



May 26, 2022

Clerks Office  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

RE: Advanced Clean Car Initiative

The Auto Care Association is submitting the following comments regarding the upcoming consideration by the Board of proposed regulations for the Advanced Clean Car Initiative. The Auto Care Association is a national trade group representing the vehicle repair market. Specifically, the Association represents companies that manufacture, distribute, retail and install parts for both heavy and light duty vehicles. Our membership is comprised of companies and repair shops that are not affiliated with the vehicle manufacturers or their franchised dealer network.

The importance of the independent auto care industry to California car owners is demonstrated by the fact that, once the new car warranty has expired, 70 percent of car owners patronize independent repair shops based on price, convenience and trust. In 2000, the California Legislature recognized the importance of our industry to ensuring that vehicle meet emissions standards in-use by enacting SB 1146 which required vehicle manufacturers make available to independent repair shops all emissions related information, tools and software. The regulations promulgated by the Board as direct result of that legislation is what serves as the basis for these service information proposals that Board is considering as part of the Advanced Clean Car Initiative.

The Association applauds the Air Resources Board staff for the amendments that are being proposed in order to ensure the repairability zero emissions vehicles. Specifically, provisions that would require on-board diagnostic ports on zero emission vehicles; as well as the expansion of the service information availability provisions issued under section 1965 to include all "propulsion related information". Unrestricted access to on-diagnostic data combined with the availability of service information and advanced diagnostic tools will be

critical to the ability of independent repair shops to being able to service the growing number of zero emission vehicles that we are expecting as a result of this regulatory effort.

Notwithstanding our full support for this proposal, the Association recommends that the Board consider amending the provision requiring information for “propulsion related systems” to include all data that is made available to manufacturer authorized repair facilities. The strong interrelationship between all systems on many late model software driven vehicles means that it will be difficult to delineate information needed for repairing propulsion systems from other systems on a ZEV. While we appreciate the requirement that manufacturers will be required to provide a list of all parts that are not propulsion related that they do not intend to provide service information for, we believe this provision will add a significant compliance assurance burden on the Board, and manufacturers, requiring a judgement call regarding what is and is not required to be made available. Since the systems on alternative fueled vehicles are so integrated, it would be simpler and more straight forward to require all repair related data be made available to covered persons.

The Association further requests that the Board require a mandatory audit of manufacturer compliance with the requirements in two years from the effective date of the new requirements. This new proposal will institute new requirements on manufacturers, including companies that have had little to no experience with the current service information requirements. Further, many of these companies have strongly resisted efforts to permit their vehicle to be serviced by non-authorized repair facilities. Therefore, proactive enforcement compliance efforts will ensure a smooth rollout of the new requirements. If an audit of all manufacturers is too much of a burden on the Board, we would be supportive of a staggered audit schedule.

The Auto Care Association also fully supports provisions in the proposal that require scan tool access to the OBD data “without the use of any vehicle manufacturer-specific, user-specific, or tool-specific registration, authentication, authorization, login, password, certification, or other mechanism that can be used to restrict or limit user or tool access for any other reason.” This requirement is relevant since many of the manufacturers have begun implementing proprietary firewalls that have created barriers to access the critical data needed to repair these advanced systems.

However, the proposal appears not to cover access to bi-directional features that could create issues in completing repairs for vehicles. While we understand the need for cyber security protections, we are concerned that based on the growing need to update vehicle software for ZEV’s, the proprietary firewalls will mitigate the benefits to consumers and independents of the standardized OBD connector. We urge the Board to expand the requirements for open access to data to include bi-direction capabilities or, alternatively, require that the firewalls be standardized across all makes and models. There are industry standards in place that would permit manufacturers to install firewalls , but would ensure that they are standardized in order to ease access for diagnostic tool providers and service facilities. A standardized method for

registering and authorizing test equipment and technicians would provide both security and efficiency.

Again, I want to emphasize Auto Care's support for the proposed regulations under Advance Clean Car Initiative. We would further like to thank the staff for their hard working putting this proposal together. Auto Care is available to answer any questions regarding our comments or to provide any assistance that might be necessary in order to implement the regulations.

Sincerely,

A handwritten signature in black ink that reads "Aaron Lowe". The signature is written in a cursive style with a large, sweeping initial 'A'.

Aaron M. Lowe  
Senior Vice President  
Regulatory and Government Affairs