



Digital Omnibus

EPP Group hearing on Digital Omnibus: Simplifying European digital rules

Statement

Pierre Thibaudat (ADPA Director General), Brussels, 1 July 2026 - I would like to warmly thank you, MEP Salla and MEP Schenk, and your team, for inviting us today to this important exercise.

ADPA is part of a larger coalition called AFCAR, the Alliance for the Freedom of Car Repair, which brings also repairers, parts and tools providers, and importantly, fleet operators and individual drivers. We are fully aligned on these issues, and I will not speak today only on ADPA's behalf, but also in the name of this coalition.

ADPA represents providers of data used to repair and maintain vehicles. We provide accurate and affordable data to multibrand workshops, helping consumers avoid being captive to vehicle manufacturers' franchised networks. As vehicles become increasingly complex, this role is more important than ever. Through our digital solutions, we contribute to competition, innovation, circular economy, and to the safety, sustainability, and affordability of road mobility.

To do so, we depend on strong, ambitious, and enforceable rules that prevent monopolistic practices by larger players. With the rise of connected vehicles, the Data Act has become a key piece of legislation. Any attempt to weaken its ambitions or enforcement mechanisms would ultimately harm European consumers, SMEs, and businesses.

In this context, simplification must not mean deregulation. The proposal to remove provisions on fee transparency (Articles 9.7 and 20.2) would strongly discourage data sharing. Without clear safeguards, data holders can effectively evade their sharing obligations through deterrent pricing, undermining competition and investment. Real-life examples illustrate the risk. Under another existing EU legislation, vehicle manufacturers must share certain datasets for fees that are meant to be "fair and reasonable". Yet some manufacturers drastically increased those fees overnight: one multiplied its fee by 12, while another raised it from €50,000 to €2.575 million – a fiftyfold increase for the same quality and quantity of data. We challenged these practices up to the European Court of Justice, which ultimately clarified that "fair and reasonable" fees are those that are "reasonable and fair". This demonstrates why fee provisions must be as precise as possible. The original transparency provisions, which link fees to the actual cost of making data accessible, are therefore essential and fully in line with the historical doctrine of the European Commission. While vehicle manufacturers can be put under an obligation to share information for the sake of competition, there is no reason to make them profit from it - which would undermine the objective of better competition -, but they should not be asked to do so at a financial loss, either. It is legitimate for vehicle manufacturers to be compensated against the cost occurring from a legal obligation that is placed on them against their interests, and in this sense, cost-based fees – and transparency on the costs – are therefore essential. The European Commission is late in delivering guidance on this issue: it would be urgent to resolve this issue, to secure demand and investments.

Simplification should also not empty the legislation of its substance. The new definition of "access" (Article 4.c), stating that access does not imply transmission or download of data, would unnecessarily restrict third parties and give data holders additional discretionary power over competitors. There is already caselaw from the European Court of Justice stating clearly that a right to access also includes a right to use – no one wants to access datasets to contemplate them in an esthetical way, people want to use it according to their know-how and tools. The right to access data should therefore not be emptied of its substance by foreclosing the possibility to transfer and download these data – of course, according to highest standards and in compliance with existing provisions, for example in terms of privacy and cybersecurity, for which there are already regulatory measures in place.

Similarly, the provisions on trade secrets (Articles 4.8 and 5.11), while well-intentioned, could be misused to deny legitimate access requests. Security is crucial, but extending safeguards to alleged risks of disclosure to third countries would create an additional ground for refusal and could systematically disadvantage SMEs, for whom the burden of proof would be excessive. It is indeed always quite difficult, not to say impossible, to demonstrate a negative: how do you prove that you do not have a relationship with some third countries? The burden of proof should therefore remain with data holders, and any refusal should be narrowly justified, proportionate, and subject to independent review, as outlined in other EU legislations. Euro 7 and the Motor Vehicle Block Exemption Regulation, for example, foresee that vehicle manufacturers can withhold data from SMEs if and only if they are able to demonstrate a risk for cybersecurity or anti-tampering, and if there is no possibility for less restrictive measure to achieve this objective.

Last but not least, I cannot hide that ADPA and our partners from AFCAR are quite disappointed. The Data Act has barely entered into force and it is already being reviewed and challenged, without having had time to deliver its effects. We would have preferred to see the European Commission to finally deliver a sector-specific legislation on access to in-vehicle data, functions and resources. The Data Act, even when completed by a guidance for the automotive sector, has inherent limits as there is no transparency and no harmonization on the data available, which are critical to develop multi-brand services, but also because it does not enable access to in-vehicle functions and resources, which are critical to deploy telematics services. The need for a dedicated legislation has been demonstrated numerous times, including by the European Commission itself, which has a draft legislation ready and validated by the Regulatory Scrutiny Board, but seems to have been blocked for political reasons.

To conclude, European legislators should continue to prioritise European consumers and European businesses that have become global leaders thanks to ambitious EU rules fostering competition and innovation. The European automotive aftermarket is a clear example of this success. Reducing the ambition, predictability, or enforceability of these rules – which are already barely sufficient – would put both European consumers and businesses at risk. In other words, we want more legislation, and more enforcement.

For more information

ADPA webpage on [digitalisation](#)

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ADPA, the European Automotive Data Publishers Association, aims to ensure fair access to automotive data and information needed for the repair and maintenance of the 280 millions vehicles on European roads, contributing to their continuous roadworthiness over their lifetime. Its members design and provide competitive, innovative and multibrand solutions to operators of the automotive aftermarket. Founded in 2016 and based in Brussels, ADPA is a Member of [AFCAR](#), the Alliance for the Freedom of Car Repair in the EU, [FAAS](#), the Forum on Automotive Aftermarket Sustainability, and [SERMI](#), the association for security-related repair and maintenance information.