

## **Automakers' Lawsuit Opposing Updates to Massachusetts' Right to Repair Law Lingers On**

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It has been over 18 months since Massachusetts voted to approve an update to the state's 'right to repair' law [view related [post](#)], however, the changes have still not gone into effect. Why? Well, the automakers' lawsuit that seeks to block the law is still making its way through the U.S. District Court. *Alliance for Automotive Innovation v. Healy*, Docket No. 1:20-cv-12090 D. Mass 2020). As we previously wrote, the right to repair law allows consumers to take their car to any repair shop (not just the dealer) and have their mechanic plug a cord into the car's onboard computer system to figure out what's wrong with the car, or, alternatively, a consumer can buy a device and do this themselves. This has still not been implemented due to this pending lawsuit. However, now, in a recent brief filed by the Massachusetts Right to Repair Coalition, lawyers called for a "prompt decision" in this lawsuit and allege that automakers are using "delay tactics in order to avoid and prevent the implementation of right to repair laws." Specifically, the brief stated, "Undoubtedly, delays are an inevitable part of litigation [. . .] But delay has also been an integral part of auto manufacturers' strategy in frustrating the ongoing efforts of consumers and independent repair shops to obtain fair and equitable access to diagnostic data needed to maintain and repair vehicles."

In April 2022, Judge Douglas Woodlock announced he needed additional time to release his ruling following a June 2021 bench trial, due to his "demanding" criminal trial schedule, the recommencement of non-trial proceedings, and other responsibilities. Judge Woodlock informed the parties to the suit that he would complete his finding and ruling by July 1, 2022.

The lawsuit claims that the updates to the right to repair law creates "an impossible task" for automakers to equip new vehicles (beginning with model year 2022) with "an inter-operable, standardized, and open access platform." However, counsel for the Right to Repair Coalition wrote in its recent brief that this delay in implementing the law is detrimental to the repair and aftermarket industry (including the 40,000 or so workers who are employed in those industries), as well as consumers. The brief cites a 2020 study of repair costs in Massachusetts that shows that dealers are 36.2% more expensive than independent repair shops. Further, the brief states, "Owners are being turned away by repair shops that simply cannot fix their cars [. . .] The result is that the viability of the independent repair market is already being significantly harmed, and this harm will only be exacerbated by the passage of time." The July 1st ruling promised by Judge Woodlock is quickly approaching. We will keep you updated.

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