Official Journal
of the European Union

EN
L series

2024/1061

11.4.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/1061

of 10 April 2024

laying down rules for the application of Regulation (EU) 2018/858 of the European Parliament and of the Council as regards the secure exchange of data of the certificate of conformity in electronic format and read-only access to the certificate of conformity, and amending Commission Implementing Regulation (EU) 2021/133

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 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) No 595/2009 and repealing Directive 2007/46/EC ([1]), and in particular Article 37(8), points (b), (d), (e) and (f), thereof,

Whereas:

(1) Commission Implementing Regulation (EU) 2021/133 ([2]) lays down requirements on the format and structure of the data elements of the certificates of conformity in electronic format and also designates the European Vehicle and Driving Licence Information System ('EUCARIS') ([3]) for the exchange of that data. This Regulation sets out further requirements to ensure that the certificate of conformity in electronic format can be securely exchanged by guaranteeing an appropriate level of security of electronic identification means and to establish the means to allow approval authorities to provide read-only access to the certificate of conformity.

(2) In order to ensure a high level of security to prevent unauthorised access and data corruption, to guarantee an appropriate level of data protection and avoid duplication of exchanged messages and data elements, it is necessary to lay down requirements for the applicable electronic applications and systems used for the exchange of the Initial Vehicle Information (IVI) messages developed by the EUCARIS between manufacturers and national access points.

(3) In order to ensure that the right format and structure is used for the IVI messages for the exchange between manufacturers, national access points and the EUCARIS system, a validation process should be laid down for these messages and data elements through their respective web applications and systems used for the exchange of those IVI messages.

(4) In order to facilitate the access to the structured data of the certificate of conformity in electronic format, it is necessary to introduce a vehicle-specific unique identifier that can easily be found and is present on each vehicle.

(5) In order to allow approval authorities to provide access to the certificate of conformity in electronic format as read-only to the public, requirements should be laid down to ensure that such access is supported on the web-applications or systems providing the certificate of conformity in electronic format.

(6) Since Implementing Regulation (EU) 2021/133 lays down the requirements on the composition of the data elements of the certificates of conformity, it is appropriate for the purposes of ensuring legal certainty and clarity to amend that Regulation with changes to the format and structure of those data elements so that those provisions are contained in the same Regulation. It is therefore necessary to amend Implementing Regulation (EU) 2021/133 to include the exemption for manufacturers of particular vehicle categories and types of vehicle that are produced in small series.

([1]) OJ L 151, 14.6.2018, p. 1.
([2]) Commission Implementing Regulation (EU) 2021/133 of 4 February 2021 implementing Regulation (EU) 2018/858 of the European Parliament and of the Council as regards the basic format, structure and the means of exchange of the data of the certificate of conformity in electronic format (OJ L 42, 5.2.2021, p. 1).
([3]) Consolidated version of the EUCARIS Treaty concerning a European Vehicle and Driving Licence Information System (EUCARIS) including the amendments signed by the Parties on 8 June 2017.

(7) In order to enable approval authorities, market surveillance authorities and registration authorities of the Member States as well as manufacturers to make the necessary changes to their electronic systems and to prepare for the application of this Regulation, the date of application of this Regulation should be deferred.

(8) It is not necessary to introduce a deferred date of application for the provisions on the exemption for manufacturers of particular vehicle categories and types of vehicle that are produced in small series since those requirements do not require additional lead time to be implemented.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Technical Committee – Motor Vehicles,

HAS ADOPTED THIS REGULATION:

Article 1

Requirements for secure data exchange

1. When exchanging data, manufacturers and national access points of the European Vehicle and Driving Licence Information System ('EUCARIS') shall use a secure local web link and Extensible Markup Language (XML) schema structure and principles.

2. Manufacturers and the national access points of EUCARIS shall use websites that are secured by means of a qualified certificate for website authentication meeting the requirements laid down in Annex IV to Regulation (EU) No 910/2014 of the European Parliament and of the Council ([4]).

3. The exchange of messages between manufacturers and national access points of EUCARIS and within EUCARIS shall be secured using an electronic signature within the meaning of Regulation (EU) No 910/2014 and data encryption protocols.

4. The national access points of EUCARIS and the EUCARIS nominated body for operation shall provide for validation of the electronic signatures by verifying and confirming that the requirements provided for in Article 26 of Regulation (EU) No 910/2014 were met at the time of signing.

5. The national access points of EUCARIS shall provide for traceability of the messages exchanged through that system by logging information on that exchange and provide the means to view and search that information.

Article 2

Requirements for a vehicle-specific unique identifier

1. The vehicle-specific unique identifier shall be the vehicle identification number ('VIN').

2. Without prejudice to Article 12(2) of Commission Implementing Regulation (EU) 2021/535 ([5]), the VIN shall comply with the requirements set out in Part 2, Section A, point 2, of Annex II to that Regulation.

([4]) Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).

([5]) Commission Implementing Regulation (EU) 2021/535 of 31 March 2021 laying down rules for the application of Regulation (EU) 2019/2144 of the European Parliament and of the Council as regards uniform procedures and technical specifications for the type-approval of vehicles, and of systems, components and separate technical units intended for such vehicles, as regards their general construction characteristics and safety (OJ L 117, 6.4.2021, p. 1).

Article 3

Read-only access

1. For the purposes of Article 37(5) of Regulation (EU) 2018/858, the approval authority of each Member State shall provide a read-only access to the certificate of conformity through a web-application or system allowing to access the structured data of the certificate of conformity in electronic format by using the vehicle-specific unique identifier referred to in Article 2.

2. The web-application or system referred to in paragraph 1 shall provide a read-only access to the certificate of conformity in electronic format from web-applications or systems set up by type-approval authorities in any Member State.

Article 4

Amendment to Implementing Regulation (EU) 2021/133

In Implementing Regulation (EU) 2021/133, the following Article 3a is inserted:

'*Article 3a*

Exemption for manufacturers of particular vehicle categories and types of vehicle that are produced in small series

By way of derogation from Articles 1 and 2, for manufacturers of particular vehicle categories and types of vehicle that are produced in small series, it shall be sufficient to make available the data elements of the electronic version of the certificate of conformity by means of manual input or through the upload of an IVI XML file.'.

Article 5

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 5 July 2025.

However, Article 4 shall apply from 1 May 2024.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 April 2024.

For the Commission
The President
Ursula VON DER LEYEN