

March 9, 2023

Senator Lois Kolkhorst
Bill Sponsor
Room GE.4, Capitol Station
1100 Congress Avenue
Austin, TX 78701

Re: Amendment Request for SB 1654

Dear Senator Kolkhorst,

Thank you for your support of right to repair legislation, a global movement that spans sectors from consumer devices to heavy duty trucks. At least twenty states have filed some form of “right to repair” legislation, bills which seek to give consumers and businesses the right to diagnostic and repair information about their products and thereby protect the long-standing principle that if you own something, you should have the right to maintain and repair it yourself.

Because the Auto Care Association supports the principle of right to repair in all industries, we respectfully request that SB 1654 be amended to include the automotive aftermarket.

The Auto Care Association is a national trade association comprised of more than 3000-member companies and affiliates that manufacturer, distribute and sell motor vehicle parts, accessories, services, tools, equipment, materials, and supplies. The Auto Care Association is the voice of the auto care industry, a \$400 billion plus industry comprised of more than 4.5 million American professionals. In **Texas**, our industry creates nearly 200,000 jobs and generates \$37.9 billion in economic output.

Advances in technology since 2013 are now raising new challenges for access to in-vehicle data that did not exist previously. Car companies are now building proprietary firewalls around their on-board diagnostic systems such that independent shops and the tools they use must request authorization from the manufacturer before accessing critical repair data, thus increasing manufacturers' control over access to data. The multi-year automotive development cycle means that legislators must act now to save the competitive aftermarket for the future.

The common themes and benefits seen from competition in the electronic-enabled heavy equipment sector also appear for vehicle owners: there is a lack of choice for vehicle owners, and a lack of competition for better services. The ultimate result is higher repair costs and reduced choices for vehicle maintenance and repair.

- **Affordability:** A 2020 study found that, on average, the same repairs performed by franchised automotive dealers were 36.2 percent more expensive than those done by independent shops. As Americans face inflation, ways we can ensure competition and lower prices should be pursued.
- **Accessibility:** Accessibility is also key. If consumers do not have to travel further out to dealers but instead could visit local repair shops, the consumer saves time and money.

- **Safety:** If repair is affordable and accessible, consumers are more likely to have the repairs done, meaning vehicles on the road are safer.
- **Supply chain:** From a commercial standpoint, if a truck is critical for business activity and the supply chain, it is important for businesses to not have wait to go to dealer. Trucks can get fixed faster and back on the road sooner, ensuring America's supply chain operates as efficiently as possible.

The Auto Care Association respectfully requests that Texas join a growing movement in other states and in Congress to include the automotive aftermarket in the right to repair. We would appreciate the opportunity to work with you to broaden the scope of this important piece of legislation.

Sincerely,

Lisa Foshee

LISA FOSHEE, (She/Her)

Senior Vice President, Government Affairs and General Counsel