



Holden

GM Holden

Comments to Consultation Paper

Mandatory scheme for the sharing of motor vehicle service and repair information

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Introduction

GM Holden Ltd (Holden) welcomes the opportunity to comment on the consultation paper for a proposed mandatory scheme for the sharing of motor vehicle service and repair information.

Holden was established in Adelaide in 1856 and has served as a transport and mobility related business since that time. From saddles to horse drawn carriages then motor vehicle bodies, Holden commenced full scale car production in 1948 and established an extensive network of dealerships throughout Australia.

Holden currently has the second largest dealership footprint in Australia, with 211 dealerships and service centres which are spread roughly evenly between rural-regional and metropolitan locations. As the new vehicle market has matured and become increasingly competitive with an abundance of new market participants, Holden's dealership footprint has evolved and adapted to the ever-changing market conditions.

Holden also conducts significant Engineering and Design research and development in Australia, employing approximately 400 people in these functions and spending over \$100 million annually on R&D in Australia.

The Australian automotive retail market is one of the most highly competitive globally, with over 60 brands and approximately 400 models represented. Vehicle dealerships today are often multi-branded and Holden co-exists with other manufacturers in many locations.

Holden's dealers provide new car sales and service throughout Australia. In recognition of the large number of Holden vehicles on Australian roads and in compliance with the FCAI Voluntary Code of Practice for Access to Service Information, Holden over many years has provided access to service and repair information for independent vehicle service businesses, on commercially reasonable terms.

Holden is an active member of the Federal Chamber of Automotive Industries (FCAI) and has strong Board and Committee representation in the FCAI. Holden also has a good working relationship with the Australian Automotive Dealers Association (AADA) and is in regular contact with both the FCAI and the AADA across a range of industry matters.

FCAI submission to Consultation Paper

Holden has participated in the preparation of the submission by the FCAI to the Consultation Paper and provided extensive input to the FCAI submission. As such, Holden primarily refers The Treasury to the FCAI submission, which Holden supports.

Holden comments to the Consultation Paper

Similar to the FCAI position, Holden does not oppose the establishment of a mandatory code of conduct for access to vehicle service and repair information (Code).

In considering a Code, appropriate safeguards must be in place relating to safety, security and environmental information (SSE). Safety is a priority, for the safe operation and integrity of the vehicle, its users and the general public, as well as the occupational health and safety of

service technicians operating on vehicles in workshops. The FCAI submission addresses these areas in detail.

Holden's sister brands in General Motors operating in the USA, such as Chevrolet, Buick and Cadillac, have been operating under the guidelines of a US right to repair memorandum of understanding and Holden sees operational similarities to what is being proposed in Australia, to the US system.

Comments on objectives of the Code

Holden already makes repair and service information available to independent repairers on commercially fair and reasonable terms. Information included under a Code should be limited to information that is presently cleared and provided to the authorised Holden dealer network.

It would be commercially unreasonable and unfair for independent repairers to be provided repair information and tools for less outlay than an authorised Holden dealer.

Per detail of the FCAI submission, appropriate protections for SSE information must be in place for adequate protection and safety of consumers and to maintain integrity of increasingly sophisticated vehicle SSE systems.

SSE information which is not made available to Holden's authorised dealers should not be extended to independent repairers. Likewise, there should also be limits on some information that we supply to dealers (eg. security) that may not extend to independent repairers if they are not suitably accredited.

With technological complexity of vehicles rapidly increasing, particularly regarding safety technologies, electrification and semi-autonomous systems, it is paramount that operational integrity of the vehicle is not compromised and that vehicles are serviced and repaired in adherence to manufacturer specifications. Service delivery should entail appropriate levels of manufacturer accredited training.

Any service or repair workshops outside the manufacturer's authorised network should be appropriately accredited and receive training in line with that required of the authorised network. Holden refers to the FCAI submission which sets out appropriate definitions, accreditation and training requirements which should relate to independent service and repair workshops.

Scope of sharing of diagnostic, repair and service information

Holden agrees that the Code should have a clear definition of what information manufacturers should make available and that information would relate to the diagnostic, repair and servicing information and tools for the safe and efficient conduct of service and repair activities.

Information shared under a mandatory Code should only be for purpose of genuine service and repair and related training activities. It should not be open for further commercial purposes that risk violating a manufacturer's intellectual property (IP), such as manufacture of

aftermarket parts and accessories, or access to proprietary software systems such as telematics.

As vehicles and mobility technologies become increasingly advanced, substantial research and development investment by the manufacturer is required. Shared information should not extend to trade secrets, manufacturer IP and commercially sensitive information, such as proprietary commercial technologies that may be developed by a manufacturer but which are not intrinsic to the primary operation of the vehicle (eg. accessories, telematics and fleet management systems).

Holden supports a regular review of included/excluded information under a Code as vehicle and mobility technologies rapidly advance. Information relating to proprietary technologies and data of ancillary commercial systems (eg. fleet management systems) developed by a manufacturer for a vehicle, typically at considerable investment cost, should be excluded, with that type of information sharing to be at the discretion of the manufacturer.

Holden already makes service and repair information widely available to independent repairers on commercially fair and reasonable terms.

Timing of access to information

Holden and its authorised dealer workshops often share information to diagnose and identify fixes to vehicle issues as they arise in the field. These diagnostic practises are important and must be able to continue. Diagnostic information sharing often occurs before information is cleared to be shared via general distribution to the wider service network through service bulletins.

Any mandatory data sharing provisions under a Code should commence from point of network-wide notification and not compromise nor be regarded as like the earlier diagnostic information sharing process.

Need for a Regulation Impact Statement

Holden believes that a Regulation Impact Statement (RIS) should be prepared for stakeholder feedback, given the array of costs – many substantial – which would arise from implementation of a Code. Service technician training and expanded access to technical departments and helpdesks are areas where substantial cost increases will be incurred.

The period of consultation for what is a complex industry matter has been relatively short and has not provided enough time to adequately address cost implications in detail. A RIS process is appropriate to consider full cost implications to business and provide further opportunity to address matters arising from the proposed Code in greater detail.

Holden appreciates the opportunity to provide this feedback to the Consultation Paper.