



EQUIPMENT AND TOOL INSTITUTE

P.O. Box 13966 • 10 Laboratory Drive • Research Triangle Park, NC 27709-3966 • 919-406-8844
Fax: 919-406-1306 • www.ertools.org

April 16, 2001

Mr. Allen Lyons
Chief, New Vehicle/Engine Programs Branch
Air Resources Board
9528 Telstar Ave.
El Monte, CA 91731

Dear Mr. Lyons:

The Equipment & Tool Institute would like to submit the following comments regarding Mail-Out #MSO 2001-04.

Attachment 1

Access to Service Information

We think that in most aftermarket shops, information from the vehicle manufacturers will be used when more depth is required than what is offered from an information intermediary. We also think that OEM information availability will give the aftermarket a new level of confidence. Shops will be more willing to take on jobs knowing that if they get in trouble a vast library of information is just a few clicks away.

Although the subject of information availability to end-users is adequately covered, availability of information to intermediaries is not covered at all. EPA in its draft outline proposed that vehicle manufacturers be required to provide information to intermediaries in a non-proprietary electronic format. ETI would like to see this provision in the ARB regulation as well.

It is our belief that technicians will continue to rely on information intermediaries even after this rule takes affect because:

Consolidated information provides adequate diagnostic depth for many repair operations.

Intermediaries, because of their broad vehicle coverage base, will still provide repair information at a lower cost than vehicle manufacturers. (even if vehicle manufacturers meet the "reasonable price" requirement)

Intermediaries take disparate information, reformat and in some cases repurpose it to form one common "look and feel" that is consistent across many vehicle makes and models.

To help keep prices low, the vehicle manufacturers must have someone to compete with.

A provision requiring OEMs to provide electronic data to the service information intermediaries is consistent with the goal to harmonize your requirements with those proposed by draft Federal Regulations.

Diagnostic tools and Reprogramming Equipment

Unlike the Federal proposal, the ARB discussion does not include a location where diagnostic equipment information should be sent or kept. In order to harmonize your regulations with the US/EPA we propose that you include the ETI TEK-NET Library as a required but not exclusive location.

Manufacturers usually turn to their professional associations as a source of both technical and marketing information. They are conditioned to think that way.

Most automotive tool and equipment companies are members of ETI.

In seeking ways to enhance productivity and profitability in the automotive service industry, vehicle OEs have historically shared non-proprietary design information with members of the Tool & Equipment Institute.

The relationship has generated mutual respect, cooperation and trust.

There is little or no reluctance to share OE information with legitimate companies who have been properly screened...or to place such information in a technical library, which has appropriate security. All ETI Members have non-disclosure agreements signed with OEMs that participate in ETI Tech Weeks.

A central repository, of sorts, the ETI TEK-NET Library houses much of the discussed information already and has become a natural choice for future information.

This recognized information bank could be a one stop place for needy equipment companies to successfully search for needed information without having to contact several vehicle manufacturers.

ARB will need to be able to field complaints regarding information completeness. The ETI TEK-NET Library could provide a single place to look.

ETI has already agreed to grant EPA complete access to pertinent TEK-NET Library information in order to check compliance. We offer the same access to ARB.

ETI has agreed to make pertinent information available to non-members based on a reasonable fee structure.

ETI is dedicated to the very same goals that SB 1146 espouses -- before there ever was a SB 1146. We think they give ETI a special validity. First, ... there is the formal part of the ETI mission statement which describes its relationship with the service providers... "to advance the productivity, profitability and growth of the automotive service industry by assuring that the nation's service bays are the best equipped, and its technicians the most-highly-trained and thoroughly-informed in the world." That puts ETI square in the middle of this issue, with long-standing, written recognition of the fact that if the consumer is to be served then the service provider must be equipped, trained and informed. In fact, the Institute has formally described a functional meaning for the letters ETI when defining its relationship with the service industry...EQUIP...TRAIN...INFORM

Information and Diagnostic Tool Costs

There is no mention of reasonable costs of OE information required by equipment manufacturers and information intermediaries. ETI believes that OEs should not be allowed to recoup other than incremental costs. That means that "distribution" would be their main, if not sole, line item for listing their cost for providing information to the independent service providers and equipment manufacturers. No portion of the database development costs (art, procedures or specifications) should be allowed to creep into pricing.

About the only way to close pricing loopholes would be to have a periodic audit and review of pricing policies and procedures. And, those who create the pricing structure at the OE level would have to be made aware of the rule through some formal briefing document or procedure. Costs beyond "distribution" would be viewed as suspect. And, that there should be a specific requirement that allows for cost justification and audit.

Attachment 2

In section (b) (3), we would like to see equipment manufacturers and aftermarket or intermediary information providers added to this definition.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Charlie Gorman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Charlie Gorman
Technical Manager, ETI