

October 26, 2023

The Honorable Gus Bilirakis
Chairman of the Innovation, Data and
Commerce Subcommittee
Energy and Commerce Committee

The Honorable Tim Walberg
Vice Chair of the Innovation, Data and
Commerce Subcommittee
Energy and Commerce Committee

The Honorable Jan Schakowsky
Ranking Member of the Innovation, Data and
Commerce Subcommittee
Energy and Commerce Committee

The Honorable Cathy McMorris Rodgers
Chair of the House
Energy and Commerce Committee

The Honorable Frank Pallone
Ranking Member of the
House Energy and Commerce Committee

Re: Support for mandating equal access to car repair data, HR 906, the REPAIR Act.

Dear Chair and members of the Innovation, Data and Commerce Subcommittee,

As consumer organizations, we are writing to express our support for the REPAIR Act as a common-sense way to improve competition for car repairs and protect small, independent repair shops, as well as protect consumer interests over the data our cars generate. We urge the committee to advance HR 906.

There is a diverse, bipartisan community following Right to Repair issues from coast to coast. Forty-five of the 50 states have considered legislation on this topic in the last few years, and legislation has already been enacted in some five states over the last two years.

As some of the lead organizations working to promote the Right to Repair, we strongly support the goals of the REPAIR Act, which would guarantee that car owners retain the ability to access the wireless data transmitted about the repair and maintenance of their cars. PIRG thoroughly vetted this policy in the lead up to the 2020 ballot measure in Massachusetts, which passed with a 3 to 1 margin. It is clear that the American people support this policy by wide margins.

Car repair is getting increasingly expensive, year after year. Meanwhile, we've turned cars into rolling computers, which depend on the internet to operate. As cars get more dependent on software, manufacturers are using that technology to tether their users to their proprietary services, increasingly impacting repair, in addition to privacy, security and even the safety of our cars.

The data our cars generate should not be viewed as the property of the manufacturer, to be used however they see fit, and at the expense of an open repair market. We should be able to access critical information about the repair and maintenance of our cars, such as potential repair needs, and share that information with our local mechanic if we so choose.

Manufacturers often claim that it would be dangerous for us to access our own car's data, but that, somehow, it is not a risk when manufacturers and dealers access this data. However, independent security experts evaluated these claims and found them without merit. The National Highway Transportation Safety Administration also found that there are safe and secure ways to comply with Massachusetts' new law around telematic data access, the basis of the REPAIR Act.

To the extent that car data poses a risk, lawmakers should set up clear guidelines for the type of data that can and can't be collected, and how that data is transmitted and secured. At the same time, lawmakers must protect independent car repair, a critical part of the American economy. If we allow manufacturers to use software in cars to prevent competition in car repair, costs will keep going up, we will have fewer choices and more hassle when it comes to car repair.

Please do not hesitate to contact us if you have any questions or concerns.

Sincerely,

Nathan Proctor
Senior Right to Repair Campaign Director
U.S. PIRG

ABOUT PIRG: PIRG is an advocate for the public interest. We speak out for a healthier, safer world in which we're freer to pursue our own individual well-being and the common good. PIRG and our network of state organizations have a 50 year track record of bringing people together around solutions that work, and not stopping until we get real results.

George Slover
Senior Counsel for Competition Policy
The Center for Democracy & Technology

ABOUT CDT: The Center for Democracy & Technology (CDT) is the leading nonpartisan, nonprofit organization fighting to advance civil rights and civil liberties in the digital age. We shape technology policy, governance, and design with a focus on equity and democratic values. Established in 1994, CDT has been a trusted advocate for digital rights since the earliest days of the internet.