



## Maine's Right to Repair Law Needs Repair

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### Automakers Support the Right to Repair

- Automakers have agreed to codify in statute the primary provisions of the Right to Repair - including access to telematics. A memorandum of understanding exists between the automakers and independent repairers which includes access to telematics when it is necessary for repair.
  - Automakers rely on independent repair shops to service vehicles after their warranty has expired. In fact, 70% of post-warranty service is completed outside of a dealer network.
  - Automakers don't have capacity to service all of their vehicles still in service - particularly as today's cars are built to last longer and remain on the road for more miles.
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### Working Group Unanimous That Changes Must Be Made

Maine's Right to Repair working group, which met almost a dozen times over the past 8 months, unanimously agreed upon several recommendations for changes to the existing law. These unanimous recommendations clearly demonstrate that at least some provisions of the law must be amended for clarity. Key amongst those recommendations are the following:

- **The Independent Entity**
    - There was unanimous agreement that this provision of law should be amended, and that the working group should function in a merely advisory capacity.
    - The working group members quickly identified the need to change the law to clarify that the independent entity is not:
      - in charge of administering, providing access to, or overseeing the cybersecure transmission of vehicle data; or
      - maintaining control over any data access platform.
  - **Definitions**
    - The citizen initiative and current law contain no definitions for terms used consistently throughout the section. Greater clarity both today and for future policymakers is needed to articulate the intent of the law and its compliance implications. For example, the term "platform" is used in several provisions of law, but no definition is provided to indicate whether that term has the same meaning consistently.
    - Other definitions which should be addressed include: platform; independent repair shop; repair; maintenance; diagnostics (the latter three representing the universe of data which may be authorized for access to a third-party); and telematics.
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### Automakers Don't Support Direct Vehicle Access Because it Poses Data Protection and Cybersecurity Risks

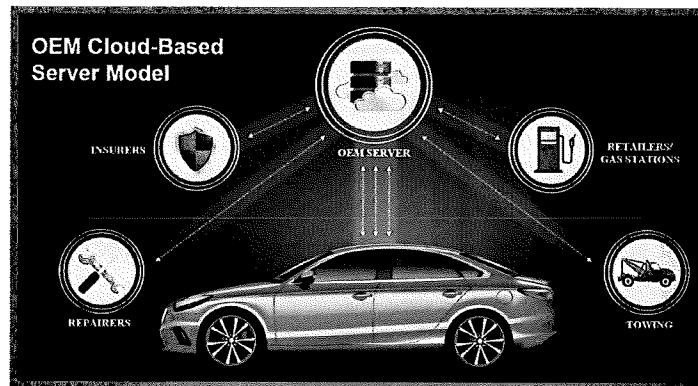
- Recognizing the cyberthreat to vehicles as a serious concern, automakers have worked to harden vehicle systems to help avoid attack. One principle of this protection is limiting the number of entities that have direct access into vehicle systems. The current law blows a hole in these protections by allowing any number of entities to have direct access.
- Individual automakers are willing to provide access to a singular, protected data pathway, instead of creating many new access points - this would provide independent repair shops with the same data for repairs as would be shared with dealers, but through a more cybersecure network.

# Extended Vehicle Model vs. Secure Vehicle Interface

*Critical, Different Cybersecurity and Privacy Controls*

## Extended Vehicle Model (OEM Cloud-based Server)

- **Where is the data housed?** Secure OEM cloud-based servers. Data is constantly transmitted via a secure encrypted wireless network.
- **How does data get to authorized entities?** Data transmitted directly from OEM server to consumer-approved authorized entity via a secure encrypted wireless network.
- **Why is this important?** By keeping the automaker as the party responsible for delivering the data, it can be managed in a cybersecurity way. This is the preferred method of federal regulators - if there is ever a problem, they want one clearly responsible party.



## Aftermarket Secure Vehicle Interface (SVI) Model

- **Where is the data housed?** Vehicle data is stored directly on the vehicle.
- **How does data get to authorized entities?** Data is transmitted directly from the car to any entity that the consumer authorizes to have the data, utilizing a cellular network connection.
- **Why is this important?** With each new connection to the vehicle, the ballot question creates a new pathway for hackers to gain access to the vehicle. Every repair shop could be a target of hackers, as they now could be a pathway to installing ransomware on a vehicle, as their shop has a direct connection.

