

Testimony of the Truck and Engine Manufacturers Association

By

Patricia Hanz, Vice-President of Regulatory Affairs

Requesting Amendment to ME LD 2120

An Act to Enable Survivors of Abuse to Disable Connected Vehicle Services

Committee On Judiciary

Dear Chair Moonen, Ranking Member Poirer and Honorable Committee Members Moriarity, Sheehan, Lee, Kuhn, Beck, Haggan, Henderson and Dana:

On behalf of the Truck and Engine Manufacturers Association (EMA), we are writing to share our concerns with, and request amendments to, LD 2120 (HP 1435), which would require vehicle manufacturers and/or dealers to terminate an individual's access to remote vehicle technology upon a request by a domestic violence victim.

The Truck and Engine Manufacturers Association (EMA) is a not-for-profit trade association that represents worldwide manufacturers of internal combustion engines and on-highway medium- and heavy-duty trucks. EMA works with government and industry to help the nation achieve its goal of safer highways.

EMA appreciates the intent of this legislation and supports efforts to protect victims of domestic violence. It appears, however, that the language of the bill is broader than intended and would unintentionally run counter to Federal law.

The legislation would allow a "driver" to request of the vehicle manufacturer and/or dealer the disabling of access to remote vehicle technology by an individual upon proof that the driver has "legal possession" of the "vehicle" through the vehicle title, a court order awarding sole possession/ownership of the "car" when bought or leased, or other proof as determined by the Commissioner of Motor Vehicles. We do not believe it is the intent of the bill to include commercial vehicles whose owners and operators rely on the vehicles being connected for safe and efficient operation of their businesses. This bill seeks to address scenarios in which domestic violence victims were stalked or harassed by perpetrators who exploited a "car's" GPS technology or remote start technology, as cited in a December 2023 *New York Times* article. The clear intent is not to include medium-duty trucks or heavy-duty trucks. These are commercial vehicles ranging from delivery trucks and garbage trucks to tractor-trailers and are not used for personal purposes. Accordingly, the bill should be amended to conform all of the legislative language to reference "car" or "light-duty vehicle" in place of "vehicle" so as to avoid inadvertently including medium- and heavy-duty trucks and other equipment.

Notably, commercial motor vehicles and the trucking fleets that operate them are regulated by the Federal Motor Carrier Administration (FMCSA). The drivers that operate commercial vehicles must hold a Commercial Driver's License (CDL), per FMCSA regulations. Those CDL drivers typically do not own the vehicles they drive, rather they are employees of the trucking fleet that

purchased the vehicles, and they may operate a different vehicle every shift. Trucking fleets use sophisticated fleet management systems to remotely track their vehicles, but they control access to those systems. The systems are not available to others and therefore there is no need to provide a mechanism like that proposed in this legislation to terminate a third party's access to such remote technology.

For these reasons, EMA opposes the bill as currently drafted and would urge that the legislation be amended to clarify that it applies to light-duty vehicles (aka "cars") consistent with the stated intent of the legislation.

If you have any questions or need additional information, please do not hesitate to contact me at phanz@emamail.org.

cc: Sponsor, Representative Roberts
Janet Stocco, Legislative Analyst
Elias Murphy, Legislative Analyst

Patricia Hanz
Truck and Engine Manufacturers Association
LD 2120

On behalf of the Truck and Engine Manufacturers Association, please see the attached written testimony requesting amendment to LD 2120.