



132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2211

S.P. 899

In Senate, February 10, 2026

An Act Implementing the Recommendations of the Automotive Right to Repair Working Group

Reference to the Committee on Housing and Economic Development suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CURRY of Waldo. (GOVERNOR'S BILL)

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §12004-G, sub-§5-B** is enacted to read:

3 **5-B.**

| | | | |
|--------------------|--------------------------------------|-----------------------|------------------|
| 4 <u>Commerce</u> | <u>Motor Vehicle Right to Repair</u> | <u>Not Authorized</u> | <u>29-A MRSA</u> |
| 5 <u>and Trade</u> | <u>Commission</u> | | <u>§1810,</u> |
| 6 | | | <u>sub-§2-A</u> |

7 **Sec. 2. 29-A MRSA §1810, sub-§1**, as enacted by IB 2023, c. 3, §3, is amended to
8 read:

9 **1. Access to diagnostic systems.** Access to the vehicle on-board diagnostic systems
10 of all motor vehicles, including commercial motor vehicles and heavy duty vehicles having
11 a gross vehicle weight rating of more than 14,000 pounds, must be standardized and made
12 accessible to motor vehicle owners and independent repair facilities and the access may not
13 require authorization by the motor vehicle manufacturer, directly or indirectly, unless that
14 authorization is standardized across all makes and models of motor vehicles sold in this
15 State ~~and is administered by the independent entity described in subsection 2.~~

16 **Sec. 3. 29-A MRSA §1810, sub-§1-A** is enacted to read:

17 **1-A. Definition.** For the purposes of this section, unless the context otherwise
18 indicates, "owner-authorized independent repair facility" means an independent repair
19 facility that has been authorized by a motor vehicle owner to receive or access diagnostic
20 and repair information or other mechanical data pertaining to or emanating from the
21 owner's motor vehicle for the purpose of diagnosing or repairing the motor vehicle.

22 **Sec. 4. 29-A MRSA §1810, sub-§2**, as enacted by IB 2023, c. 3, §3, is repealed.

23 **Sec. 5. 29-A MRSA §1810, sub-§2-A** is enacted to read:

24 **2-A. Motor Vehicle Right to Repair Commission.** This subsection governs the
25 composition, activities and duties of the Motor Vehicle Right to Repair Commission, as
26 established in Title 5, section 12004-G, subsection 5-B and referred to in this section as
27 "the commission."

28 A. The commission consists of the following 12 members, appointed by the Governor:

29 (1) Three members representing motor vehicle manufacturers, at least one of
30 whom must represent an organization of motor vehicle manufacturers and at least
31 one of whom must represent a manufacturer of heavy duty vehicles;

32 (2) One member representing aftermarket parts manufacturers;

33 (3) One member representing diagnostic tool manufacturers;

34 (4) One member representing aftermarket parts distributors and retailers;

35 (5) Three members representing independent repair facilities in the State, at least
36 one of whom must be an owner or operator of an independent repair facility
37 specializing in motor vehicle repair and at least one of whom must be an owner or
38 operator of an independent repair facility specializing in heavy duty vehicle repair;

39 (6) One member representing new motor vehicle dealers in the State;

40 (7) One member with expertise in automotive cybersecurity matters; and

1 (8) One member representing the public, who must be a resident of the State and
2 who serves as the chair of the commission.

3 In making appointments under this paragraph, the Governor may take into
4 consideration any nominations for appointments that are timely made by industry
5 stakeholders or trade associations.

6 B. Members of the commission are appointed to 3-year terms. The commission shall
7 meet at least quarterly but may meet more frequently at the chair's discretion. The
8 Attorney General may provide administrative support to the commission, within the
9 limits of existing resources.

10 C. The commission:

11 (1) Shall monitor and assess implementation of and motor vehicle manufacturers'
12 compliance with the requirements of this section;

13 (2) Shall attempt to informally resolve any complaints from motor vehicle owners
14 and independent repair facilities alleging motor vehicle manufacturer
15 noncompliance with the requirements of this section, and, if a complaint cannot be
16 resolved informally, consider whether to refer the matter to the Attorney General
17 for potential enforcement action;

18 (3) Shall designate one or more technical experts with whom the Attorney General
19 may consult in assessing enforcement referrals under subparagraph (2) and
20 maintaining enforcement actions under subsection 8; and

21 (4) May issue recommendations for best practices for motor vehicle manufacturers
22 to use in providing access to motor vehicle data and may solicit input from
23 stakeholders and other interested parties regarding privacy issues associated with
24 the disclosure of motor vehicle-generated data.

25 D. By January 15, 2028, and annually thereafter, the commission shall submit to the
26 Governor, the Attorney General and the joint standing committee of the Legislature
27 having jurisdiction over business matters a report that:

28 (1) Describes the commission's activities during the preceding year;

29 (2) Describes any implementation or compliance issues that the commission has
30 identified during the preceding year; and

31 (3) Includes any recommendations for proposed changes to this section to address
32 any implementation or compliance issues, including any recommendations that
33 propose providing the commission with additional authority.

34 After reviewing the report, the joint standing committee may report out legislation
35 relating to the report to any regular or special session held in the same year in which
36 the report was received pursuant to this paragraph.

37 **Sec. 6. 29-A MRSA §1810, sub-§3**, as enacted by IB 2023, c. 3, §3, is amended to
38 read:

39 **3. Model year 2002 or later motor vehicles; diagnostic repair tools, parts, software**
40 **and components.** For model year 2002 or later motor vehicles, including commercial
41 motor vehicles and heavy duty vehicles having a gross vehicle weight rating of more than
42 14,000 pounds, each a manufacturer of motor vehicles sold in this State shall make

1 available for purchase under fair and reasonable terms by motor vehicle owners and
2 independent repair facilities all diagnostic repair tools, parts, software and components
3 incorporating the same diagnostic, functional repair and wireless capabilities that the motor
4 vehicle manufacturer makes available to its authorized repair shops. Each motor vehicle
5 manufacturer shall:

6 A. Provide diagnostic repair information to each aftermarket scan tool company and
7 each 3rd-party service information provider with whom the motor vehicle
8 manufacturer has appropriate licensing, contractual or confidentiality agreements for
9 the sole purpose of building aftermarket diagnostic tools and 3rd-party service
10 information publications and systems. ~~Once a~~ A motor vehicle manufacturer that
11 makes information available pursuant to this paragraph, the manufacturer is considered
12 to have ~~has~~ satisfied its obligations under this paragraph and thereafter is not
13 responsible for the content and functionality of aftermarket diagnostic tools or service
14 information systems;

15 B. Make available for purchase by owners of motor vehicles and by independent repair
16 facilities the same diagnostic and repair information, including repair technical
17 updates, that the motor vehicle manufacturer makes available to its authorized repair
18 shops through the motor vehicle manufacturer's Internet-based diagnostic and repair
19 information system; and

20 C. Provide access to the manufacturer's diagnostic and repair information system for
21 purchase by owners of motor vehicles and independent repair facilities on a daily,
22 monthly and yearly subscription basis and upon fair and reasonable terms.

23 All parts, tools, software and other components necessary to complete a full repair of the
24 vehicle, as referenced in this subsection, must be ~~included and~~ provided to owners of motor
25 vehicles and ~~authorized~~ owner-authorized independent repair ~~shops~~ facilities.

26 **Sec. 7. 29-A MRSA §1810, sub-§4**, as enacted by IB 2023, c. 3, §3, is amended to
27 read:

28 **4. Model year 2002-2017 motor vehicles; access to on-board diagnostic and repair**
29 **information system.** For model year 2002-2017 motor vehicles, including commercial
30 motor vehicles and heavy duty vehicles having a gross vehicle weight rating of more than
31 14,000 pounds, a motor vehicle manufacturer shall provide a motor vehicle owner or an
32 owner-authorized independent repair facility with access to a vehicle's on-board diagnostic
33 and repair information system must be the same for an owner or an independent repair
34 facility as that to the same extent that access to a vehicle's on-board diagnostic and repair
35 information system is provided to a new vehicle dealer.

36 **Sec. 8. 29-A MRSA §1810, sub-§5**, as enacted by IB 2023, c. 3, §3, is amended to
37 read:

38 **5. Model year 2018 and or later motor vehicles; access to on-board diagnostic and**
39 **repair information system.** For model year 2018 ~~and or~~ later motor vehicles, including
40 commercial motor vehicles and heavy duty vehicles having a gross vehicle weight rating
41 of more than 14,000 pounds, a motor vehicle manufacturer shall provide access to the on-
42 board diagnostic and repair information system must be available through use of an off-
43 the-shelf personal computer with sufficient memory, processor speed, connectivity and
44 other capabilities as specified by the motor vehicle manufacturer and:

1 A. A nonproprietary vehicle interface device that complies with SAE International
2 standard J2534, SAE International standard J1939, commonly referred to as SAE
3 J2534 and SAE J1939, the International Organization for Standardization standard
4 22900, commonly referred to as ISO 22900, or any successor to SAE J2534, SAE
5 J1939 or ISO 22900 as may be accepted or published by SAE International or the
6 International Organization for Standardization, as appropriate;

7 B. An on-board diagnostic and repair information system integrated into and entirely
8 self-contained within the vehicle, including, but not limited to, service information
9 systems integrated into an on-board display; ~~and or~~

10 C. A system that provides direct access to on-board diagnostic and repair information
11 through a nonproprietary vehicle interface, such as ethernet, universal serial bus or
12 digital versatile disc.

13 Each motor vehicle manufacturer shall provide access to the same on-board diagnostic and
14 repair information available to ~~their~~ the motor vehicle manufacturer's dealers, including
15 technical updates to such on-board systems, through such nonproprietary interfaces as
16 referenced in this subsection. All parts, tools, software and other components necessary to
17 complete a full repair of a vehicle, as referenced in this subsection, must be ~~included and~~
18 provided to motor vehicle owners and ~~authorized~~ owner-authorized independent repair
19 shops facilities.

20 **Sec. 9. 29-A MRSA §1810, sub-§6**, as enacted by IB 2023, c. 3, §3, is amended to
21 read:

22 **6. Required equipment Owner-authorization access platform.** Not later than ~~one~~
23 ~~year from the effective date of this section~~ September 1, 2027, a manufacturer of motor
24 vehicles sold in this State, including commercial motor vehicles and heavy duty vehicles
25 having a gross vehicle weight rating of more than 14,000 pounds, that uses a telematics
26 system is required to equip vehicles sold in this State with an inter-operable, and
27 ~~standardized and owner-authorized~~ owner-authorization access platform across all of the
28 motor vehicle manufacturer's makes and models. The platform must be capable of securely
29 communicating all mechanical data emanating directly from the motor vehicle via direct
30 data connection to the platform. The platform must be directly accessible by the motor
31 vehicle owner through a mobile-based application and, upon the authorization of the owner,
32 all mechanical data must be directly accessible by an independent repair facility or a
33 licensed dealer as described in section 851, subsections 2 and 9, limited to the time to
34 complete the repair or for a period of time agreed to by the motor vehicle owner for the
35 purposes of maintaining, diagnosing and repairing the motor vehicle. Access must include
36 the ability to receive data and send commands to in-vehicle components if needed for
37 purposes of maintenance, diagnostics and repair. The platform must provide a motor
38 vehicle owner or owner-authorized independent repair facility access to the same data the
39 motor vehicle manufacturer makes available to its authorized repair shops. All parts, tools,
40 software and other components necessary to complete a full repair of the vehicle, as
41 referenced in this subsection, must be ~~included and~~ provided to a motor vehicle owners
42 owner and authorized independent repair shops facility authorized by a motor vehicle
43 owner.

44 **Sec. 10. 29-A MRSA §1810, sub-§8**, as enacted by IB 2023, c. 3, §3, is amended
45 to read:

8. Enforcement. If the independent entity described by subsection 2 commission has reason to believe that a motor vehicle manufacturer has violated any provision of this section, the independent entity commission shall notify the Attorney General. The In response to a referral from the commission pursuant to subsection 2-A, paragraph C, subparagraph (2), or in any other instance for which the Attorney General believes this section may have been violated, the Attorney General shall ~~promptly~~ may institute any actions or proceedings the Attorney General considers appropriate. ~~The independent entity, through the Attorney General, may apply to an action in the Superior Court of any county of the State to enforce any lawful order made or action taken by the independent entity pursuant to this section. The Attorney General may seek injunctive relief and a civil penalty of not more than \$10,000 for each violation of this section.~~

A motor vehicle owner or owner-authorized independent repair facility ~~authorized by an owner~~ who has been denied access to mechanical data in violation of this section may initiate a civil action seeking any remedies under law. Each denial of access is compensable by an award of treble damages or \$10,000, whichever amount is greater.

Sec. 11. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 29-A, section 1810, subsection 2-A, paragraph B, of the members initially appointed to the Motor Vehicle Right to Repair Commission, 4 members must be appointed to an initial term of one year, 4 members must be appointed to an initial term of 2 years and 4 members must be appointed to an initial term of 3 years.

SUMMARY

This bill amends the automotive right to repair law to implement the recommendations of the automotive right to repair working group established pursuant to Resolve 2023, chapter 171. The bill repeals the provision that established an independent entity and instead establishes the Motor Vehicle Right to Repair Commission, which is charged with, among other things, monitoring and assessing implementation of and motor vehicle manufacturers' compliance with the requirements of the automotive right to repair law.

The bill corrects a provision in current law that applies only to motor vehicles with a model year of 2002 by clarifying that the provision applies to motor vehicles with a model year of 2002 or later.

The bill replaces a phrase used in current law, “authorized independent repair shop,” with the phrase “owner-authorized independent repair facility,” meaning an independent repair facility that has been authorized by a motor vehicle owner to receive or access diagnostic and repair information or other mechanical data pertaining to the owner’s vehicle in order to repair it.

The bill establishes a new deadline of September 1, 2027 for motor vehicle manufacturers to comply with the requirement that vehicles sold in this State be equipped with inter-operable and standardized owner-authorization access platforms.

The bill makes changes to the provision in current law governing enforcement by removing language that requires the Attorney General to bring any action or proceeding necessary to enforce the law upon notice from the independent entity that the right to repair law may have been violated and replaces it with language that allows but doesn't require the Attorney General to bring an action when the Attorney General receives a referral from the Motor Vehicle Right to Repair Commission or otherwise has reason to believe the right

1 to repair law may have been violated. It also provides that the Attorney General may seek
2 injunctive relief and a civil penalty of not more than \$10,000 per violation.

3 The bill clarifies that in cases when the law requires motor vehicle manufacturers to
4 share data or access to data with motor vehicle owners and owner-authorized independent
5 repair facilities, those manufacturers are required to provide the same data or provide access
6 to the same extent as provided to the manufacturers' authorized repair shops.