

TESTIMONY OF AAA

SENATE COMMERCE, SCIENCE AND TRANSPORTATION  
SUBCOMMITTEE ON CONSUMER AFFAIRS, FOREIGN COMMERCE AND  
TOURISM

HEARING ON S. 2617–THE MOTOR VEHICLE OWNERS’ RIGHT TO REPAIR ACT

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JULY 30, 2002

Good afternoon, Mr. Chairman and members of the subcommittee. I am very pleased to be here today on behalf of AAA to provide testimony in support of S. 2617, the Motor Vehicle Owners’ Right to Repair Act. As you may know, AAA has advocated the interests of car owners for over 100 years, and currently represents more than 45 million members comprising a quarter of all U.S. households.

My name is John Nielsen. I am a Master level auto service technician with over twenty years of experience in the automobile service industry. My primary responsibility is to make certain AAA members are able to locate quality facilities that can quickly and efficiently service their vehicles at a reasonable cost. In this position, I coordinate the objective inspection and approval of a network of more than 7,500 AAA-approved repair facilities that are both franchised new car dealerships and independently-owned repair shops.

Members look to AAA for advice and assistance in all of their automotive experiences, from purchase to repair. We assist them with information and advice regarding the proper maintenance and servicing of their vehicles, finding quality repair facilities, and with shopping for a new or used vehicle that best meets their needs. In short, we try to take some of the mystery out of finding, buying, operating and maintaining a vehicle.

AAA strongly supports S. 2617, and the companion House bill, H.R. 2735, for three important reasons: consumer choice, vehicle safety, and the right of car owners to own the information generated by their automobiles. The measure before you today will ensure that motorists can have the kind of service that is best suited to their particular needs.

Consumers are often uncertain about how to communicate with repair providers. Study after study reveals that consumers find automotive repair and maintenance stressful. Having confidence in a trusted service technician goes a long way towards alleviating that stress. Studies also find that consumers want to choose who repairs their vehicles. A recent AAA study found that as many as 80% of our members believe it is “important” or “very important”

that consumers are able to choose a service provider other than a dealership. Furthermore, the ability to choose a repair facility creates competition which is beneficial to the consumer. Service shops must control costs and focus on providing quality repairs if they want to stay in business.

Mr. Chairman, that is not to say that AAA believes motorists should not have their vehicle serviced at a dealership. Quite the contrary, many of our members enjoy the relationship and service that dealers provide. We simply believe that motorists should have the choice.

Technology has made the cars we drive smarter. More than 80% of the systems on some cars are monitored or controlled by a computer. Computers in the car can tell us of the need for an oil change, trouble with an oxygen sensor, an impending problem with our brakes, and even if our tire pressure is too low – *before* there is a problem or critical safety breakdown. *Before* you have to call AAA from the side of the road. But what if you, or your trusted service technician, do not have access to this critical safety and diagnostic information?

Imagine traveling on a Saturday afternoon, the dashboard light comes on warning of a malfunction with the anti lock brakes system. You stop at the first service station and ask the technician to fix the problem. The technician checks the vehicle and determines the problem is not mechanical but rather, in the electrical system on which only the dealer can work – not because dealer technicians are more skilled, but because the independent technician cannot acquire the appropriate repair information. The closest dealer for your make of car is 25 miles away and won't open until Monday morning. Is it safe to keep driving the car on the trip? If not, is it safe to drive the car to the dealer and wait until Monday, or do you need a tow truck to pick up the car? Can the dealer service the car Monday or are they booked up?

This situation could just as easily have involved the supplemental restraint system or the electronic traction and stability control system. Each has the potential to compromise the safety of the vehicle's owner and passengers, but potentially other motorists as well. Problems repairing so-called comfort features in the vehicle such as the climate control may not compromise safety but would undoubtedly inconvenience the consumer.

Mr. Chairman, AAA believes that when you drive off the lot with your car, you, the consumer, own more than just the vehicle; you own the information necessary to have it repaired by a trusted service advisor of your choosing – whether it be at an independent facility or a dealership. This information, whether it is viewed as intellectual property or real property, is really the property of the car-buyer.

S. 2617 rightly states that “the ability to diagnose, service, and repair a motor vehicle in a timely, reliable, and affordable manner is essential to the safety and well-being of automotive consumers in the United States.”

The members of this panel are keenly aware of how a downturn in the economy directly impacts

the wallets of your constituents. In difficult economic times, repairs may be delayed as expenses are prioritized, often exacerbating the mechanical problem. If motorists do not have an adequate choice of repair facilities, they may face higher prices and unsatisfactory service. Some people just cannot afford to go to the dealership for every repair. There are many people that must juggle expenses on a fixed income, and others who are faced with economic challenges that demand competitive prices for repairs. Competition is essential, but if the current trend continues, the consumer will have fewer choices – not more.

There are also areas of the country where motorists could be forced to drive long distances or pay unneeded long-distance towing fees if local providers do not have the equipment necessary to address a repair problem.

It's very important to note that lower cost doesn't mean lower quality repairs, as long as all service technicians have the information necessary to diagnose and repair problems. Consumers have a right to high quality repairs and should not be compelled to use service facilities that may have previously delivered poor service, or denied the opportunity to get a second opinion. If consumers are limited to only one service option, they do not have that opportunity.

Mr. Chairman, members of the committee, the new car you've bought is more than just the high-performance components that make up your vehicle. It's a major investment for consumers and for families. It's what keeps us mobile and what we rely on to keep us safe. Let's allow consumers to protect that investment and maintain choice for safe, reliable, and enjoyable operation of their automobiles by supporting Right to Repair.

Mr. Chairman, thank you again for this opportunity to testify. I would be happy to answer any questions that the committee might have at this time.