

Key messages on the review of the MVBBER and supplementary guidelines



Insurance Europe welcomes the European Commission's draft Regulation extending the validity of the Motor Vehicle Block Exemption Regulation (MVBBER) for five years and the draft communication introducing targeted updates to the additional automotive guidelines. However, the amended rules should be supplemented with a legislative initiative that ensures fair access to in-vehicle data for all third-party service providers through an open platform.

Draft Regulation prolonging the validity of the MVBBER

Insurers believe that keeping the MVBBER in place for five additional years will continue to facilitate companies' self-assessment that their vertical agreements in the automotive sector comply with EU competition rules. Even though, in five years' time, currently emerging trends, such as those resulting from digitalisation and new forms of mobility, will have been consolidated, there is a high probability that the MVBBER will still be key for the motor sector. A careful re-assessment of the situation will therefore be crucial to adjust to those new trends and ensure fair competition.

Draft Communication amending the Supplementary Guidelines

Insurers also welcome the targeted updates to the Supplementary Guidelines as they reflect the importance that access to vehicle-generated data plays in competition and provide clarity for companies over the way the Commission views issues related to access to data generated by cars' sensors when assessing vertical agreements between vehicle manufacturers and their authorised networks.

However, vehicle data is an essential input not only for repair and maintenance services but also for the provision of motor-related services such as insurance. Indeed, guaranteeing access to in-vehicle data would enable insurers to incentivise safer and more fuel-efficient driving through usage-based insurance and other features such as driver feedback and coaching. It would also help improve insurers' claims-handling and give them a better understanding of any potential new or emerging risks associated with autonomous driving.

The Commission should therefore guarantee a level playing field for all market participants by supplementing the Guidelines with a legislative proposal that lays down principles and technical requirements to ensure that all third-party service providers have access to vehicle data through an open platform that allows fair competition and is not controlled by a single stakeholder, such as a vehicle manufacturer.

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