

September 26, 2023

Congressman Gus Bilirakis
Chairman
Subcommittee on Innovation, Data,
and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

Congresswoman Jan Schakowsky
Ranking Member
Subcommittee on Innovation, Data,
and Commerce
2322 Rayburn House Office Building
Washington, DC 20515

RE: SEMA Letter in Support of H.R. 906, the REPAIR Act:

Dear Chairman Bilirakis, Ranking Member Schakowsky, and Members of the Subcommittee,

Thank you to the Subcommittee on Innovation, Data, and Commerce for including [H.R. 906](#), the "Right to Equitable and Professional Auto Industry Repair (REPAIR) Act," in the September 27, 2023, hearing on "Proposals to Enhance Product Safety and Transparency for Americans." SEMA strongly supports the REPAIR Act, a bipartisan bill that protects consumers' rights to decide where and with what parts they can use to repair and maintain their vehicles. The bill provides independent repair shops and aftermarket businesses that produce OEM comparable parts the right to access critical information, tools, and equipment needed to maintain and repair at a fair and reasonable cost. However, it is important that the REPAIR Act is expanded to ensure that it provides similar protections to businesses that manufacture and install parts and equipment that modify or customize vehicles.

SEMA is a non-profit trade association that represents over 7,000 mostly small businesses around the country that manufacture, distribute, and retail specialty parts and accessories for motor vehicles. The specialty automotive aftermarket industry supports over 1.3 million jobs across the U.S. and contributes over \$336 billion to the American economy each year through the production and sale of performance, functional, restoration and styling-enhancement products for use on passenger cars, trucks, SUVs, and special interest collector vehicles. SEMA members market products that enable automotive enthusiasts to personalize the style and upgrade the performance of their motor vehicles, including everything from classic cars to four-wheel drive vehicles to dedicated race cars. Consumers spent over \$52 billion on specialty aftermarket products last year alone.

Modifying and personalizing vehicles is a passion for over 8 million automotive enthusiasts in the United States. Consumers modify their vehicles to improve performance, reliability, and appearance by installing parts and products that interact with the electronic control unit (ECU), On-Board Diagnostics Systems (OBD), and Advanced Driver Assistance Systems (ADAS). SEMA is committed to ensuring that our member companies have the information and vehicle access necessary to manufacture and safely install parts and equipment that accessorizes and customizes vehicles with ADAS. Accordingly, it is imperative that original equipment manufacturer (OEM) data from testing and system calibration is available and able to

accommodate vehicle modifications to maintain the integrity and performance of safety systems after a vehicle has been modified.

SEMA is proud of its capital investments and education programs to help our members and industry businesses produce, sell, and install parts and accessories that enable automotive enthusiasts to modify their vehicles safely. Underscoring this commitment, the association has invested over \$25 million to construct SEMA Garages in California and Michigan that help our member companies manufacture performance products that comply with vehicle emissions standards and safety laws. The SEMA Garage in Plymouth, Michigan, includes a 5,000-plus-square-foot ADAS Technology Center and provides engineering support to members through calibration tools, scanning, and training sessions. The SEMA Garage collects critical ADAS information from vehicles to aid our members in manufacturing safe and compliant aftermarket parts since most auto manufacturers do not provide this information to the industry. The cost of ADAS testing one vehicle make, model, and trim with a single modification can range from \$25,000 to over \$100,000.

Given the growing number of parts and products that interact with a vehicle's computer system, vehicle owners and their repairers of choice need access to vehicle systems and telematics data, which is wirelessly transmitted exclusively to the vehicle manufacturer. Automakers then only provide their authorized dealers with access to this information, which limits consumer choice for vehicle service, repair, and customization. As motor vehicle technology continues to evolve, automotive enthusiasts, aftermarket performance and replacement part manufacturers, installers, and repair businesses must have access to the tools, information, and vehicle systems needed to work on and recalibrate vehicles.

Federal law must ensure a fair and competitive marketplace that protects vehicle owners and the millions of automotive enthusiasts who modify and personalize their vehicles. Eighty-four percent (84%) of Americans agree that you have a right to modify/customize your car and all licensed repair shops should have access to the necessary codes. While the evolution of vehicle technology offers many benefits, it should not be used to reduce competition from independent automotive businesses, nor should it prevent Americans from working on their own vehicles just as they have for over a century.

The bipartisan REPAIR Act would ensure automotive enthusiasts, aftermarket replacement part manufacturers, and repair shops have access to the information and tools needed to maintain and repair vehicles as automotive technology continues to evolve. Independent businesses need access to vehicle repair information to safely, effectively, and cost-efficiently service vehicles. However, access to this information is also important to ensuring that millions of automotive enthusiasts and specialty aftermarket businesses can personalize and modify their vehicles safely.

SEMA strongly supports the REPAIR Act as drafted, but also requests that the bill be expanded to clarify that it protects the right to modify vehicles, ensuring that auto manufacturers cannot employ any technological, legal, or cryptographic barriers that impede the ability of an aftermarket parts manufacturer or a vehicle repair facility to produce or install aftermarket parts and software that are custom, upgrade, or modify a vehicle. SEMA also supports expanding how

the bill defines “critical repair information and tools” to include necessary ADAS recalibrations to return a vehicle to operational specifications.

While ADAS features such as lane departure warning, lane keep assist, forward collision warning, and automatic emergency braking are important safety features that are offered for most new vehicles, they are not currently standardized. Accordingly, automakers are not required to provide information to the aftermarket on the tolerance of this technology. SEMA has committed to helping our members understand how ADAS technology responds after a vehicle has been modified. The REPAIR Act must ensure that automakers are required to provide access to this safety-critical information to ensure that ADAS features operate as designed throughout a vehicle’s lifetime. For example, when a vehicle is modified in a way that impacts where a vehicle’s sensors are pointing (i.e., roll, pitch, and yaw), automakers recommend that a recalibration is performed. However, vehicle manufacturers are not currently required to provide aftermarket businesses with instructions, application guides, proper mounting or functionality windows, or access to make changes outside of the original sensor location/configuration. This presents a challenge to correctly calibrate ADAS and ensure optimal performance after basic modifications, such as installing larger tires and wheels, lift kits, lowering kits, bumpers, grills, push bars, light bars, bike racks, and winches.

It is important that the REPAIR Act compels automakers to provide information and a workable strategy to vehicle owners and their chosen aftermarket providers for accessing the systems (i.e. the code and calibrations in the electronic control modules) so that aftermarket businesses can make the modifications that are necessary to keep vehicles in compliance with safety regulations.

Thank you for taking up the REPAIR Act and your consideration of my comments. I ask members of the committee to support H.R. 906, the REPAIR Act, and expand the bill to ensure it protects vehicle owners' ability to modify and upgrade their vehicles.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Spagnola", with a horizontal line underneath.

Mike Spagnola
President & CEO
Specialty Equipment Market Association (SEMA)