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WRITTEN TESTIMONY IN SUPPORT OF AMENDMENTS TO MAINE'S AUTOMOTIVE RIGHT TO REPAIR LAW



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Submitted to the Joint Committee on Housing and Economic Development Regarding LD 292, LD 442, LD 1227, and LD 1228

Submitted by Scott Cyr, O'Connor Trucks

Honorable Co-Chairs Senator Curry and Representative Gere, and Members of the Joint Committee on Housing and Economic Development:



My name is Scott Cyr, and I am submitting this testimony on behalf of O'Connor Trucks, a Maine commercial heavy-duty truck dealer serving businesses, municipalities, and essential service providers across the state. O'Connor Trucks appreciates the opportunity to provide comments in support of amending Maine's Automotive Right to Repair Law to clarify that commercial and heavy-duty vehicles should be excluded and that the law should only apply to vehicles designed primarily for on-road, personal use.



O'Connor Trucks supports the proposed clarifications to LD 292, LD 442, LD 1227, and LD 1228, which would ensure the law remains focused on the passenger vehicle market and does not inadvertently extend to commercial and heavy-duty vehicles. Including commercial vehicles within the scope of the Automotive Right to Repair law would be a solution in search of a problem and would create significant, unintended negative consequences for Maine's commercial trucking industry.



Commercial and heavy-duty vehicles are fundamentally different from passenger automobiles. These vehicles are sold through business-to-business transactions and are not mass-produced consumer products; they are individually specified for the customer's unique needs. Annual production volumes for commercial vehicles account for less than 5% of passenger vehicle production. Unlike passenger vehicles, commercial trucks are highly customized at the time of purchase, with buyers selecting from hundreds of components and configuration options to meet specific operational needs.

The maintenance and repair of commercial and heavy-duty vehicles also operate very differently from the passenger vehicle market. Because these vehicles are critical business assets, downtime is costly and disruptive. Manufacturers, dealers, fleets, and independent repair facilities already work within a well-established, business-to-business service model that prioritizes vehicle uptime. Fleet owners often receive authorization from manufacturers to perform warranty and service repairs and are granted access to the same tools, diagnostic systems, and repair data available to dealerships. Independent repair facilities also routinely receive access to the necessary information to perform repairs efficiently.

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In short, the access issues that motivated the automotive right to repair debate do not exist in the commercial and heavy-duty vehicle industry. The current service ecosystem already ensures that vehicle owners, dealers, and independent repair facilities have the tools and data they need.



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Applying the automotive law to commercial vehicles risks disrupting these efficient systems and could delay repairs, increase costs, and reduce vehicle uptime for Maine businesses.



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There are also serious safety, cybersecurity, and privacy concerns associated with expanding data access requirements for commercial vehicles. These vehicles increasingly rely on advanced driver assistance systems and sophisticated fleet telematics platforms. Unauthorized access to systems controlling steering, braking, or acceleration—particularly for vehicles weighing up to 80,000 pounds or transporting hazardous materials—poses unacceptable safety risks. Additionally, commercial telematics systems contain sensitive operational data, and unauthorized access could facilitate cargo theft or the theft of proprietary business information.



Federal law has long recognized the need to regulate passenger vehicles and commercial vehicles separately. Agencies such as the Environmental Protection Agency, the National Highway Traffic Safety Administration, and the Federal Motor Carrier Safety Administration each maintain distinct regulatory frameworks for commercial and heavy-duty vehicles because of their unique design, use, and risk profiles. Maine's statutes should reflect these same distinctions.



For these reasons, O'Connor Trucks respectfully requests that the Joint Committee amend Maine's Automotive Right to Repair Law to explicitly exclude commercial and heavy-duty vehicles and limit its scope to vehicles designed primarily for personal, on-road use.



We remain willing to work with the Legislature and the Committee to address any legitimate concerns related to data availability in the commercial vehicle sector, including potential updates to existing industry agreements governing heavy-duty vehicle repair and diagnostics.



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Thank you for the opportunity to submit testimony. Please do not hesitate to contact me if you have any questions or would like additional information.

Respectfully submitted,

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