

May 25, 2006

SCHAKOWSKY SEEKS LEGISLATION ENSURING CONSUMERS RECEIVE SERVICE AT AUTO REPAIR SHOP OF THEIR CHOICE

WASHINGTON, DC - U.S. Representative Jan Schakowsky, ranking member on the Subcommittee on Commerce, Trade, and Consumer Protection, at a markup before the Subcommittee today expressed her concern that the Right to Repair Act would not meet the needs of consumers and ensure that all repair shops had access to the information necessary to perform service on all vehicles. Schakowsky reaffirmed her commitment to legislation that would ensure consumers could take their vehicles to the repair shop of their choice, but expressed disappointment that consumer protections had been stripped from the Right to Repair Act.

Schakowsky's opening statement is below:

As a cosponsor of H.R. 2048, the Motor Vehicle Owners' Right to Repair Act, I am disappointed that I am not going to be able to support the passage of this bill today.

First, I want it to be clear that I believe consumers should have the right to take their car to any repair shop they choose. I also believe that car manufacturers should make all the necessary repair information available to independent shops, just as they do dealers, to the extent necessary for repairs to be performed. My position has not changed and it will not.

However, last week's hearing on H.R. 2048 raised a lot of questions for me and I am still waiting for answers. I think that before we pass a federal law, we should be sure it addresses a real issue. As you know, H.R. 2048 was drafted because we have been told that independent shops are not getting the technical information they need from manufacturers to repair cars and that, in turn, is forcing consumers to go to dealerships instead of to their familiar and trusted mechanic.

So, I asked: "how many consumers have had problems getting their cars repaired by the independent shop of their choice because the manufacturer will not sell the information needed? Has the percentage of consumers going to independent shops been dropping as more cars with more advanced technology have been coming out of warranty - or are they still able to go to their independent shops? Are there particular manufacturers that are worse than others and what are the facts to support that claim? Why hasn't this problem - if it is a problem - been documented better?"

I am still waiting for the answers to those and other questions. While I have gotten a few

anecdotes and a few numbers, I do not have enough data that demonstrates a systematic problem or that H.R. 2048 is the best approach to solve the problems that may be out there. Because I am sincere in my support of consumers and independent shops, I asked that this markup be postponed so that we could proceed responsibly, but that request was declined.

All of my concerns about the underlying bill, however, may be moot. Chairman Barton will be offering an amendment to H.R. 2048 that is bad policy and a bad precedent. Even if I had all the answers to my questions, this amendment changes the bill into something I could not support. Mr. Chairman, your solution is now the problem.

My first concern is that we, the many cosponsors of the bill, did not even know about this amendment until late yesterday afternoon. We were not allowed to see it until 6:30 PM last night, less than 16 hours before the markup.

It is also my understanding from my quick reading that this amendment would, in fact, roll back current consumer protections. If consumers are having a problem getting their cars fixed today, this amendment would make matters worse by locking the courthouse door on them. Also, the amendments to the FTC provisions turn the enforcement section into mere window dressing.

For the last week, I have made every effort to talk to all the stakeholders in this bill, particularly the proponents. I have been trying to help them make their case for the legislation that I cosponsored. As of today, their case hasn't been made and forcing the issue with this legislation, especially if amended, would be a mistake. Thank you.