

29 January 2021

Mandatory Motor Vehicles Scheme
Market Conduct Division
The Treasury
Langton Crescent
PARKES ACT 2600

By email: repairinfo@treasury.gov.au

Dear Sir / Madam,

Motor vehicle service and repair information sharing scheme

We refer to the recently released *Competition and Consumer Amendment (Motor Vehicle Service and Repair Information Sharing Scheme) Bill 2020* (the Bill) and explanatory memorandum for the mandatory motor vehicle service and repair and information sharing scheme (the Scheme).

Thank you for the opportunity to provide feedback on the Bill and proposed design of the Scheme.

The Insurance Council of Australia (ICA) is the representative body for the general insurance industry in Australia. Our members provide a range of insurance products including motor vehicle insurance.

As previously outlined in our submission of 11 March 2019 to Treasury's Market Conduct Division, to ensure vehicles are able to be serviced and repaired safely and efficiently, it is essential that technical and diagnostic repair information is available to all repairers and not restricted to those operating within authorised manufacturer and dealer networks.

The ICA therefore support the introduction of the Scheme and the release of the Bill.

While supporting the Scheme, the ICA has identified some key areas where the proposed design of the Scheme could be improved to better achieve its objectives and ensure its ongoing effectiveness.

Greater Vehicle Coverage

While welcoming the new obligations on data providers to provide information to repairers and registered training organisations, the ICA is of the view that the types of vehicles covered under the Scheme should be expanded.

As it is currently drafted, the Bill only appears to cover service and repair information relating to passenger and light motor vehicles (Schedule 1, Division 1, (1) (a) of the Bill).

It would be desirable if the Scheme covered service and repair information relating to other types of vehicles, including heavy vehicles and vehicles with advanced automated driving systems. This would provide for a more effective and comprehensive scheme that will better keep pace with new emerging car technology.

Similarly, the very broad meaning of 'safety information' contained in the Bill, which includes information relating hybrid or electric propulsion systems (located on page 8 of the Bill) may have the effect of restricting independent repairers' ability to access information to repair electric and hybrid vehicles.

Given the forecast imminent growth in the take up of electric vehicles in Australia, the ICA suggest that it may be more appropriate to incorporate these definitions/meanings within the Scheme rules. This would not only cater to the growth in new vehicle technology but also allow the Scheme to be more adaptable and avoid any unnecessary information sharing restrictions.

As outlined in our March 2019 submission, where there is a genuine need to restrict information for safety reasons, restrictions can be managed through appropriate vetting and traceability of users, as has successfully occurred in mandatory sharing schemes that operate overseas.

Telematics

We note the Bill specifically states that the information sharing scheme will not apply to telemetry (Schedule 1, Part 1 (2) (d) of the Bill). To ensure the long-term effectiveness of the Scheme the ICA is of the view that telematics should be included within the Scheme.

Almost all new vehicles are now capable of transmitting data via telematics. While this data can currently be accessed through a vehicle's on-board diagnostics outlet, advances in design and technology may see this information being stored remotely, creating a new access to information barrier for independent repairers and RTO's. Therefore, the ICA believe it is necessary that telematics be included in the Scheme to ensure diagnostic information can continue to be accessible.

A single portal / standard interface

The ICA note it is proposed that Scheme information be provided through data providers' existing systems. The ICA are of the view that the use of a single standard interface, as is used in the United States (through the SAE J2534 interface) and Europe, should be considered. The use a standard interface, as opposed to multiple separate data provider sites and platforms, has been highly effective and efficient in these overseas information sharing models.

Providing information through a single interface will also reduce the complexity of the Scheme as it will avoid the need for repairers and RTO's to negotiate multiple data provider platforms and having to purchase multiple subscription options.

We trust this feedback is of assistance.

We would welcome the opportunity to discuss our feedback with you in more detail. If you have any queries or are available to meet to with us please contact Neha Chopra, Policy Advisor or by email.

Yours sincerely

Andrew Hall
Executive Director and CEO