

# The Globe And Mail

## Right-to-repair battle heats up; Private member's bill would ensure non-dealer shops get access to software

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The battle over the "right to repair" - which has raged for years in Canada between independent garage owners and most of the auto makers - has reached the floor of the House of Commons.

Here's what it's about. Almost everything on today's vehicles is controlled by computers, including engines, brakes, traction control, door locks, safety monitoring - you name it.

The tools and software required to access the computer control units have been jealously guarded by many manufacturers, which effectively prevents the independents from repairing late-model vehicles, thus reducing consumer choice.

The Automotive Industries Association of Canada, which includes everything from mom-and-pop repair shops to aftermarket giants like Canadian Tire, has spent years negotiating with vehicle manufacturers on this. Results have been few and now they're pushing the federal government to intervene.

Industry Minister Tony Clement has said that "maintaining the status quo is not an option," and has pushed for a voluntary agreement, which hasn't happened. Instead, there's a private member's bill being considered by the Commons that could lead to an American-style legislated solution.

In the U.S., under the Clean Air Act, the federal government requires open access to software related to diagnostics and repair. In Canada, it's not required by law; some manufacturers allow Canadian repair shops to purchase this software via the Internet but the majority of manufacturers don't.

Marc Brazeau is the president of the Automotive Industries Association of Canada.

Vaughan: What is going on here? The Americans resolved this issue years ago and in Canada we're still spinning our wheels, to use an automotive metaphor. Who's to blame?

Brazeau: The aftermarket has been seeking a solution with the car companies and the Government of Canada for the last five years and up to now has been ignored.

The car companies don't want to give up what is a strong competitive advantage in the repair and service market for their dealer networks.

Now that there is potential legislation looming, we are starting to see some movement. But the Government of Canada through Industry Minister Tony Clement is still attempting to distance itself from this issue. It is vital for the survival of the automotive aftermarket that a permanent solution be implemented.

It looks to me like some manufacturers are willing to play ball with the independent shops and some aren't. Is that right?

Yes. The fact that some car companies currently make information commercially available to the aftermarket has actually made the case for a legislated approach to this issue more complicated.

The aftermarket is sympathetic to those car companies that currently make information and tools available. Unfortunately, the majority of car companies are not as progressive.

You're saying these manufacturers are just trying to keep the repair work for their own dealers. I know things are tough in the industry now and every dollars counts.

Correspondence and quotes from the Canadian Automotive Dealers Association in recent weeks have clearly indicated this issue is about increasing repair and service market share for their dealers.

The implication that their dealers should have exclusive right to the distribution of information is a clear demonstration of a monopolistic tactic.

But it's not about the tough economy. This practice has been developing for years, including during periods of record car sales, so the notion that this issue is tied to the current economy is erroneous.

What's this private member's bill? They almost never pass, you know.

Bill C-273 is authored by Windsor West MP Brian Masse and you're right most private member's bills never become law, simply because they never make it to the debate stage.

The order of private members business is decided by a form of lottery. Bill C-273 is near the top of the list so it stands a better chance than most.

The bill would compel the car companies to make information, tools and training available under the

Canadian Environmental Protection Act and the Competition Act.

AIA and its many partners would like to see this bill pass. We believe Industry Minister Clement and the Government of Canada should support this bill.

Maybe the day of the independent garage is coming to an end; maybe cars are just too complex today for anyone but a "factory-trained" mechanic to work on one.

The aftermarket is evolving and investing in technology, the same as the dealer network is. Most technicians working in an independent garage have factory training or dealer experience.

The day of the independent garage is not over, particularly in light of the attrition expected in the dealer network in the next few years.

Michael Vaughan is co-host with Jeremy Cato of Car/Business, which appears Fridays at 8 p.m. on Business News Network and Saturdays at 2 p.m. on CTV.

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Who shares/who doesn't

Car companies/brands that provide Canadian access to U.S. diagnostic codes

Audi

General Motors

Hyundai

Infiniti

Isuzu

Mitsubishi

Nissan

Saab

Subaru

Volkswagen

Volvo

Companies/brands that do not provide access to codes

Acura

BMW

Chrysler

Ford

Honda

Jaguar

Land Rover

Kia

Lexus

Mazda

Mercedes-Benz

Porsche

Suzuki

Toyota

Source: Automotive Industries Association of Canada

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