



June 12, 2007

U.S. House of Representatives
Washington, D.C. 20515

Dear Representative:

On behalf of the National Automobile Dealers Association (NADA) and the Automotive Service Association (ASA), we are writing to urge you to oppose the so-called “right to repair” legislation and to provide you a status report on the state of the automotive repair industry in the United States. NADA is the national trade association that represents approximately 20,000 franchised dealerships and their over one million employees. A significant percentage of those employees are engaged in automotive service and repair. ASA is the largest and oldest independent repair association in the nation. ASA’s 13,000 member businesses employ more than 65,000 independent auto service technicians.

Our organizations want to update you on our position on the availability of service information. In previous Congresses, certain large aftermarket parts distributors have advocated for federal legislation that would require automobile manufacturers to disclose, under threats of private rights of action and administrative proceedings by the Federal Trade Commission, “the information necessary to diagnose, service or repair the vehicle, including information necessary to integrate replacement equipment into the vehicle.” Recently, there has been an increased push by some aftermarket distributor groups for the reintroduction of this misguided legislation.

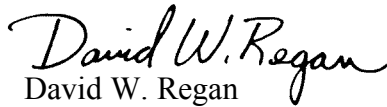
In response to these recent efforts, NADA and ASA want to make perfectly clear to all parties, and most importantly to consumers, that the service information, diagnostic tools and training needed are already available in the marketplace. Therefore, legislation forcing the disclosure of proprietary data would be unnecessary and counterproductive.

NADA and ASA assert that the information necessary to diagnose, service and repair vehicles is already being made available to all parties in the automobile repair industry through third-party private sector companies and automobile manufacturers. In fact, automobile manufacturers and repair facilities signed an industry agreement in 2002 placing independent repairers and franchised dealers on a level playing field with regard to access to vehicle service information. The industry agreement, coupled with the National Automotive Service Task Force (NASTF), which is designed to resolve any issues that may arise, is working. Also, the U.S. Environmental Protection Agency already reviews the automaker service information Web sites to assure that emissions service information is available. Ill-advised federal intervention would disrupt ongoing efforts to provide more information to repairers.

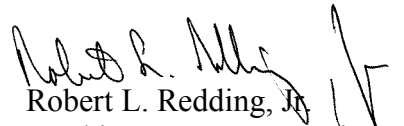
To put this issue into perspective, there are approximately 165 million non-warranty vehicles on the road today. Roughly 500 million repair requests are made each year. In 2006, there were 32 requests for information to NASTF due to problems obtaining the information via third-party providers or the automaker Web sites. With only 32 complaints out of 500 million repairs, we agree with Energy and Commerce Committee Chairman John Dingell, D-Mich., who has called this legislation “a solution in search of a problem.” The NASTF resolved all 32 of these complaints.

Given that an industry solution has already been achieved to provide access to service information, diagnostic tools and training for all parties in the automotive repair business, any government action has the potential to greatly complicate the private sector’s efforts in that regard. Additionally, such legislation has the potential to create a host of other intellectual property, legal, and environmental issues. For these reasons, we respectfully request that you oppose efforts to revive the Motor Vehicle Owners Right to Repair Act.

Sincerely,



David W. Regan
Vice President
NADA



Robert L. Redding, Jr.
Washington Representative
ASA