

**Testimony Supporting The Massachusetts  
Motor Vehicle Owners' Right to Repair Act of 2007**

Before the Joint Committee on  
Consumer Protection and Professional Licensure  
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Thank you Chairman Morrissey and Chairman Rodrigues for the opportunity to testify before your Committee today.

My name is Bob Fields, I am CEO & Founder of Victory Technologies Inc., a Stoneham, Massachusetts based software company focusing on information and technology solutions for the consumer electronics industry. I founded my company in 2002.

Our clients include many of the top companies in the retail, mobile electronics and security industry, including Alpine, Audiovox, Best Buy, Circuit City, Metra Electronics and Pioneer. We are an active member of the Consumer Electronics Association (CEA), the Automotive Aftermarket Industry Association (AAIA) and the Mobile Enhancement Retailers Association (MERA) all of which support the Right to Repair legislation.

Right to Repair is critical for my company and other local small businesses such as aftermarket manufacturers and independent repair shops. To survive and compete, we need the information necessary to access our customers' cars. Right to Repair promotes free-market competition, fair pricing and gives consumers a choice of what electronics they have in their cars and how they'll have them installed.

This is an important issue for your constituents as consumer electronics devices have become an integral part of the in-vehicle experience. Vehicle customization can include such technologies as in-dash GPS navigation systems, passenger-view television screens and DVD

players, multi-disc CD players, Bluetooth systems and HD or Satellite radio systems. Today's vehicles create numerous challenges for independent installers attempting to install these devices.

The problem arose as automobile manufacturers began integrating their cars' audio video functions with their proprietary on-board computer systems. These walled-off networks can now be found in many of the most widely manufactured models from General Motors, Chrysler and Toyota, to name just a few.

To install an aftermarket product in any of these vehicles, an installer needs the "access code," and sometimes special tools for the automobile. These codes are closely held by the auto manufacturers. Without the code, the independent installers are "locked out" of the vehicle, and out of the market.

While the big auto companies will tell you these codes are readily available through automobile manufacturer websites, the fact is that the only information provided is emissions information as mandated by the EPA. Non-emissions related information is not being readily provided to independent installation shops.

Furthermore, when independent installation shops contact manufacturers to resolve questions related to non-emissions access codes or tools, it often takes days or weeks for the auto manufacturer to respond. These delays cause independent installation shops to direct the consumer back to the car dealer, which hurts small businesses and limits consumer choice.

The consumer electronics industry offers a unique perspective in the Right to Repair debate. Many of the same manufacturers that produce aftermarket products are also in the business of OEM products. As a result, this is not an argument that one is "better" than the

other, but rather that consumers should be given the opportunity to choose. With consumer choice, competition can thrive and more innovative technologies can be offered at lower prices.

Safety features are an integral part of every new vehicle. Imagine replacing your factory installed radio with a new satellite radio from your local retailer, only to discover that two critical safety functions, the seat belt chime and turn signals, are no longer functioning. This is a reality for independent installers, who are left with two choices: send the vehicle to the dealer or turn the customer away. A level playing field is needed for all installers. The current system creates an inherently unequal playing field that leaves independent installers at a distinct disadvantage.

The consumer electronics industry understands the importance of protecting intellectual property and patents. Section four of the legislation incorporates the necessary protections for automobile companies' trade secrets and patents, while allowing companies to continue developing their proprietary technology and other new features.

Americans have the right to choose which new technologies are used in their vehicle, as well as to choose who installs these products. The Massachusetts Motor Vehicle Owners' Right to Repair Act of 2007 is an important step toward achieving this goal. I appreciate your time and consideration and look forward to answering any questions the Committee may have.