the technical information, and effective competition on the market for vehicle repair and maintenance information services are necessary to improve the functioning of the internal market, particularly as regards the free movement of goods, freedom of establishment and freedom to provide services. A great proportion of such information is related to on-board diagnostic systems and their interaction with other vehicle systems. It is necessary to lay down technical specifications to be followed by the manufacturers in their websites, along with targeted measures to ensure reasonable access for small and medium-sized enterprises (SMEs).
- (9) Not later than ...^{*2}, the Commission should review the operation of the system of unrestricted access to vehicle repair and maintenance information with a view to determining whether it would be appropriate to consolidate all provisions governing access to vehicle repair and maintenance information within a revised framework legislation on type approval. If the provisions governing access to such information are consolidated in this way, the corresponding provisions of the Regulation should be repealed, so long as existing rights of access to repair and maintenance information are preserved.
- (10) The Commission should encourage the development of an international standard format for unrestricted and standardised access to vehicle repair and maintenance information, for example through the work of CEN.

¹ This document has been compiled by AFCAR. It is based on a selective choice of provisions consider relevant for the automotive aftermarket.

^{*2} + Four years from the date of entry into force of this Regulation.

Article 3

Definitions

- (11) “vehicle repair and maintenance information” means all information required for diagnosis, servicing, inspection, periodic monitoring, repair, re-programming or re-initialising **or the remote diagnostic support** of the vehicle and which the manufacturers provide for their authorised dealers and repairers, including all subsequent amendments and supplements to such information. This information includes all information required for fitting parts or equipment on to vehicles;
- (12) “**manufacturer**” means the person or body who is responsible to the approval authority for all aspects of the type-approval or authorisation process and for ensuring conformity of production. It is no essential that the person or body be directly involved in all stages of the construction of the vehicle, system, component or separate technical unit which is the subject of the approval process;
- (13) “independent operator” means undertakings other than authorised dealers and repairers which are directly or indirectly involved in the repair and maintenance of motor vehicles, in particular repairers, manufacturers or distributors of repair equipment, tools or spare parts, publishers of technical information, automobile clubs, roadside assistance operators, operators offering inspection and testing services, operators offering training for installers, manufacturers and repairers of equipment for alternative fuel vehicles;

Article 6

Access to information

1. Manufacturers shall provide unrestricted and standardised access to on-board diagnostic (OBD) information, **diagnostic and other equipment, tools including any relevant software** and vehicle repair and maintenance information to independent operators.

Manufacturers shall provide a standardised, secure, remote facility to enable independent repairers to complete operations which involve access to the vehicle security system.

In the case of multi-stage type approval, the manufacturer responsible for the respective type approval shall also be responsible for communicating repair information relating to the particular stage to both the final manufacturer and independent operators. The final manufacturer shall be responsible for communicating information about the whole vehicle to independent operators.

Articles 6 and 7 of Regulation (EC) No 715/2007 shall apply *mutatis mutandis*.

Until the adoption of the relevant standard, for example through the work of CEN, the on-board diagnostic information and vehicle repair and maintenance information shall be presented in a easily accessible, non-discriminatory manner. The information shall be made available on the websites of manufacturers, or, if this is not feasible due to the nature of the information, in another appropriate format.

2. The Commission shall, in accordance with the procedure referred to in Article 39(9) of Directive 2007/46/EC, establish and update, for the implementation of paragraph 1 of this Article, the **appropriate** technical specifications relating to the Way in which OBD information and vehicle repair and maintenance information shall be provided. **The Commission shall take into account current information technology, foreseeable vehicle technology developments, existing ISO standards and the possibility of a worldwide ISO standard.**

The Commission may, in accordance with the procedure referred to in Article 39(9) of Directive 2007/46/EC, adopt other measures necessary for the implementation of paragraph 1 of this Article.