



National Automobile Dealers Association



SO-CALLED “RIGHT TO REPAIR” LEGISLATION IS UNNECESSARY

Members Should Oppose H.R. 1449

Issue

A coalition of aftermarket parts manufacturers (AutoZone, NAPA, Advanced Auto Parts, CarQuest etc.) support H.R. 1449, a bill to force automakers to turn over proprietary information under the guise that independent mechanics do not have access to the information they need to repair cars. However, H.R. 1449 is unnecessary because independent repair shops already have access to any information needed to service or repair vehicles.

Background

In 2002, automobile manufacturers and the Automotive Service Association (ASA), a trade group that represents independent repairs shops, signed an industry agreement keeping independent repairers and franchised dealers on a level playing field with regard to access to vehicle service information and tools. This agreement created the National Automotive Service Task Force (NASTF), a body that is designed to resolve any information gaps that may arise. In 2011, NASTF reviewed only 26 service information requests of the more than 500 million automotive service and repair transactions made that year. ASA also opposes H.R. 1449 because automakers are already providing access to information and tools to all parties in the automobile repair industry through a voluntary and cooperative process.

Key Points

- The so-called “right-to-repair” issue is a solution in search of a problem. The bill is based on the flawed premise that the information necessary to service and repair vehicles is not available to the aftermarket. This legislation is unnecessary because automakers and numerous third party vendors (Identifix, ALLDATA, Mitchell1) already sell this information to independent repairers. In fact, independent repair shops currently perform 75 percent of all non-warranty repairs.
- Several states have considered and rejected similar legislation. Massachusetts, after years of a contentious fight, passed a state law that has not been implemented and is likely to create unintended consequences. The Massachusetts law is not a template for a Federal law.
- The industry has already developed a voluntary process to address any problems related to access to service information and diagnostic tools that is working.

Status

Reps. Ed Towns (D-N.Y.) and Todd Platts (R-Pa.) introduced H.R. 1449 on April 8, 2011. The bill was referred to the House Energy and Commerce Committee, and no further action has been taken on this bill. *Members are urged **not** to cosponsor H.R. 1449.*

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