

POLLING MEMO:

National Vehicle-Owning Voters Support Federal Right to Repair Legislation

As the Biden administration and Congress debate rising prices, corporate consolidation and climate change, a national right to repair movement is rising. This consumer-driven push, which believes that if you own something you should be able to repair it where and how you choose, has gained significant traction in policymaking conversations.

In July, the White House issued an **executive order on competition**, encouraging action on right to repair. Later that month, the Federal Trade Commission **voted** to increase enforcement against restrictions that limit consumers' right to repair, including the automotive industry. In October, the U.S. Copyright Office **issued** new rules expanding protections for fixing digital devices.

But, as leading consumer advocates have noted, federal and state legislation is what's really needed. Following last year's 75% victory for Massachusetts' Question 1, at least **27 states** have considered or are actively evaluating right to repair legislation in 2021. In Congress, a bipartisan coalition has introduced a federal bill focused on expanding right to repair protections in the aftermarket auto space – recognizing that a car is one of the most significant investments Americans make in a lifetime. The SMART Act would combat original manufacturers' increasing use of design patents to restrict repair options and crowd out competition for common replacement parts, like fenders and door panels. Additional right to repair measures are expected in the weeks ahead.

In the context of this evolving landscape, a new national public opinion poll highlights critical considerations. From October 11 – October 19, the CAR Coalition, a growing group of independent automotive parts and repair companies, associations and insurers, conducted a nationwide survey among 1,008 vehicle-owning voters. The survey results clearly demonstrate a strong desire for federal right to repair legislation, such as the SMART Act, to provide vehicle owners greater choice when it comes to car repairs, and ensure consumer data ownership. Further analysis conducted in six states – including Delaware, Georgia, Massachusetts, Rhode Island, Texas and Washington – indicates strong support from coast to coast.

KEY TAKEAWAYS

A majority of vehicle-owning voters support federal right to repair legislation that would reduce design patent terms and increase data ownership.

- ▶ An overwhelming majority (78%) voice support for right to repair legislation in the auto industry, such as:
 1. Allowing consumers who are getting their vehicle repaired to choose whether they want parts made by the automaker or by an alternative parts manufacturer;
 2. Reducing from 15 years to 2.5 years the time car manufacturers can enforce design patents on collision repair parts (i.e., fenders, quarter panels and doors) against alternative parts manufacturers; and
 3. Requiring automakers to make vehicle data readily available to consumers and any repair shop they choose.
- ▶ Vehicle-owning voters recognize that aftermarket parts offer timely and affordable car repairs. Sixty nine percent (69%) agree that the federal government needs to shorten the enforcement time of design patents to 2.5 years, so that common aftermarket parts can be more easily accessible.

Vehicle owners want more choices – not fewer – when it comes to car repairs.

- ▶ There is near universal agreement (94%) that consumers should have a right to choose where and how to repair the vehicles they purchase.
- ▶ Ninety two percent (92%) agree that consumers should be able to choose between automaker-branded and aftermarket car parts when repairing their car.

Consumers overwhelmingly agree they should have more ownership of their car's data, such as location and speed.

- ▶ Nine in ten respondents (90%) agree that consumers have a right to own the data that their vehicles generate, contain and track.
- ▶ More than three-quarters (85%) support vehicle data being made available to consumers and any repair shop they choose.
- ▶ Four in every five vehicle-owning voters (81%) agree that America needs legislation that stops automakers from limiting consumers' access to their vehicle data.

Original manufacturers use design patents to maximize their profits.

- ▶ Seventy nine percent (79%) agree that companies often apply for patents as a way to control their market share and product prices.
- ▶ Vehicle owners disagree with automakers' current use of design patents. Only twenty-five percent (25%) of vehicle-owning voters believe that design patents should be used for common car parts, like side mirrors or bumpers.

This survey was conducted October 11 – October 19, 2021 among 1,008 vehicle-owning voters with a margin of error of +/- 3.09 percentage points.

For additional details, take a look at the **[national survey infographic](#)**.

Visit **www.CarRepairChoice.org** for more information.