

AMENDMENT TO RULES COMMITTEE PRINT 117-8
OFFERED BY MR. RUSH OF ILLINOIS

Page 1508, after line 13, add the following new section (and update the table of contents accordingly):

1 **SEC. 10109. MAINTAINING COMPETITION AFTER CON-**
2 **SUMERS PURCHASE OR LEASE THEIR MOTOR**
3 **VEHICLES.**

4 (a) IN GENERAL.—

5 (1) PROHIBITION ON MOTOR VEHICLE MANU-
6 FACTURERS WITHHOLDING OF DATA, CRITICAL RE-
7 PAIR INFORMATION, AND TOOLS.—A motor vehicle
8 manufacturer shall not employ any technological
9 barrier or specified legal barrier that impairs the
10 ability of—

11 (A) a motor vehicle owner or the motor ve-
12 hicle owner's designees to access vehicle-gen-
13 erated data pursuant to subparagraphs (A) and
14 (B);

15 (B) a motor vehicle owner or the motor ve-
16 hicle owner's designees, or an aftermarket parts
17 manufacturer, a motor vehicle equipment manu-
18 facturer, an aftermarket parts remanufacturer,
19 or a motor vehicle repair facility and their dis-

1 tributors and service providers to access critical
2 repair information and tools pursuant to para-
3 graph (2)(C);

4 (C) a motor vehicle owner or the motor ve-
5 hicle owner's designees to use a vehicle towing
6 or service provider of their choice. Such choice
7 must be available through an in-vehicle system
8 or mobile based application to the original and
9 subsequent motor vehicle owners or their des-
10 ignees throughout the life of the motor vehicle.

11 (D) an aftermarket parts manufacturer, a
12 motor vehicle equipment manufacturer, an
13 aftermarket parts remanufacturer, or a motor
14 vehicle repair facility and their distributors and
15 service providers to produce or offer compatible
16 aftermarket parts; or

17 (E) a motor vehicle owner or the motor ve-
18 hicle owner's designees to diagnose, repair, and
19 maintain a motor vehicle in the same manner
20 as any motor vehicle manufacturer or motor ve-
21 hicle dealer.

22 (2) REQUIREMENT TO PROVIDE MOTOR VEHI-
23 CLE DATA TO OWNERS.—A motor vehicle manufac-
24 turer shall—

1 (A) Effective upon enactment, provide for
2 motor vehicle owners and their designees, with-
3 out restrictions or limitations (including a fee,
4 license, or requiring use of a device mandated
5 by the motor vehicle manufacturer to decrypt
6 vehicle-generated data), to have access to vehi-
7 cle-generated data;

8 (B) commencing within 12 months upon
9 publication of the Final Rule and thereafter—

10 (i) if the motor vehicle manufacturer
11 utilizes wireless technology or telematics
12 systems to transmit any vehicle-generated
13 data, it shall make available vehicle-gen-
14 erated data to the motor vehicle owner and
15 its designees, directly and wirelessly from
16 the vehicle through a standardized access
17 platform

18 (C) make available to motor vehicle owners
19 and their designees, aftermarket parts manu-
20 facturers, aftermarket parts remanufacturers,
21 and motor vehicle repair facilities, and their dis-
22 tributors and service providers without restric-
23 tions or limitations, any critical repair informa-
24 tion and tools related to the motor vehicles it

1 manufactures at a fair, reasonable, and non-
2 discriminatory cost.

3 (3) PROHIBITION ON CERTAIN MANDATES BY
4 MOTOR VEHICLE MANUFACTURERS RELATED TO RE-
5 PAIRS.—Outside of recall and warranty repairs, a
6 motor vehicle manufacturer shall not, within repair
7 or maintenance service procedures, recommenda-
8 tions, service bulletins, repair manuals, position
9 statements, or other similar repair or maintenance
10 guides that are distributed to consumers or to pro-
11 fessional repairers—

12 (A) mandate or imply a mandate to use
13 any particular brand or manufacturer of parts,
14 tools, or equipment; or

15 (B) recommend the use of any particular
16 brand or manufacturer of parts, tools, or equip-
17 ment unless the motor vehicle manufacturer
18 provides a prominent notice immediately fol-
19 lowing the recommendation, in the same font as
20 the recommendation and in a font size no
21 smaller than the font size used in the rec-
22 ommendation, stating that “Vehicle owners can
23 choose which repair parts, tools, and equipment
24 to purchase and should carefully consider their
25 options.”.

1 (4) CYBERSECURITY.—Nothing in this section
2 shall preclude a manufacturer from employing cryp-
3 tographic or technological protections necessary to
4 secure vehicle-generated data, safety critical vehicle
5 systems, and vehicles.

6 (5) PROHIBITION ON CERTAIN LIMITATIONS.—
7 The entity managing the standardized access plat-
8 form under paragraph (18) of subsection (g), shall
9 not limit the number or types of persons which each
10 motor vehicle owner may designate as simultaneous
11 designees under this subsection.

12 (6) NOTIFICATIONS.—Motor vehicle manufac-
13 turers and designees must notify vehicle owners ei-
14 ther via an on-vehicle screen or through a mobile de-
15 vice that vehicle generated data is being accessed.
16 Notifications must specify whether access will in-
17 clude the need to send an in vehicle command or
18 software updates in order to complete a repair

19 (7) LIMITATION.—Notwithstanding subpara-
20 graphs (E) and (F) of paragraph (6), the motor ve-
21 hicle manufacturer, including any affiliates of the
22 motor vehicle manufacturer, and any persons work-
23 ing on behalf of the motor vehicle manufacturer,
24 shall not be considered or treated as, or in the same
25 way, as the motor vehicle owner or as designees of

1 the motor vehicle owner for any purpose except for
2 including them in notifications of persistent access
3 to vehicle-generated data.

4 (b) NULLIFICATION OF ATTEMPTS TO RESTRICT
5 COMPETITION AND CONSUMER RIGHTS.—Except as pro-
6 vided in paragraphs (4) and (6) of subsection (a) any pro-
7 vision in a contract executed on or after the date of enact-
8 ment of this Act by or on behalf of a motor vehicle manu-
9 facturer that purports to violate subsection (a) shall be
10 null and void to the extent that it would allow the motor
11 vehicle manufacturer to avoid its obligations under sub-
12 section (a).

13 (c) ENFORCEMENT BY THE FEDERAL TRADE COM-
14 MISSION.—

15 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
16 TICES.—

17 (A) IN GENERAL.—A violation of this Act
18 shall be treated as an unfair or deceptive act or
19 practice within the meaning of section 5(a)(1)
20 of the Commission Act (15 U.S.C. 45(a)(1)).
21 The Commission shall enforce this section in
22 the same manner, by the same means, and with
23 the same jurisdiction, powers, and duties as
24 though all applicable terms and provisions of
25 the Commission Act (15 U.S.C. 41 et seq.)

1 were incorporated into and made a part of this
2 Act.

3 (B) PRIVILEGES AND IMMUNITIES.—Any
4 person alleging any action taken or refused to
5 be taken by any motor vehicle manufacturer
6 subject to this section, in contravention of the
7 provisions thereof, may apply to the Commis-
8 sion by petition which must briefly state the
9 facts, whereupon a statement of the complaint
10 thus made shall be forwarded by the Commis-
11 sion to such motor vehicle manufacturer, which
12 shall be called upon to satisfy the complaint or
13 to answer the same in writing within a reason-
14 able time to be specified by the Commission. If
15 such motor vehicle manufacturer within the
16 time specified has ceased the conduct that is
17 the subject of the complaint and otherwise
18 makes reparation for the injury alleged to have
19 been caused, the motor vehicle manufacturer
20 shall be relieved of liability to the complainant
21 only for the particular violation of law thus
22 complained of. If such motor vehicle manufac-
23 turer does not satisfy the complaint within the
24 time specified or there is any reasonable ground
25 for investigating said complaint, it shall be the

1 duty of the Commission to investigate the mat-
2 ters complained of in such manner and by such
3 means as it shall deem proper. No complaint
4 may at any time be dismissed because of the
5 absence of direct damage to the complaint.

6 (C) DEADLINE FOR ORDERS BY THE COM-
7 MISSION.—The Commission shall, with respect
8 to any investigation under this section of the
9 lawfulness of a practice of a motor vehicle man-
10 ufacturer, issue an order concluding such inves-
11 tigation within 5 months after the date on
12 which the complaint was filed. Any order con-
13 cluding an investigation under this paragraph
14 shall be a final order and may be appealed to
15 the Federal district court for the District of Co-
16 lumbia.

17 (d) FAIR COMPETITION AFTER VEHICLES ARE SOLD
18 ADVISORY COMMITTEE.—

19 (1) ESTABLISHMENT.—Not later than ninety
20 90 days after the date of enactment of this Act, the
21 Federal Trade Commission shall form a “Fair Com-
22 petition After Vehicles are Sold Advisory Com-
23 mittee”. The Chairman of the Commission shall
24 serve as the chairman of the Advisory Committee.

1 (2) DUTIES.—The Advisory Committee shall
2 provide recommendations to the Chairman of the
3 Federal Trade Commission on implementation of
4 this Act and competition issues after vehicles are
5 sold, including those facing the vehicle repair indus-
6 try to include an assessment of existing and emerg-
7 ing barriers related to vehicle repair, as well as en-
8 suring motor vehicle owners’ control over their vehi-
9 cle-generated data.

10 (3) FUNCTION.—In carrying out its duties
11 under subsection (b), the Advisory Committee
12 shall—

13 (A) foster industry collaboration in a clear
14 and transparent manner;

15 (B) coordinate with and include participa-
16 tion by the private sector, including representa-
17 tives of—

18 (i) independent repair facilities;

19 (ii) motor vehicle parts retailers;

20 (iii) motor vehicle parts distributors;

21 (iv) original equipment parts manu-
22 facturers;

23 (v) aftermarket parts manufacturers;

24 (vi) aftermarket tools manufacturers;

25 (vii) motor vehicle manufacturers;

1 (viii) vehicle dealership service cen-
2 ters;

3 (ix) consumer rights organizations;

4 (x) automobile insurers;

5 (xi) members of the public; and

6 (xii) other interested parties and

7 (C) assess existing and emerging barriers
8 to competitive vehicle repair.

9 (4) MEMBERSHIP.—The Advisory Committee
10 shall be composed of the following members:

11 (A) The Director of the Bureau of Com-
12 petition, or his or her designee.

13 (B) The Administrator of the National
14 Highway Traffic Safety Administration, or his
15 or her designee.

16 (C) At least 11 individuals, appointed by
17 the Chairman of the Federal Trade Commis-
18 sion, with each of the following interests having
19 at least one representative:

20 (i) Independent repair facilities.

21 (ii) Motor vehicle parts retailers.

22 (iii) Motor vehicle parts distributors.

23 (iv) Original equipment parts manu-
24 facturers.

25 (v) Aftermarket parts manufacturers.

- 1 (vi) Aftermarket tools manufacturers.
2 (vii) Motor vehicle manufacturers.
3 (viii) Vehicle dealership service cen-
4 ters.
5 (ix) Consumer rights organizations.
6 (x) Automobile insurers.
7 (xi) Trucking company.

8 (5) MEETINGS.—The Advisory Committee shall
9 meet at least three times per year at the call of the
10 chairman.

11 (6) REPORT.—On at least an annual basis, the
12 Advisory Committee shall issue a report to the chair-
13 man on efforts by the industries represented within
14 the Advisory Committee to implement this Act as
15 well as an assessment of existing and emerging bar-
16 riers to vehicle repair and motor vehicle owners' con-
17 trol over their vehicle-generated data, including
18 whether additional types of data, regardless of
19 whether those additional types of data are related to
20 motor vehicle repair, should be included in the defi-
21 nition of vehicle-generated data. A copy of each final
22 report shall be submitted to the Commission prior to
23 the promulgation of a final rule pursuant to sub-
24 section (e)(2). A copy of each report shall be pro-
25 vided to the House Committee on Energy and Com-

1 merce and the Senate Committee on Commerce,
2 Science, and Transportation by the Chairman within
3 30 days of receipt.

4 (7) TERMINATION.—The Advisory Committee
5 shall terminate upon an agreement of a majority of
6 the membership. Notice of the termination shall be
7 provided to the House Committee on Energy and
8 Commerce and the Senate Committee on Commerce,
9 Science, and Transportation within 30 days of the
10 termination and include a basis for the termination.

11 (e) RULEMAKING.—

12 (1) REQUIRED RULEMAKING.—Not later than 6
13 months after the date of enactment of this Act, the
14 National Highway Traffic Safety Administration, in
15 consultation with the Commission, shall, pursuant to
16 subsection (g)(18), issue a notice of proposed rule-
17 making issuing standards for the standardized ac-
18 cess platform and identifying guidance to ensure the
19 security of vehicle-generated data and vehicles as re-
20 lated to the access of vehicle generated data required
21 pursuant to this Act.

22 (A) As part of this process the Commis-
23 sion, in consultation with the National Highway
24 Traffic Safety Administration, shall further des-
25 ignate an independent entity not controlled by

1 one or more motor vehicle manufacturers to en-
2 sure, on an ongoing basis, that access to the
3 platform is secure based on all applicable inter-
4 national standards. The independent entity
5 shall consist of a cross-section of industry
6 stakeholders, including, but not limited to,
7 aftermarket part manufacturers, telematics
8 service providers, and motor vehicle manufac-
9 turers. The platform's administrators' respon-
10 sibilities include managing cybersecure access of
11 vehicle generated data, managing legitimate
12 data requests, data standardization and harmo-
13 nization, and dispute resolution.

14 (B) The notice of proposed rulemaking
15 shall also require motor vehicle manufacturers
16 and motor vehicle dealers to inform vehicle own-
17 ers of their rights under this Act at the point
18 of purchase, or lease, of a motor vehicle.

19 (C) The National Highway Traffic Safety
20 Administration, in consultation with the Com-
21 mission, shall issue final regulations no later
22 than 2 years after the date of enactment of this
23 Act, pursuant to subsection (g)(18).

24 (2) **AUTHORITY FOR ADDITIONAL RULES.**—The
25 Commission, in consultation with the National High-

1 way Traffic Safety Administration, may promulgate
2 regulations to—

3 (A) pursuant to subsection (g)(17), define
4 one or more additional specified legal barriers
5 to—

6 (i) motor vehicle repair;

7 (ii) control by a motor vehicle owner
8 of the motor vehicle owner’s vehicle-gen-
9 erated data; or iii. a combination of clauses
10 i and ii;

11 (B) pursuant to subsection (g)(19), specifi-
12 cally include within the definition of “techno-
13 logical barrier” one or more prohibited prac-
14 tices, but any such regulations shall not limit
15 the definition to one or more specifically prohib-
16 ited practices; or

17 (C) add additional types of data to the def-
18 inition of vehicle-generated data under sub-
19 section (g)(21), regardless of whether those
20 types of data are related to motor vehicle re-
21 pair, taking cybersecurity and privacy into con-
22 sideration, to allow consumers and their des-
23 ignees to directly access additional types of ve-
24 hicle-generated data, and for additional pur-

1 poses, than they would be on the effective date
2 of this Act.

3 (3) UPDATES.—Not later than 3 years after the
4 date of enactment of this Act, and not less fre-
5 quently than every 3 years thereafter, the Commis-
6 sion, in consultation with the Fair Competition After
7 Vehicles are Sold Advisory Committee established in
8 subsection (d), shall—

9 (A) review the final regulations promul-
10 gated pursuant to paragraphs (1); and (2), if
11 any such final regulations were promulgated;

12 (B) consider whether it is necessary to up-
13 date the final regulations promulgated pursuant
14 to paragraph (1) to ensure that the standard-
15 ized access platform is effective for motor vehi-
16 cle owners and their designees and that it is not
17 managed by an entity controlled by one or more
18 motor vehicle manufacturers;

19 (C) if no final regulations were promul-
20 gated pursuant to paragraph (2), promulgate
21 new regulations, or if not, update the final reg-
22 ulations promulgated pursuant to paragraph
23 (2), as necessary to prohibit existing and
24 emerging barriers to vehicle repair and motor
25 vehicle owners' control over their vehicle-gen-

1 erated data, including adding additional types
2 of data to the definition of vehicle-generated
3 data under subsection (g)(21), regardless of
4 whether those types of data are related to
5 motor vehicle repair, taking cybersecurity and
6 privacy into consideration, to allow consumers
7 and their designees to directly access additional
8 types of vehicle-generated data, and for addi-
9 tional purposes, than they would be on the ef-
10 fective date of this Act, as included in the an-
11 nual report required in subsection (d)(6); and

12 (D) request voluntary comments from
13 aftermarket parts manufacturers, motor vehicle
14 repair facilities, motor vehicle manufacturers,
15 consumer rights organizations, automobile in-
16 surers, and others for the Commission to collect
17 information on new, emerging barriers and
18 other issues relevant to the Commission's regu-
19 lations to be considered in each update of the
20 final regulations.

21 (f) REPORT TO CONGRESS.—Not later than 2 years
22 after the date of enactment of this Act, and every 2 years
23 thereafter, the Commission shall submit to the Committee
24 on Energy and Commerce of the House of Representatives

1 and the Committee on Commerce, Science, and Transpor-
2 tation of the Senate a report that includes—

3 (1) a summary of investigations conducted and
4 orders issued under subsection (b), including de-
5 scriptions of unfair practices relating to repair and
6 data access restrictions, and a summary of best
7 practices from stakeholders;

8 (2) actions the Commission is taking adapt to
9 changes and advances in motor vehicle technology to
10 maintain competition in the motor vehicle
11 aftermarket and to ensure motor vehicle owners'
12 control over their vehicle-generated data;

13 (3) any recommendations by the Commission
14 for legislation that would improve the ability of the
15 Commission and other relevant Federal agencies to
16 further protect consumers from unfair acts limiting
17 competition in motor vehicle repair and strengthen
18 their control over their vehicle-generated data; and

19 (4) a description of recommendations from the
20 Advisory Committee annual report that were not in-
21 cluded in the most recent rulemaking required under
22 subsection (e) and an explanation as to why the rec-
23 ommendations were not adopted.

24 (g) DEFINITIONS.—In this Act, the following defini-
25 tion apply:

1 (1) AFTERMARKET PART.—The term
2 “aftermarket part” means any part offered for sale
3 or for installation in or on a motor vehicle after such
4 vehicle has left the vehicle manufacturer’s produc-
5 tion line. Excludes original equipment parts manu-
6 factured for a motor vehicle manufacturer.

7 (2) BARRIER.—The term “barrier” means a re-
8 striction that prohibits, makes more difficult, or
9 tends to make more difficult, the ability of a person
10 to exercise rights under this section.

11 (3) CRITICAL REPAIR INFORMATION AND
12 TOOLS.—The term “critical repair information and
13 tools” means all necessary technical and compat-
14 ibility information, tools, equipment, schematics,
15 parts nomenclature and descriptions, parts catalogs,
16 repair procedures, training materials, software, and
17 technology, specifically including but not limited to
18 information related to diagnostics, repair, service,
19 calibration or recalibration of parts and systems to
20 return a vehicle to operational specifications

21 (4) INSURER.—The term “insurer” has the
22 meaning given that term under section 313(r) of
23 title 31, United States Code.

24 (5) MOTOR VEHICLE REPAIR FACILITY.—The
25 term “motor vehicle repair facility” means any per-

1 son or business who, in the ordinary course of its
2 business, is engaged in the business of diagnosis,
3 service, maintenance, repair, or calibration of motor
4 vehicles or motor vehicle equipment.

5 (6) MOTOR VEHICLE DEALER.—The term
6 “motor vehicle dealer” means a dealer, as defined in
7 section 30102(a) of title 49, United States Code,
8 which has an agreement with a motor vehicle manu-
9 facturer related to the diagnostics, repair, or service
10 of a motor vehicle.

11 (7) MOTOR VEHICLE MANUFACTURER.—The
12 term “motor vehicle manufacturer” means an entity
13 manufacturing a “motor vehicle” as defined in sec-
14 tion 30102(a) of title 49, United States Code.

15 (8) MOTOR VEHICLE.—The term “motor vehi-
16 cle” has the meaning given such term in section
17 30102(a) of title 49, United States Code, and of the
18 term “motor vehicle trailer” in section 390 of title
19 49, Code of Federal Regulations.

20 (9) MOTOR VEHICLE EQUIPMENT.—The term
21 “motor vehicle equipment” has the meaning given
22 such term in section 30102(a) of title 49, United
23 States Code.

24 (10) MOTOR VEHICLE OWNER.—The term
25 “motor vehicle owner” means a person with a

1 present possessive ownership right in a motor vehicle
2 or a lessee of a motor vehicle. It does not include a
3 motor vehicle manufacturer or a person operating on
4 behalf of a motor vehicle manufacturer, a motor ve-
5 hicle financing company, or a motor vehicle lessor.

6 (11) PERSON.—The term “person” means an
7 individual, trust, estate, partnership, association,
8 company, or corporation.

9 (12) COMMISSION.—The term “Commission”
10 means the Federal Trade Commission.

11 (13) CHAIRMAN.—The term “Chairman” means
12 the Chairman of the Federal Trade Commission.

13 (14) REMANUFACTURER.—The term “remanu-
14 facturer” means a person utilizing a standardized
15 industrial process by which previously sold, worn, or
16 non-functional products are returned to same-as-
17 new, or better, condition and performance. The proc-
18 ess is in line with specific technical specifications, in-
19 cluding engineering, quality, and testing standards.
20 The process yields fully warranted products.

21 (15) SERVICE PROVIDER.—The term “service
22 provider” means any designee of a motor vehicle
23 owner or motor vehicle repair facility employed by
24 the motor vehicle owner or motor vehicle repair facil-
25 ity to assist with the diagnosis and repair of a vehi-

1 cle including wireless and remote technologies, or
2 with any other wireless and remote services com-
3 parable to those provided by a vehicle manufacturer.

4 (16) SPECIFIED LEGAL BARRIER.—The term
5 “specified legal barrier” means one of the following
6 barriers—

7 (A) requesting a waiver of a motor vehicle
8 owner’s right to use a repair facility of the con-
9 sumer’s choice under this section, requiring a
10 waiver as a condition for purchasing, leasing,
11 operating, or obtaining warranty repairs, or of-
12 fering any compensation or other incentive for
13 such a waiver; or

14 (B) a barrier included within the definition
15 of “specified legal barrier” in regulations pro-
16 mulgated by the Commission pursuant to sub-
17 section.

18 (17) STANDARDIZED ACCESS PLATFORM.—The
19 term “standardized access platform” means a
20 cybersecure authentication and authorization system
21 that has the ability to securely access and commu-
22 nicate vehicle generated data emanating directly
23 from a motor vehicle via direct local and remote
24 wireless data connections bidirectionally and in real-
25 time. The vehicle owner shall be able to access vehi-

1 cle generated data from such platform. Upon the au-
2 thorization of the vehicle owner, via such platform,
3 vehicle generated data shall be directly and wire-
4 lessly accessible by a designee limited to the time to
5 complete the repair or maintenance or for a period
6 of time agreed to by the vehicle owner. Access to
7 such platform shall be standardized across all makes
8 and models and include the ability to send com-
9 mands to in-vehicle components needed for purposes
10 of maintenance, diagnostics, or repair.

11 (18) TECHNOLOGICAL BARRIER.—The term
12 “technological barrier” means any technological re-
13 striction that prohibits, makes more difficult, or
14 tends to make more difficult, the ability of a person
15 to exercise rights under this section. It includes, but
16 is not limited to, any such restriction specifically
17 prohibited by regulations promulgated by the Com-
18 mission pursuant to subsection (e).

19 (19) TELEMATICS SYSTEM.—The term
20 “telematics system” means any system in a motor
21 vehicle that collects information generated by the op-
22 eration of the vehicle and transmits such informa-
23 tion, utilizing wireless communications to a remote
24 receiving point where it is stored.

1 (20) VEHICLE-GENERATED DATA.—The term
2 “vehicle-generated data” means any direct, real-
3 time, in-vehicle data generated, or generated and re-
4 tained, by the operation of a motor vehicle related
5 to diagnostics, repair, service, wear, and calibration
6 or recalibration of parts and systems required to re-
7 turn a vehicle to operational specifications, as well
8 as any data related to the types of data included
9 within the definition of “vehicle-generated data” in
10 regulations promulgated by the Commission pursu-
11 ant to subsection (e). Nothing in this definition will
12 allow the vehicle to be taken out of compliance with
13 Federal vehicle safety and emissions laws, regula-
14 tions and standards.

15 (h) EFFECTS ON STATE LAW.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), this section shall preempt State law only
18 to the extent a State law imposes a duty on a manu-
19 facturer that is narrower than the duties described
20 in this section.

21 (2) PREEMPTION.—Notwithstanding paragraph
22 (1), this section shall preempt any State law man-
23 dating the use of any particular brand or manufac-
24 turer of parts, tools, or equipment for the purpose

1 of maintaining, diagnosing, or repairing a motor ve-
2 hicle.

3 (i) SEVERABILITY.—If any provision of this Act is
4 held to be invalid, the remainder of this Act shall not be
5 affected thereby.

