

STATEMENT

Of

MR. RAY FISHER

**PRESIDENT
AUTOMOTIVE SERVICE ASSOCIATION**

BEFORE THE

**JOINT COMMITTEE ON CONSUMER PROTECTION AND PROFESSIONAL
LICENSURE
BOSTON, MASSACHUSETTS**

JANUARY 13, 2020

Good Afternoon Mr. Chairmen and members of the Committee. My name is Ray Fisher. I am President of the Automotive Service Association (ASA). We are the oldest and largest independent automotive repair association in the United States. Our members include mechanical and collision repair shops. Although the majority of vehicles serviced by mechanical repairers are post-vehicle warranty, our collision facilities see new cars during the warranty period, unfortunately sometimes within the very first week someone owns a car.

I would like to speak to you today about why we take interest in any vehicle data access legislation, a summary of our history with service information and data access, while at the same time provide you with the current state of related repair industry processes and options we believe should be considered in your deliberations.

Independent automotive repairers and specialized mobile diagnostics and repair businesses such as Mr. Kevin DeVito's company can currently obtain service information through both automaker websites and third-party providers. The information needed to make repairs today is available and that is due to the fact that ASA has been working on this Right to Repair issue for more than twenty years at the state and federal levels. ASA supported Right to Repair legislation in states and in the U.S. Congress for many years prior to the fall of 2002, at that

time ASA and Automakers signed an agreement assuring that non-emissions repair information and training would also be provided independent repairers, in addition to the emissions information required by the Clean Air Act Amendments of 1990. This agreement has worked to date for our members. The information is available and our members can fix their customer's cars.

As mentioned earlier, I am here today because of our concern about vehicle data access and the path forward with rapidly changing vehicle technologies. Both the Obama and Trump Administrations have opted to issue guidelines relative to many new vehicle technologies, defining state and federal regulatory responsibilities but as of yet, they have not addressed vehicle data access concerns. The 115th Congress passed autonomous vehicle (AV) legislation overwhelmingly in the U.S. House of Representatives, but AV legislation never made it to the U.S. Senate floor. This is regrettable because the vehicle data access and cybersecurity stakeholder provisions passed by the U.S. Senate Commerce Committee did not become law. This was an opportunity to bring all interests together and work with federal regulators on a data access and cybersecurity solution. It is important that the industry - or federal policymakers, if the industry fails - determine a vehicle data access and cybersecurity path forward.

ASA does not specifically oppose the legislation being considered by the Committee. We are concerned, however, about a fifty-state data access regulatory structure. Our collision members already operate under a patchwork of state-based insurance laws, the last thing we would want to see is a similar environment develop, where laws governing repair would change at state boards. ASA is a member of the U.S. Data Access and Cybersecurity industry coalition which is pushing for a federal solution to these issues if the industry does not resolve them.

It is important to note that we are seeing progress in the industry. Currently at least two automakers are working with third party information providers to make more data accessible to independent automotive repairers. CCC, an information provider, as an example and Honda announced last week that they have an agreement to integrate diagnostics scanning cloud technology into CCC 's current data exchange. While this is encouraging, it's unfortunate that the auto industry has not determined a solution to the data access issue as of this hearing.

Our members can repair today's vehicles. We want to ensure that this is true in the future. We have no interest in much of the other data that is being discussed today. We understand it is important, for our customer's sake, that the

security and integrity of these complex systems remains protected. ASA is open to any path that allows our constituents to continue to service their customers' vehicles.

Thank you.