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DELACTION 128

'I/A' ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

No. Cion doc.: ST 8978/21 + ADD 1 - C(2021) 3377 final

Subject: Commission Delegated Regulation (EU) .../... of 20.5.2021 amending Annex X to Regulation (EU) 2018/858 of the European Parliament and of the Council as regards the standardised access to vehicle on-board diagnostics information and repair and maintenance information, and the requirements and procedures for access to vehicle security information
- Intention not to raise objections to a delegated act

1. On 2 May 2021, the Commission submitted the above draft Delegated Regulation to the Council which amends Annex X of Regulation (EU) 2018/858¹ in accordance with its Article 61(11). Regulation (EU) 2018/858 requires manufacturers to provide unrestricted and standardised access of independent operators to vehicle on-board diagnostics (OBD information), diagnostic and other equipment tools through websites using a standardised format. In addition, measures should be laid down for the implementation of Article 66(2) of the same Regulation with regard to the process by which accredited organisations approve and authorise independent operators to access information on vehicle security.

¹ Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 of May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) 595/2009 and repealing Directive 2007/46/EC (OJ L 151, 14.6.2018, p. 1)

2. In order to enable Member States, economic operators, and the national authorities to prepare for the application of the new rules introduced by this Regulation, the date of application should be deferred.
3. Delegations had until 22 June 2021 to object to the delegated act. By this deadline, no delegation has raised any objections or made any comments.
4. Against this background, the Permanent Representatives Committee is invited to recommend to the Council to confirm the non-opposition to the draft Delegated Regulation, as set out in document ST 8978/21 + ADD 1 as an item without discussion at one of its forthcoming meetings.
