



**Christopher C. Taub  
Chief Deputy Attorney General**

Chris-

I understand that your general position is that the group's job to advise the legislature on the creation of the proposed Commission. My view is that the charge of our working group is a bit broader. As I mentioned in our last meeting, I think any proposed legislation and all the accompanying's report needs to be brought into the real world. Advising the committee of our thinking on what the commission should look at can only help the committee as it debates the issues.

Section one of the Resolve states that the AG will convene a working group to develop recommendations for legislation to establish an entity regarding standards to govern access to telematics and to otherwise implement and enforce the requirements of the statute. I believe that the working group's charge includes making broad array of suggestions as to, again how this should work.

The charge to establish cyber-security standards is geared towards how to protect consumer data. As I have said, the most important thing we can do is protect the privacy and the records of consumers. To that end I would propose several changes to the proposed §1810(2)(C). That section is stricken in the draft we have before us. I propose C be retained and the following points be listed as subsections:

(C) Create policies for compliance and with relevant laws, regulations, standards, technologies and best practices related to access to motor vehicle data:

1. Consider what cyber-security rules should apply;
2. Consider whether the privacy protections of Gramm-Leach-Bliley should apply to independent repair shops (These include the red flags rule, the security rule and ongoing privacy notice and maintenance obligations);
3. Whether independents should be required to be bonded;

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**QuirkAuto.com**

4. Consider whether there should be disclosures in the independent entities' facilities stating that the independent repair shop is just that- it has no affiliation or relationship with a motor vehicle franchise, and there will be no warranty protections associated with any work performed by an independent shop (to the extent that a motor vehicle dealer does repair work on the other brands at retail, the same type of notice should be required of a dealership; also, dealers and independents have to list out hourly rates already. This is not burdensome);
5. Consider whether to require an independent repair facility to notify customers (probably on a poster on the wall or perhaps on a work order) that the technicians working on the vehicle are not certified by the manufacturer of that brand of vehicle;

For the purpose of discussion with the group, my thought is that such a poster might say something like this;

This facility has no relationship with or certification by your manufacturer and the repair is not warranted or otherwise certified by your manufacturer. This facility may not have all of the repair equipment required of a franchise dealer to repair its vehicles.

6. Whether to require the independent repair facility (again, or a dealer working on another brand) that certified original manufacturer parts may not be used in a repair.

Once again, my view is that there should be the same requirements placed on independent repair facilities as there are on dealers with the goal of protecting and informing consumers in the real world.

Thank you,

Jack Quirk

### Maine Vehicle Telematics System Notice

This vehicle includes a “telematics system” as defined under Maine Revised Statutes, Title 29-A, section 1801(6). Under Maine law, you have the right to access the vehicle's mechanical data through a mobile device and to authorize an independent repair facility to access the vehicle's mechanical data to diagnose, repair, and maintain your vehicle.

A vehicle’s telematics system collects information generated by the operation of the vehicle and transmits that information using wireless communications to a remote receiving point where the information is stored or used.

As of January 5, 2025, manufacturers of motor vehicles sold in Maine, including commercial motor vehicles and heavy duty vehicles having a gross vehicle weight rating of more than 14,000 pounds, that use a telematics system, are required to equip vehicles sold in Maine with an inter-operable, standardized and owner-authorized access platform across all of the manufacturer's makes and models. The platform must be capable of securely communicating all mechanical data emanating directly from the motor vehicle via direct data connection to the platform. The platform must be directly accessible by the motor vehicle owner through a mobile-based application and, upon the authorization of the owner, all mechanical data must be directly accessible by an independent repair facility or a licensed dealer limited to the time to complete the repair or for a period of time agreed to by the motor vehicle owner for the purposes of maintaining, diagnosing and repairing the motor vehicle.

“Mechanical data” refers to vehicle-specific data, including telematics system data, generated by, stored in, or transmitted by a motor vehicle and used in the diagnosis, repair, or maintenance of the vehicle. The type of mechanical data available through telematics will vary depending on the vehicle, but can come from sensors on many vehicle parts, such as the airbags, battery, engine and/or motor, transmission, brakes, or tires.

#### Certification of Notice

##### Prospective Owner 1

I hereby certify that I have been provided with and read the Maine Vehicle Telematics System Notice on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Signature

##### Prospective Owner 2

I hereby certify that I have been provided with and read the Maine Vehicle Telematics System Notice on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Make

\_\_\_\_\_  
Model and Model Year

\_\_\_\_\_  
Seller Name

\_\_\_\_\_  
VIN

\_\_\_\_\_  
Seller Address