

June 12, 2007

"Right to Repair" Legislation A Solution in Search of a Problem

Dear Colleague;

I am writing to urge you to oppose legislation that may be re-introduced this year-the so-called Motor Vehicle Owners' "Right to Repair" Act (H.R. 2048 in the 109th Congress). The issue persists because a coalition of aftermarket parts manufacturers continue to fund a public relations campaign designed to create the appearance of a problem. The Coalition for Auto Repair Equality (CARE), which they call themselves, is seeking legislation to force automakers to turn over proprietary parts information under the guise that independent mechanics do not have access to the information they need to repair cars.

This is simply not the case!

With very few exceptions, the information necessary to service and repair vehicles is available today through a variety of different websites, hotlines, manuals, and training opportunities. If access problems still exist after a technician exhausts the various sources, the National Automotive Service Task Force (NASTF) steps in to solve the problem. NASTF was created in 2000 as a private-sector solution to identify and correct gaps in the availability and accessibility of automotive service information and diagnostic tools. Additionally, it is their role to mediate any disputes between repairers and original equipment manufacturers. In 2006, NASTF reviewed only 32 complaints of the more than 500 million automotive service and repair events. All 32 complaints were resolved.

So, if there is not an access issue then this must be an intellectual property issue clear and simple. These massive, publicly traded, member companies of CARE want to be able to sell cheap-reproduced parts made overseas, and to do so, access to an auto manufacturer's blueprints are needed, right to repair legislation would force disclosure of proprietary information.

Even the Automotive Service Association, which represents independent aftermarket repair shops, opposes this legislation because automakers are already providing access to information and tools to all parties in the automobile repair industry through a voluntary and cooperative process.

A bill is unnecessary, because the private sector already provides cost-effective access to any information necessary to service or repair vehicles.

I strongly urge you NOT to support or cosponsor so-called "Right to Repair" legislation in the 110th Congress. As Chairman Dingell has said, legislation such as this is "a solution in search of a problem" (May 25, 2006, Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection Markup). The Federal Trade Commission, which would have jurisdiction over these matters, and other objective observers have repeatedly concluded that federal legislation of this nature is NOT warranted.

Sincerely,

M Lynn A. Westmoreland
Member of Congress