

STATEMENT

OF

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NATIONAL AUTOMOTIVE SERVICE TASK FORCE (NASTF)

BEFORE THE

U.S. HOUSE ENERGY AND COMMERCE COMMITTEE

SUBCOMMITTEE ON COMMERCE, TRADE AND

CONSUMER PROTECTION

MAY 17, 2006

INTRODUCTION

Thank you for the opportunity to testify before the Commerce, Trade and Consumer Protection Subcommittee regarding H.R. 2048 the “Motor Vehicle Owners’ Right to Repair Act. I am Charles Gorman, the newly elected Chairman of the National Automotive Service Task Force. I am also the Executive Manager of the Equipment and Tool Institute, a trade association representing the major automotive tool and equipment manufactures.

The purpose of my testimony today is to inform this committee about NASTF’s current situation and its future.

NASTF has been somewhat misrepresented by both sides of the “Right to Repair” debate. In past testimony one side claimed that NASTF does not attempt to resolve complaints regarding the availability of information. This is not true. I am also the chairman of the Equipment & Tool Committee of NASTF and I can tell you that we have made tremendous strides in gathering the information necessary to build tools that emulate dealership tools.

Similar strides are being made in the Vehicle Security Committee. They have accomplished several key objectives to help move them closer to implementing a Secure Data Release Model (SDRM) and a locksmith registry.

The other side has made some incorrect statements as well. One person testified: “Last year, NASTF received 48 complaints regarding service, training and tool information. All 48 complaints were resolved”. This, of course, isn’t true. There were answers, but in some cases those answers were not what the complainants wanted to hear or were willing to accept. The current process is slow, and lacks incentive for automakers to comply.

The reality is that NASTF, although successful, is not as successful as it needs to be. This brings us to the current situation.

CURRENT SITUATION

NASTF is in the process of reorganizing.

On October 19, 2005 after the FTC BBB negotiations ended without resolution, a group of automotive related associations representing a complete cross section of the automotive repair marketplace met to begin the process. On November 2, 2005 at the NASTF general meeting the members present voted unanimously to go forward with the plan to reorganize. The planning committee met 3 times. There were two formal meetings facilitated by the Society of Automotive Engineers and one conference call. On April 4, 2006 NASTF’s new Board of Directors met for the first time and Elected officers.

The goal is to create a permanent organization that can not only do a better job of processing complaints regarding missing information, but also to provide a means of enforcement.

To date we have accomplished quite a bit. We have created an initial funding model and received commitments from six key associations to fund NASTF for the first year. We have appointed a Board of Directors representative of most industry segments. We are currently in negotiations with ASE to incorporate NASTF as a C-6 not-for-profit Corporation. ASE will also handle the day to day management of NASTF providing us with a fulltime staff person along with part time support in the financial, communications and IT areas. This will allow NASTF to respond quicker to service information gap complaints.

Documents originally drafted as part of the FTC – BBB negotiations last summer are being edited so that all parties can agree to them. This includes the Third Party Arbitration Process document. There were key agreements made during those negotiations last summer and we will keep the momentum going. There were also some important issues “left for later” in those documents and we will add language to cover the missing segments. We are off to a great start, but there is much work to be done. This brings us to the future.

THE FUTURE OF NASTF

In addition to the work that is ongoing, we have specifically identified the work items we need to complete. Among other things these include bylaws and a sustainable funding model.

The Board of Directors has also identified some new goals. Many of the problems relating to information availability stem from the automobile manufacturers' inability to predict the need for certain information. Automakers today are not vertically structured as they once were. They no longer own all the rights to some specific service information. These rights may belong to a component or system supplier. The NASTF Board of Directors has discussed the possibility of sponsoring "best practices" efforts within existing standards organizations such as the Society of Automotive Engineers. These best practices will provide guidelines to the automakers to insure that the need for service information is included in the design and manufacturing processes and included as part of any supplier agreement. NASTF's job could be made a lot easier in the future if potential service information problems are solved before vehicles are designed and built.

We have also discussed a new role for the Communications Committee. Automakers respond to industry and public opinion regarding their products. NASTF will be looking for ways to report to the automotive trade press as well as the general press regarding the automakers that have shown a willingness to provide repair information beyond the

minimum. We also plan to publicize those instances where an automobile manufacturer has refused to provide information and the reasons for doing so are insufficient.

CONCLUSION

It is a difficult task to get all the different interests within this industry to agree on something as complex as the availability of automotive service information, but a good faith effort is under way. It is my belief that the work currently being done by NASTF needs to be done regardless of whether it is backed by legislation or not. Many of the problems facing us can only be solved by industry experts. These experts need a forum where problems can be heard and solutions found. I believe NASTF is that Forum.