

**STATEMENT OF**  
**MR. SCOTT BENAVIDEZ**  
**CHAIRMAN**  
**AUTOMOTIVE SERVICE ASSOCIATION**  
**Albuquerque, New Mexico**

**BEFORE THE**  
**SUBCOMMITTEE ON INNOVATION, DATA, AND COMMERCE**  
**U.S. HOUSE COMMITTEE ON ENERGY AND COMMERCE**  
**WASHINGTON, D.C.**

**SEPTEMBER 27, 2023**

## Written Statement

Good morning, Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Subcommittee. Thank you for providing me the opportunity to testify before you today. My name is Scott Benavidez, and I am here today on behalf of the Automotive Service Association. I am the Chairman of the Automotive Service Association's Board of Directors. I am also the second-generation owner of Mr. B's Paint & Auto Body Shop Inc. in Albuquerque, New Mexico.

ASA is the largest and oldest national organization committed solely to advocating for independent automotive repairers. Our members own and operate automotive mechanical and collision repair facilities, and our Board of Directors is comprised solely of owners and operators of independent automotive repairers. Independent automotive repair shops are responsible for the majority of all, post warranty, repair services in the United States. ASA advocates for the interests of its members and their customers.

ASA has been a steadfast advocate for right-to-repair principles – the right of car owners and independent repair shops to access vehicle service information needed to diagnose and repair vehicles – for decades. We take this unequivocal stance because our members are on the front lines of the vehicle data access issue and have been very clear: we want to have access to the data necessary to repair our customers' vehicles. ASA worked with the U.S. House Energy and Commerce Committee and Senate Commerce, Science, and Transportation Committee to place language in the 1990 Clean Air Act Amendments that assured independent shops the same emissions service information that was provided by the automobile manufacturers to franchised car dealers. Then, in 1995, the U.S. Environmental Protection Agency (EPA) finalized their regulations supporting the emissions service information distribution structure at the U.S.

Department of Commerce's FedWorld. Despite much aftermarket industry and Department of Commerce educational efforts, this service information distribution process was not successful. It took several years before EPA established an emissions service information distribution process that worked for independent repair shops. The rule was finalized in 2002. In the fall of 2002, after a Senate Commerce Committee hearing on Right to Repair, ASA signed an agreement with automakers stipulating that independent automotive repair shops would have access to the same emissions and **non-emissions** service information provided to the manufacturers' franchised dealerships. Emissions and non-emissions service information access for independent shops works today through automaker websites and third party information providers. (see Attachment A)

Since 2002, the vehicles Americans rely on have become increasingly sophisticated, and we know that the rate of innovation will only accelerate. The way vehicle issues are diagnosed and repaired evolves in tandem with technological advancement.

The modern vehicle is essentially a computer on wheels, and just like a typical computer, an enormous amount of information is passed wirelessly to and from the vehicle. We call that wireless communication "telematics" in the automotive world. In many instances, our shops would not be able to diagnose and fix the problems their customers ask them to solve if they didn't have access to telematics. This situation would not only harm repair shops, but also would pose a potential harm to the motoring public. Car owners deserve a competitive market from which they can select a repairer who will repair their vehicle properly at the best price.

Although today automotive repairers have access to vehicle data necessary for repairs, our industry has been concerned about the path forward for obtaining data for the vehicles

moving into the marketplace. Newer vehicle technologies, with an increasing number of sensors, will present challenges to our shops without access to repair data. That is why, in July of this year, ASA proudly announced it had reached a landmark agreement with automakers that ensures independent repair shops can diagnose and repair their customers' vehicles without hindrance from telematics nor any other innovation. Also, a party to the agreement is the Society of Collision Repair Specialists (SCRS), a national collision repair association. (see Attachment B)

We want to express our appreciation to U.S. Congressmen Buddy Carter (R-GA) and Darren Soto (D-FL) for their efforts to bring stakeholders together through the bipartisan Vehicle Data Access Caucus. Their efforts encouraged repair shops and automakers to work together to determine a path forward on the issue of vehicle data access.

The agreement assures independent repair shops shall continue to have access to the same diagnostic and repair information that auto manufacturers make available to authorized dealer networks. This includes:

- Telematics Data needed to diagnose and repair a vehicle if not otherwise available;
- All vehicle technologies and powertrains, including gasoline, diesel, fuel cell, electric battery, hybrid and plug-in hybrid electric powertrains.

Important for our industry, the agreement contains an education and training component. As members of the Subcommittee from rural districts are aware, there are many areas of the country that have a limited number of electric vehicles. Some shops in rural areas



currently are not repairing electric vehicles and will have to assure their shops are properly equipped and their technicians trained for electric vehicle service and repair in the future. Our agreement encourages collaboration with automotive manufacturers on training. We have cosponsored education and training opportunities in the past and will continue in the future thanks to the 2023 agreement.

The agreement acknowledges the importance of assuring we have the same sources for data in the future that we have today:

- Directly through an automaker’s repair website;
- Shared access points like [www.OEM1Stop.com](http://www.OEM1Stop.com)
- Via third-party information providers, software and tools.

With the volume of data and thousands of independent shops and technicians, how will gaps and policy issues be addressed? The agreement establishes a **Vehicle Data Access Panel** to identify issues a party may have with respect to access as pledged in the agreement. In our 2002 Service Information Agreement with automakers, issue gaps that could arise were to be addressed by an automotive industry organization, the National Automotive Service Task Force (NASTF).

“Manufacturers recognize the value of third-party providers of tools, service and training information and are committed to making available to information providers and tool companies the service and training information, tools and tool information. The

National Automotive Service Task Force will continue to provide a forum for industry and aftermarket to resolve service information issues.”

Our 2023 agreement also establishes a **Data Access Working Group** to consider any technological advancements that may alter the vehicle repair marketplace. Most importantly, the agreement safeguards a competitive repair market that yields the fairest prices for drivers and the highest quality safety outcomes.

I cannot overstate the importance of vehicle safety to ASA members. Repairers understand better than anyone the threat posed by improper repairs. Automotive service business owners, their employees, their families, and their friends drive on and walk alongside the same roads as everyone else. The threat to their safety posed by defective vehicles on the road is also the exact same threat faced by everyone else. ASA believes we can and should have a competitive marketplace that does not compromise safety. Our agreement assures:

- Access to the data necessary for proper, safe repairs for today’s vehicles and vehicles of the future;
- Education and training for repair shops that are faced with rapidly changing vehicle technologies;
- Processes that address gaps in data faced by shops and technicians in the future and future technologies that may present policy issues that we don’t have today.

Fortunately, the agreement ASA reached with the Alliance for Automotive Innovation and SCRS nullifies the need for the REPAIR Act. While we have full confidence in the

agreement's ability to compel adherence as is, we would also support legislation that codifies the agreement into federal law.

In a 2002 hearing, members of the U.S. Senate Commerce Committee challenged the aftermarket and automobile manufacturers to try and work out their differences in the right to repair issue or the Committee would pursue legislation. At the Commerce hearing, ASA had testified in support of the right to repair legislation. Following the hearing, we held a series of meetings with the automakers and established the 2002 Service Information Agreement.

Repair shops will tell you it still works today. For more sophisticated technologies, as of July 2023, we are pleased to now have an agreement in place to address independent shops' needs for service and repair data. We hope that Congress will again allow and encourage this industry solution to a very complex issue.

Thank you again, Chairman Bilirakis and Ranking Member Schakowsky, for convening this important hearing and allowing me to share the perspective of ASA and independent repair shops. I look forward to answering your questions today.

## SUMMARY OF MAJOR POINTS

- ASA represents independent mechanical and collision automotive repair facilities. Our Board is comprised of owners and operators of independent shops.
- For decades, ASA has been a steadfast advocate for right-to-repair principles.
  - Independent automotive repairers deserve to have access to the data necessary to repair their customers' vehicles.
  - Car owners deserve a competitive market from which they can select a repairer who will properly repair their vehicle at the best price.
- There are precedents for automotive repair shops and vehicle manufacturers successfully working together on information issues:
  - National Automotive Service Task Force
  - 2002 ASA-Automaker Service Information Agreement
  - Education and Training
    - Technology and Telematics Forum
- ASA announced in July it reached a landmark agreement with automakers and SCRS that ensures independent repair shops can diagnose and repair their customers' vehicles without hindrance from telematics or any other innovation.
- The ASA-Alliance-SCRS Agreement nullifies the need for the REPAIR Act.

# **ATTACHMENT - A**



September 20, 2002

The Honorable Byron Dorgan  
Chairman  
Subcommittee on Consumer Affairs, Foreign Commerce and Tourism  
U.S. Senate Commerce, Science, and Transportation Committee  
Washington, D.C. 20510

Dear Chairman Dorgan:

As the Subcommittee requested, our associations have discussed the issues reviewed at the Subcommittee's July 30, 2002 hearing on Customer Choice in Automotive Repair Shops (S. 2617). We believe the following commitments by automakers will provide independent repairers the necessary service information and diagnostic tools to compete and serve consumers in the marketplace.

The members of the Alliance of Automobile Manufacturers and the Association of International Automobile Manufacturers listed below fully support the following:

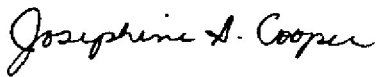
*Automobile manufacturers hereby commit to make available, by August 31, 2003, emission and non-emission-related service information, training information, and diagnostic tools in the same manner and to the same extent as specified by California Air Resources Board (CARB) regulations for emission-related systems and components. This means that 1) the same service and training information related to vehicle repair will be made available to independent repair shops either via the Internet, or in the same manner and extent as it is made available to franchised dealerships and 2) the same diagnostic tools related to vehicle repair that are made available to the franchised dealers will be made available to the independent repair shops. These will be made available at a reasonable price consistent with the guidelines provided in CARB regulations. The service and training information and manufacturer tools will be available to independent repair shops without the need for them to return to a franchised dealership (to the extent allowed by law).*

This commitment will continue the viability of the automotive service industry and preclude the need for current legislation while we work on implementation. Moreover, successful implementation will eliminate the need for future state and federal legislation.

Manufacturers recognize the value of third-party providers of tools, service and training information and are committed to making available to information providers and tool companies the service and training information, tools and tool information. The National Automotive Service Task Force will continue to provide a forum for industry and aftermarket to resolve service information issues. We ask that the Subcommittee and its staff periodically review the progress being made toward the objectives above.

We believe this continues a long tradition of the independent repairer's important position in the automotive industry. It also demonstrates our mutual commitment to fair and open competition in the auto service industry and to consumer choice in seeking these services. Please feel free to call on our organizations if you have any questions.

Sincerely,



Josephine S. Cooper  
President & CEO  
Alliance of Automobile  
Manufacturers, Inc.



Timothy C. MacCarthy  
President & CEO  
Association of International  
Automobile Manufacturers, Inc.



Dan Frohlich  
Chairman  
Automotive Service Association

Automobile Makes:

*Acura*  
*Aston-Martin*  
*Audi*  
*BMW*  
*Buick*  
*Cadillac*  
*Chevrolet*  
*Chrysler*  
*Dodge*  
*Ford*  
*GMC*  
*Honda*

*Hyundai*  
*Infiniti*  
*Isuzu*  
*Jaguar*  
*Jeep*  
*Kia*  
*Land Rover*  
*Lexus*  
*Lincoln*  
*Mazda*  
*Mercedes-Benz*  
*Mercury*

*Mitsubishi*  
*Nissan*  
*Oldsmobile*  
*Pontiac*  
*Saab*  
*Saturn*  
*Subaru*  
*Suzuki*  
*Toyota*  
*Volvo*  
*Volkswagen*

# HONDA

**American Honda Motor Co., Inc.**  
1919 Torrance Boulevard  
Torrance, CA 90501-2746  
Phone (310) 783-2000

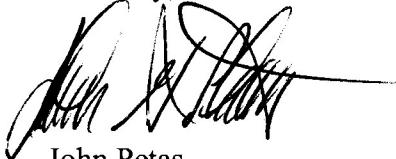
16 September 2002

To whom it may concern:

*American Honda Motor Inc., Co.* is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,



John Petas  
Sr. Vice President  
Parts & Service Operations



**VOLKSWAGEN**



3900 Hamlin Road  
Auburn Hills, MI 48320  
Tel. (248) 340-8000

September 20, 2002

Ms. Josephine S. Cooper  
President & CEO  
Alliance of Automobile Manufacturers  
1401 H Street NW, Suite 900  
Washington, D.C. 20005

Dear Ms. Cooper:

Volkswagen and Audi are committed to providing the tools and information that both independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,

A handwritten signature in blue ink that reads 'Kip Kriigel'.

Kip Kriigel  
Process Leader  
Technical Service

# BMW Group

September 20, 2002

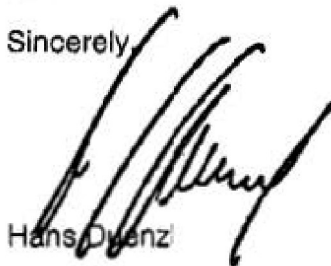
Ms. Josephine S. Cooper  
President & CEO  
Alliance of Automobile Manufacturers  
1401 H Street, NW, Suite 900  
Washington, DC 20005

Dear Ms. Cooper:

BMW Group is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,



Hans Drenzi  
Vice President, Aftersales and Engineering

**Company**  
BMW of North America, LLC

BMW Group Company

**Mailing address**  
PO Box 1227  
Westwood, NJ  
07675-1227

**Office address**  
300 Chestnut Ridge Road  
Woodcliff Lake, NJ  
07677-7731

**Telephone**  
(201) 307-4000

**Fax**  
(201) 307-4096

**Internet**  
bmwna.com



**GM**

**GM Service and Parts  
Operations**

General Motors Corporation  
30501 Van Dyke Avenue  
MC: 480-204-001  
Warren, MI 48090

September 23, 2002

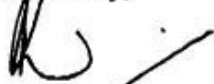
Josephine Cooper, President  
Alliance of Automobile Manufacturers  
1401 H Street, N. W., Suite 900  
Washington, DC 20005

Dear Ms. Cooper:

General Motors Corporation is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002 joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,



Peter Lord  
Executive Director, Service Operations

RB/mce

 **Parts**

 **Accessories**

 **PERFORMANCE  
PARTS**

 **Restoration Parts**

 **ACDelco**

 **Goodwrench**

# DAIMLERCHRYSLER

DaimlerChrysler Corporation

September 17, 2002

Ms. Josephine S. Cooper  
President & CEO  
Alliance of Automobile Manufacturers  
1401 H Street, NW, Suite 900  
Washington, DC 20005

Dear Ms. Cooper,

The Chrysler Group is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,



Reginald R. Modlin  
Director  
Environmental & Energy Planning

# *Ford Motor Company*

Frank M. Ligon  
Director, Vehicle Service & Programs  
Ford Customer Service Division  
[fligon@ford.com](mailto:fligon@ford.com)  
Phone: 313-323-8467

Ford Motor Company  
1700 Fairlane Drive  
Allen Park, Michigan 48101

September 17, 2002

To whom it may concern:

Ford Motor Company is committed to providing the tools and information that both independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers - the motoring public.

Sincerely,



Frank M. Ligon

 **HYUNDAI AMERICA TECHNICAL CENTER, INC.**

A Subsidiary of  
Hyundai Motor Company (Korea)

5075 Venture Drive  
Ann Arbor, MI 48108

Tel: (313) 747-6600  
Fax: (313) 747-6699

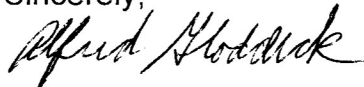
September 24, 2002

To whom it may concern:

Hyundai Motor America, Inc. is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,



Alfred Gloddeck

Senior Manager – Corporate Affairs



**NISSAN NORTH AMERICA, INC.**

Government Affairs Office  
196 Van Buren Street Suite 450  
Herndon, VA 20170-5337  
Main Phone: (703) 456-2560  
FAX: (703) 456-2551

September 20, 2002

To whom it may concern:

Nissan North America, Inc. is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers -- the motoring public.

Sincerely,

A handwritten signature in cursive script that reads "Harland Reid".

Harland Reid  
Senior Director  
Government Affairs  
Nissan North America, Inc.

**ISUZU**

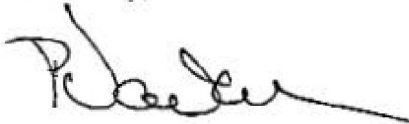
September 20, 2002

To whom it may concern:

American Isuzu Motors Inc. is committed to providing the tools and information that *both* independent repair shops and authorized dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,



Pete Vavan  
Executive Manager  
Service Group Operations  
American Isuzu Motors Inc.

*American Isuzu Motors Inc.*  
13340 183<sup>rd</sup> Street  
Cerritos, California 90702-6007  
*future by recycling today*

562 229-5000  
562 926-3082 Fax

*We're looking to the*





BY APPOINTMENT TO  
HER MAJESTY QUEEN ELIZABETH II  
MANUFACTURERS OF DAIMLER AND JAGUAR CARS  
JAGUAR CARS LIMITED COVENTRY



BY APPOINTMENT TO  
HER MAJESTY QUEEN ELIZABETH  
THE QUEEN MOTHER  
MANUFACTURERS OF DAIMLER AND JAGUAR CARS  
JAGUAR CARS LIMITED COVENTRY



BY APPOINTMENT TO  
HIS ROYAL HIGHNESS THE PRINCE OF WALES  
MANUFACTURERS OF DAIMLER AND JAGUAR CARS  
JAGUAR CARS LIMITED COVENTRY



Jaguar Cars Limited, Browns Lane, Allesley, Coventry CV5 9DR, England  
Telephone (024) 7640 2121 [www.jaguar.com](http://www.jaguar.com)

Mrs J S Cooper  
President and CEO  
Alliance of Automobile Manufacturers  
1401 H Street NW  
Suite 900  
Washington D.C.  
20005  
United States of America

20 September 2002

Dear Mrs Cooper

Jaguar Cars is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Yours sincerely

Bob Townsend  
Manager Technical Service and Communications

DIRECT TELEPHONE

FAX

EMAIL



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**Kia Motors America, Inc.**  
9801 Muirlands Blvd.  
P.O. Box 52410  
Irvine, CA 92619-2410 (949)  
470-7000

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September 20, 2002

To whom it may concern:

Kia Motors America is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,

A handwritten signature in black ink that reads "DK Pearce". The signature is written in a cursive, flowing style.

Donald K. Pearce  
Vice President, Service



**LAND ROVER**

Mrs J S Cooper  
President and CEO  
Alliance of Automobile Manufacturers  
1401 H Street NW  
Suite 900  
Washington D.C.  
20005  
United States of America

20 September 2002

Dear Mrs Cooper

Land Rover is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Yours sincerely

Bob Townsend  
Manager Technical Service and Communications

Land Rover

Browns Lane, Allesley  
Coventry CV5 9DR

Telephone 02476 402121  
Facsimile 02476 202883

Registered Office: Banbury Road, Lighthome, Warwick CV35 0RG  
Registered in England and Wales: Number 4019301

# TOYOTA

Toyota Motor Sales, U.S.A., Inc.  
8801 South Western Avenue  
Los Angeles, CA 90045-7522  
Tel: 800-330  
Tel: 800-7800 FAX

September 23, 2002

Ms. Josephine S. Cooper  
President & CEO  
Alliance of Automobile Manufacturers  
1401 H Street NW, Suite 900  
Washington, D.C. 20005

Dear Ms. Cooper,

Toyota Motor Sales, U.S.A., Inc., fully supports the proposed joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,

TOYOTA MOTOR SALES, U.S.A., INC.



Robert C. Daly  
Group Vice President  
Toyota Customer Services

Mazda North American Operations

Jay Amestoy  
Vice President  
Public and Government Affairs



September 18, 2002

Mr. Steven P. Douglas  
Director, Environmental Affairs  
Alliance of Automobile Manufactureres  
428 J Street, Suite 400  
Sacramento, CA 95814-2394

Dear Mr. Douglas:

Mazda North American Operations is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jay Amestoy', with a large, sweeping flourish extending to the right.



Mercedes-Benz

Mercedes-Benz USA, LLC  
Environmental & Safety Engineering Dept.

23 September 2002

Ms. Josephine S. Cooper  
President & CEO  
Alliance of Automobile Manufacturers  
1401 H Street NW, Suite 900  
Washington, D.C. 20005

Ms. Cooper,

**Mercedes-Benz USA, LLC** is committed to providing the tools and information that both independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers - the motoring public.

Sincerely,

Michael F. Kunz  
Department Manager  
Technical Information  
Mercedes-Benz USA

Michael Schweizer  
Department Manager  
Environmental & Safety Engineering  
Mercedes-Benz USA





# MITSUBISHI MOTORS CORPORATION

CABLE ADDRESS:  
BISHUJIKO OKAZAKI

1, NAKASHINKIRI, HASHIME-CHO, OKAZAKI  
AICHI PREF, JAPAN

TELEPHONE: 0564-32-5281  
TELEFAX: 0564-33-1214  
TELEX: 4537551 MMCOKZJ

September 20, 2002

Ms. Josephine S. Cooper  
President & CEO  
Alliance of Automobile Manufacturers  
1401 H Street NW, Suite 900  
Washington, D.C. 20005:

Mitsubishi Motors Corporation is committed to providing the tools and information that *both* independent repair shops and authorized dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely Yours,

---

K. Watashige, General Manager  
International After-Sales Dept.  
Mitsubishi Motors Corporation



SAAB CARS USA, INC.

September 24, 2002

To whom it may concern:

Saab Cars USA, Inc. is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,

A handwritten signature in cursive script that reads "Dan David".

Daniel L. David

Vice President, Parts & Service

Saab Cars USA, Inc.  
4405-A International Blvd.  
Norcross, GA 30093

Telephone  
770 279-0100

Fax  
770 279-6499

Website  
[www . saabusa . com](http://www.saabusa.com)



FROM :

FAX NO. :

Sep. 20 2002 01:07PM P2



Subaru of America, Inc.  
Subaru Plaza  
PO Box 6000  
Cherry Hill, NJ 08034-6000  
856-488-8500  
www.subaru.com

September 17, 2002

Ms. Josephine S. Cooper  
President & CEO  
Alliance of Automobile Manufacturers  
1401 H Street NW, Suite 900  
Washington, D.C. 20005

Dear Ms. Cooper:

Subaru of America, Inc. is committed to providing the tools and information that both independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,

A handwritten signature in cursive script that reads "James C. Sinclair".

James C. Sinclair  
Vice President / Service

JCS/rai

cc: file



**AMERICAN SUZUKI MOTOR CORPORATION**  
AUTOMOTIVE

To whom it may concern:

American Suzuki Motor Corporation is committed to providing the tools and information that *both* independent repair shops and franchised dealers need to swiftly and accurately repair vehicles. To this end, we fully support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislation serves our interest, those of the independent repair industry, and most importantly, our mutual customers – the motoring public.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. W. Semer', written over a large, stylized circular flourish.

Douglas W. Semer  
Automotive Service Director



**September 24, 2002**

To whom it may concern:

The intent of this correspondence is to state that Volvo is committed to providing the necessary tools and service information, which will facilitate the independent repair shops and our franchised retailers to perform vehicle repairs. Therefore, we support the September 20, 2002, joint letter to Senator Byron Dorgan from the Automotive Service Association (ASA), Alliance of Automobile Manufacturers, and the Association of International Automobile Manufacturers (AIAM).

We believe that this commitment to cooperation instead of legislative initiatives will better serve our interest and the interests of all whom require the information and material.

Sincerely,

Volvo Cars of North America, LLC  
Aftersales Business Unit, Technical & Regulatory

**Dan Doku**

Daniel E. Doku  
Manager, OBDII certification & Compliance  
Regulations & Compliance Department

Aftersales Business Unit  
Daniel E. Doku  
Volvo Cars of North America, Inc.  
7 Volvo Drive, Rockleigh, NJ, USA 07647-0913  
201-767-4789, Fax: 201-768-8695

# **ATTACHMENT - B**



July 11, 2023

The Honorable Maria Cantwell  
Chairwoman  
U.S. Senate Committee on Commerce,  
Science, and Transportation  
Washington, D.C. 20510  
The Honorable Cathy McMorris Rodgers  
Chairwoman  
U.S. House Committee on Energy and  
Commerce  
Washington, D.C. 20515

The Honorable Jim Jordan  
Chairman  
U.S. House Committee on the Judiciary  
Washington, D.C. 20515

The Honorable Dick Durbin  
Chairman  
U.S. Senate Committee on the Judiciary  
Washington, D.C. 20510

The Honorable Ted Cruz  
Ranking Member  
U.S. Senate Committee on Commerce,  
Science, and Transportation  
Washington, D.C. 20510  
The Honorable Frank Pallone  
Ranking Member  
U.S. House Committee on Energy and  
Commerce  
Washington, D.C. 20515

The Honorable Jerrold Nadler  
Ranking Member  
U.S. House Committee on Judiciary  
Washington, D.C. 20515

The Honorable Lindsey Graham  
Ranking Member  
U.S. Senate Committee on the Judiciary  
Washington, D.C. 20510

Dear Chairwoman Cantwell, Ranking Member Cruz, Chairwoman McMorris Rodgers, Ranking Member Pallone, Chairman Jordan, Ranking Member Nadler, Chairman Durbin, and Ranking Member Graham:

We write today with an important announcement on a national automotive right-to-repair commitment between representatives of the independent repair community and automobile manufacturers.

The attached commitment – entered into by the [Automotive Service Association](#), the [Society of Collision Repair Specialists](#), and [Alliance for Automotive Innovation](#) – is noteworthy for it represents thousands of auto repair professionals and small businesses in all 50 states as well as the manufacturers producing most vehicles sold in the U.S.

The Federal Trade Commission, the government's top consumer protection and competition agency, has rightfully placed a focus on the repair options available to consumers for all the products they purchase – far beyond just automobiles. They have previously highlighted the automotive repair marketplace as a model for other industries to follow, noting it is “working well.” We agree! Today, 70 percent of post-warranty vehicle repairs today happen outside the dealer network, while automakers' own certified collision networks are comprised of shops that are more than 70 percent non-dealer owned. In other words, competition is alive and well in the auto repair industry.

Our commitment ensures that this competition remains and guarantees consumers a range of service options for their vehicles well into the future, including independent repairers, national service chains, authorized dealers, or undertaking the repair themselves, if technically inclined. It also guarantees the country's small and independent auto repairers continued unrestricted access to the various tools, information, and data needed to repair vehicles.

This commitment was created with our mutual and valued customers in mind: vehicle owners. It affirms that consumers deserve access to safe and proper repairs throughout a vehicle's lifecycle. Finally, it is built to last because it anticipates changes in automotive technologies and market evolutions.

It should reassure you that independent repairers and automakers are not at odds on automotive data access, but rather in lockstep on this fundamental principle: consumers should have choice when it comes to repair options and the ability to have their vehicle serviced in well-equipped shops by well-trained technicians anytime, anywhere, anyplace.

We have attached a copy of our full commitment to this letter, but highlight a few points below:

- **Access to diagnostic and repair information:** We reaffirm the 2014 Memorandum of Understanding and commit that independent repair facilities shall have access to *the same* diagnostic and repair information that auto manufacturers make available to authorized dealer networks. This applies to all vehicle technologies regardless of powertrain, including gasoline, diesel, fuel cell, electric battery, hybrid, and plug-in hybrid electric powertrains. This also applies to telematic data needed to diagnose and repair a vehicle if not otherwise available.
- **Education and training:** We pledge to work together on education and training programs so mechanical and collision repair facilities are aware of their right to this information and know exactly where to find it, whether directly through an automaker's repair website, a shared access point like [www.OEM1Stop.com](http://www.OEM1Stop.com) or via third-party information providers, software, and tools.
- **Future Advancements:** Automotive technology continues to advance, with nearly every vehicle now equipped with advanced safety features and increasingly efficient propulsion systems. Repairers meet this challenge every day through investments in

training and equipment. As vehicle technologies and obligations on repairers evolve, this commitment provides an avenue to ensure a level playing field and a forum to discuss future repairer needs as they arise.

Collectively, we recognize the importance of providing a wide range of repair options to meet the needs of our shared customers throughout the lifecycle of a vehicle. This renewed commitment should give policymakers full confidence that repairers and manufacturers are committed to cooperation and allied on this shared goal.

Sincerely,



Julie Massaro  
President  
Automotive Service Association



John Bozzella  
President and CEO  
Alliance for Automotive Innovation



Aaron Schulenburg  
Executive Director  
Society of Collision Repair  
Specialists

Cc: The Honorable Ann Carlson, Acting Administrator, National Highway Traffic Safety Administration  
The Honorable Lina Khan, Chair, Federal Trade Commission  
The Honorable Earl L. "Buddy" Carter (R-GA), Vehicle Data Access Caucus  
The Honorable Darren Soto (D-FL), Vehicle Data Access Caucus

Enclosure: Appendix 1 – Commitment on Automotive Repair Information Sharing



## Appendix 1



### Automotive Repair Data Sharing Commitment

This commitment was created with one group of people in mind: vehicle owners. It recognizes and reaffirms the belief that consumers should have access to safe and proper repairs throughout a vehicle's lifecycle.

The parties commit to ensure consumer choice in vehicle repair decisions and support the independent repair community as provided below and as outlined in the existing 2014 Memorandum of Understanding:

**Access to diagnostic and repair information** – There shall be available for purchase by owners of motor vehicles and by independent repair facilities on fair and reasonable terms the same diagnostic and repair information, including service manuals and technical repair updates, that a manufacturer makes available to its authorized dealers through the manufacturer's internet-based diagnostic and repair information system or other electronically accessible repair information system.

**Access to vehicle systems** – There shall be available access to vehicle diagnostic systems through (i) a non-proprietary vehicle interface device that complies with the Society of Automotive Engineers standard J2534, commonly referred to as SAE J2534, the International Organization for Standardization standard 22900, commonly referred to as ISO 22900 or any successor to SAE J2534 or ISO 22900 as may be accepted or published by the Society of Automotive Engineers or the International Organization for Standardization; (ii) an onboard diagnostic and repair data system integrated and entirely self-contained within the vehicle, including, but not limited to, diagnostic or service information systems integrated into an onboard display; or (iii) a system that provides direct access to onboard diagnostic and repair data through a non-proprietary vehicle interface, such as ethernet, universal serial bus or digital versatile disc; provided that each manufacturer provides access to the same onboard diagnostic and repair data and functions available to their dealers, including technical updates to such onboard systems, through such non-proprietary interfaces as referenced in this paragraph.

**Alternate Fueled Vehicles** – Just as is the case for traditional internal combustion vehicles, access to vehicle diagnostic data and to vehicle systems for diagnostic and repair purposes shall be available for purchase by vehicle owners and by independent repair facilities on fair and reasonable terms for alternately fueled vehicles. This



commitment applies to all vehicle technologies regardless of powertrain, including gasoline, diesel, fuel cell, electric battery, hybrid, and plug-in hybrid electric powertrains.

**Telematics** – Telematics systems shall not be used to circumvent the commitments made in this commitment to provide independent repair facilities with access to vehicle diagnostic data. To the extent that specific telematic diagnostic and repair data is needed to complete a repair, and also provided to an automaker’s authorized dealers, the automaker shall make such information available to vehicle owners and independent repair facilities, if it is not otherwise available through a tool or third-party service information provider. This does not apply to any telematics data beyond what is necessary to diagnose and repair a vehicle.

**Access to tools** – There shall be made available for purchase by owners of motor vehicles and by independent repair facilities diagnostic repair tools incorporating the same functional capabilities that a manufacturer makes available to its authorized dealers.

**Fair and Reasonable Terms** – There shall be access to diagnostic and repair information and tools on fair and reasonable terms, consistent with U.S. Environmental Protection Agency, California Air Resources Board, and Massachusetts statutory requirements.

**Support of Third-Party Tool Manufacturers**—Diagnostic and repair information shall be made available to each third-party tool manufacturer and each third-party service information provider with whom a manufacturer has appropriate licensing, contractual, or confidentiality commitment for the sole purpose of building diagnostic tools and third-party service information publications and systems.

**Trade secret protections** – Nothing in this commitment shall be construed to require a manufacturer to divulge a trade secret.

**Education** – The parties shall develop a plan to educate both mechanical and collision repair facilities on the avenues by which they can access repair information, including directly through manufacturer repair websites, on [www.oem1stop.com](http://www.oem1stop.com), or by accessing third-party tool and data service providers, among others.

**Training** – The parties shall review existing training options for both mechanical and collision repair facilities and work to ensure repairers have access to the latest training opportunities.

### **Working Together to Address Any Identified Gaps**

As a complement to the existing process for resolving disputes involving the availability of diagnostic and repair information from specific manufacturers established in the 2014 MOU, the parties commit to establish a Vehicle Data Access Panel (VDAP) to identify issues a party may have with respect to the availability of diagnostic data and repair information as pledged in this

commitment and collaborate on potential solutions where feasible. The VDAP shall be comprised of representatives from Automotive Service Association, Society of Collision Repair Specialists and Alliance for Automotive Innovation, and shall meet, at a minimum, biannually.

### **Periodic Review to Ensure Continued Relevancy**

In recognition of this industry's dynamic marketplace, the parties commit to review this commitment annually and update, if appropriate. To that end, the parties shall establish a Data Access Working Group to consider any technological advancements that may alter the vehicle repair marketplace. The size and membership of this Working Group shall be established by the parties and can be altered at any time with the commitment of the signing parties.

### **Cooperation and Advocacy**

**Federal legislation** – The parties commit to working together in support of federal legislation to codify the various provisions of this commitment, ensuring consumer choice in vehicle repair across the country. The parties also commit to working together against any legislation that is in direct conflict with the tenets of this document.

**Federal regulations** – The parties commit to working together in support of a petition to the Environmental Protection Agency to ensure repairability of electric vehicles by requiring standardized data communication protocols from OBDII-type connectors on all battery electric, plug-in hybrid, hybrid, and fuel cell vehicles model year 2026 and beyond in alignment with California's Advanced Clean Cars II regulation.

**State legislation** – The parties commit to working together against any legislation that is in conflict with the tenets of this commitment. Engagement on state legislation not in conflict with the tenets of this commitment shall be evaluated on its merits and subject to the commitment of the parties.

### **Signing Parties Automotive Service Association (ASA)**

ASA is the largest and oldest national organization committed to protecting the automotive repair industry with ONE VOICE. Our members own and operate automotive mechanical and collision repair facilities responsible for the majority of all, post warranty, repair services in the United States. ASA advocates for the interests of its members and their customers in Washington, D.C. The education, resources, and services ASA provides empowers its members in all 50 states to remain trusted stewards of mobility in their communities. [www.ASAShop.org](http://www.ASAShop.org)

### **Society of Collision Repair Specialists (SCRS)**

Through our direct members and affiliate associations, SCRS proudly represents over 6,000 collision repair businesses and 58,500 specialized professionals who work to repair collision damaged vehicles. Since 1982, SCRS has served as the largest national trade association solely dedicated to the hardworking collision repair facilities across North America. Since its formation, SCRS has provided repairers with an audible voice, and an extensive grassroots network of

industry professionals who strive to better our trade. Additional information about SCRS including other news releases is available at the SCRS website. [www.scrs.com](http://www.scrs.com)

**Alliance for Automotive Innovation**

From the manufacturers producing most vehicles sold in the U.S. to autonomous vehicle innovators to equipment suppliers, battery producers and semiconductor makers – Alliance for Automotive Innovation represents the full auto industry, a sector supporting 10 million American jobs and five percent of the economy. Active in Washington, D.C. and all 50 states, the association is committed to a cleaner, safer and smarter personal transportation future.

[www.autosinnovate.org](http://www.autosinnovate.org)

**Effective Date**

This Commitment is effective immediately upon signed letter transmittal to Chairwoman Cantwell, Ranking Member Cruz, Chairwoman McMorris Rodgers, Ranking Member Pallone, Chairman Jordan, Ranking Member Nadler, Chairman Durbin, and Ranking Member Graham.

