



Congress Should Retain House-Committee Passed “REPAIR Act” Language (H.R. 7389)

ISSUE

The House Energy and Commerce Committee recently passed a scaled-back version of the controversial “REPAIR Act” (H.R. 1566). The committee replaced the “REPAIR Act” with language that: 1) codifies the 2014 “right to repair” Memorandums of Understanding (MOUs) between auto manufacturers and the independent repair industry to provide access to repair information and tools; 2) adds Federal Trade Commission (FTC) enforcement; and 3) directs the FTC to study access to vehicle repair issues. The Committee included this language in the “Motor Vehicle Modernization Act” (H.R. 7389) which could be added to the surface transportation bill. The Committee did not approve controversial insurer-backed repair provisions included in the original “REPAIR Act,” though efforts may be made to add these provisions on the House floor. **Members of Congress are urged to retain the House committee-passed “REPAIR Act” language in H.R. 7389 and strongly reject efforts to expand the legislation beyond its current scope.**

BACKGROUND

The “REPAIR Act” (H.R. 1566) is based on the false premise that independent repairers do not have the same access to the information and tools necessary to repair vehicles as franchised dealers. The “REPAIR Act,” as introduced, reveals that its [true purpose](#) is not to improve vehicle repair options for consumers. Instead, the bill expands access to sensitive driver and vehicle data, enables the reverse engineering of OEM parts, and advances policies that encourage the use of used and recycled replacement parts. These provisions would primarily benefit insurers by lowering claim costs paid to consumers for vehicle repairs, while raising significant concerns about [privacy](#), safety, and consumer choice.

Prior to markup, the House Energy and Commerce Committee circulated a modified discussion draft. While NADA worked with committee staff to strip out many harmful provisions, the Committee’s modified draft still included major flaws since it: 1) harmed consumer privacy; 2) promoted auto insurance company priorities without improving consumer repair choice; and 3) posed serious risks by requiring third party access to vehicle telematic systems that are directly connected to critical safety functions, such as braking systems.

On May 21, the [committee approved a narrow “REPAIR Act”](#) as part of the “Motor Vehicle Modernization Act” (H.R. 7389) which makes the 2014 MOU binding and enforceable by the FTC and ensures the agreement has the force of law. The legislation also addresses concerns that the complex vehicle issues of privacy, cybersecurity, and safety need further study and expertise, and orders the FTC to report to Congress on these issues by 2030.

KEY POINTS

- **Currently 75% of post-warranty repairs are done outside of the dealer network. Proponents of the “REPAIR Act” have failed to make the case that additional federal intervention for vehicle repair is needed.** There has been no public evidence that independent repair facilities are being denied vehicle repair tools/information or that the existing MOUs or [dispute resolution mechanisms](#) are ineffective.
- **Insurers are pursuing controversial provisions to lower their costs and limit consumer choice by expanding the use of cheaper, non-original and recycled parts for vehicle repairs.** This would steer consumers towards using replacement parts that could compromise safety, reliability and quality, particularly for safety systems and crash repairs that require precise fit and alignment.
- **“REPAIR Act” proponents have failed to demonstrate that including broad vehicle telematics and wireless data access can be achieved in a secure and safe manner.** Opening third party access to telematic systems increases cybersecurity threats and road safety concerns and needs further scrutiny and study.

STATUS

H.R. 7389, which passed the House and Energy and Commerce Committee by a vote of 48-1, is expected to be added as the auto safety title of the surface transportation bill, the “Build America 250 Act” (H.R. 8870), which could be considered by the full House this summer. A Senate “right to repair” bill (S. 1379) has been introduced by Sen. Ben Ray Lujan (D-N.M.). **Members of Congress are urged to support the committee-passed bill and oppose efforts in the Rules Committee or on the House floor to add extraneous “right-to-repair” provisions.**

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