



Oppose So-Called Vehicle “Right to Repair” Legislation (H.R. 1566/S. 1379)

ISSUE

Advocates for “right to repair” legislation claim that independent automotive repair shops do not have access to the tools or information necessary to repair vehicles. However, the “REPAIR Act” is unnecessary as this concern was addressed by a 2014 Memorandum of Understanding (MOU) between “right to repair” proponents and auto manufacturers, and reaffirmed by a [2023 industry commitment](#). Today, the information independent shops need to repair vehicles is readily [available](#) from auto and truck manufacturers as well as an effective resolution panel to address situations in which an independent repair facility believes a manufacturer has failed to provide required service information or tools. This bill regulates only vehicles and does not apply to other products, such as farm equipment or mobile phones. **Members of Congress should oppose H.R. 1566/S. 1379 as the legislation is unnecessary, could expose sensitive driver data and creates a significant new federal regulatory structure.**

BACKGROUND

The “REPAIR Act” has [little](#) to do with repairing a vehicle. For example, H.R. 1566 provides that “direct, real-time in-vehicle data” can be sold “to any other person” with the consent of the vehicle owner. Such consent could consist of the owner merely checking a box on a form authorizing service of their vehicle. H.R. 1566 also gives aftermarket parts manufacturers the ability to glean vehicle data “for purposes...related to the manufacture or service of such...parts.” This data cannot be deleted even if requested by the vehicle owner. In addition, both House and Senate bills mandate that no manufacturer “impairs the ability” or “employ[s] any barrier” for an aftermarket parts manufacturer “[to produce](#)” aftermarket parts. Proponents have not offered a rationale for these provisions, which are unrelated to vehicle repair.

Vehicle repair information is already widely available and multiple private entities such as [oem1stop.com](#) provide access to up-to-date repair information. In addition, the 2014 MOU created a resolution panel to remedy situations where an independent repairer believes a manufacturer has failed to provide service information or tools. Additionally, the [National Automotive Service Task Force](#) (NASTF) was created in 2000 to provide service professionals the tools and information to repair vehicles. Recently, NASTF submitted a [letter](#) reaffirming their role in ensuring an equal playing field for all service professionals and their 90% resolution rate. They also noted in their letter that bill proponents declined their request to work with OEMs to help address technicians’ concerns.

Even though the MOU is working as intended, “right to repair” proponents now want a new federal regulatory structure that does much more than address so-called “right to repair.” For example, the bills are so proscriptive that they forbid an automaker from even recommending their own auto parts unless it states, “in the same font” and “font size” what is obvious—that consumers are already free to choose their own auto repair parts. This legislation also includes a new paperwork burden which will unnecessarily lengthen the car-buying process for over 28 million purchasers annually.

KEY POINTS

- **The “REPAIR Act” is unnecessary because the information necessary to repair vehicles is already available.** Aftermarket parts manufacturers and independent repair shops already have what they need to fairly compete in today’s marketplace. Currently 75% of post-warranty repairs are done outside of the dealer network.
- **The bills are not about repair but rather are designed to provide third parties access to consumer data and enable aftermarket parts manufacturers to reverse engineer OEM parts.** The requirement that no auto manufacturer may impair the ability of an aftermarket parts manufacturer to produce “knock-off” auto parts is unnecessary if the purpose of the bills is to ensure the “right to repair.” The bills also allow aftermarket parts manufacturers the ability to sell vehicle data and bars consumers from deleting some of their own data.
- **H.R. 1566/S. 1379 would create an entirely new regulatory framework** — with a mandated rulemaking, new advisory panel, and reports to Congress every two years — all for an unsubstantiated problem. This new regulatory paperwork burden could cost over \$100 million annually and expose small business dealers to significant fines.

STATUS

Reps. Neal Dunn (R-Fla.) and Marie Gluesenkamp Perez (D-Wash.) reintroduced H.R. 1566, the “REPAIR Act” and Sens. Ben Ray Lujan (D-N.M.) and Josh Hawley (R-Mo.) introduced S. 1379. On Feb. 10, the House Commerce, Manufacturing, and Trade Subcommittee forwarded H.R.1566 to the House Energy and Commerce Committee by voice vote. NADA joined numerous stakeholders, including a prominent union, in a coalition [letter](#) opposing the REPAIR Act and also sent a [letter](#) of opposition to committee leaders. **Members of Congress are urged to oppose H.R. 1566/S. 1379.**

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