

**Question for written answer E-001480/2023  
to the Commission**

Rule 138

**Pernille Weiss (PPE)**

Subject: Inclusion of two-wheeled motorcycles under warranty servicing

In 2010, the Commission adopted Regulation (EU) No 461/2010<sup>1</sup>, which regulates access for independent operators (e.g. workshops) to service motor vehicles under warranty without the vehicles losing said warranty. Article 1(g) of this Regulation states that “motor vehicle” means a self-propelled vehicle intended for use on public roads and having three or more road wheels’. The definition therefore excludes two-wheeled motorcycles.

As a result, non-authorised workshops are not allowed to service two-wheeled motorcycles under warranty. Consumers must therefore drive hundreds of kilometres to visit authorised motorcycle dealers. This is also a problem with regard to the EU principle of competition and the concept of monopoly: generally speaking, there are not many authorised motorcycle dealers, meaning that a few motorcycle dealers hold a proven monopoly in a large geographical area.

In the light of this:

1. What measures is the Commission taking to safeguard the principle of free competition and prevent a few authorised motorcycle dealers from holding a monopoly?
2. Is the Commission considering revisiting the definition of ‘motor vehicle’ and extending access to servicing under warranty to include two-wheeled motor vehicles?
3. Do Member States have the authority to implement this legislation in such a way that it also applies to two-wheeled motorcycles?

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<sup>1</sup> Commission Regulation (EU) No 461/2010 of 27 May 2010 on the application of Article 101(3) of the Treaty on the Functioning of the European Union to categories of vertical agreements and concerted practices in the motor vehicle sector, OJ L 129, 28.5.2010, p. 52.