Money flows in auto bill battle

Lobbyists reap over $600,000; ‘Right to Repair’ vote set for today

By Megan Woolhouse
Globe Staff / February 24, 2010

A measure that could make car repairs less expensive for consumers heads to a vote on Beacon Hill today amid a torrent of lobbying by some of the country’s most powerful corporations.

The stakes are high in the battle over the Right to Repair Act. Massachusetts stands to become the first state to pass such a bill, which would tip the balance of power in the auto repair industry.

Advocates, including auto parts makers, say the measure would help consumers get cars repaired more inexpensively because it would allow independent mechanics full access to the same information available to dealership mechanics, who generally charge more.

Critics, including most of the world’s largest auto makers, oppose the bill, saying it would force them to give away trade secrets to companies that could turn around and make the parts more cheaply.

“The list of lobbying firms involved is practically a who’s who of Massachusetts lobbying firms,” said Pam Wilmot, executive director of Common Cause Massachusetts, a watchdog group that monitors lobbying activity. “There’s a lot of money invested in this.”

The lobbyists’ war for influence over the measure has been mounting for years, with hundreds of thousands of dollars spent so far. But the fight reached a critical point this month when the Legislature’s Joint Committee on Consumer Protection and Professional Licensure voted 12-1 to recommend approval of the bill. A Senate vote is scheduled for today. More than 40 Massachusetts legislators expressed support for the bill last year.

Supporters include the Automotive Aftermarket Industry Association, which represents companies like Napa and Auto Zone, and the Coalition for Auto Repair Equality, which represents Midas, Jiffy Lube, and others.

The two groups paid $130,000 to the lobbying firm Brian S. Hickey Associates and an additional $36,000 to Travaglini, Eisenberg and Kiley LLC last year, according to documents filed at the secretary of state’s office. Robert E. Travaglini, the former Senate president, is handling the firm’s Right to Repair
lobbying effort.

Major opponents include car manufacturers.

The Alliance of Automobile Manufacturers paid the firm Ferriter Scobbo & Rodophele PC $65,947 last year. Robert Rodophele is a former state assistant attorney general. The Association of International Automobile Manufacturers paid Beacon Hill Consulting Group LLC $50,500 for its work against the bill. One of the group’s principals, John C. Bartley, is a former legislator.

Altogether, that represents more than $600,000 spent by both sides since 2006 and excludes money spent on lobbyists in 2010, which has not been reported yet. It’s likely even more money has been spent to defeat the bill, because the auto industry has lobbyists who are on the lookout for proposals at odds with automakers’ interests.

Toyota Motor North America Inc. paid the Boston firm Rasky Baerlein Strategic Communications $48,000 for lobbying in 2009 and $22,500 in 2008. That included the firm’s efforts against the Right to Repair bill.

General Motors Corp. paid Shanley Fleming & Associates of Boston $84,000 in each of the last three years until June, when the motor giant sought bankruptcy protection. The firm referred calls to GM, which did not return phone calls.

Justine Griffin, a senior vice president at Rasky Baerlein, said major automakers mounted an intensive lobbying effort against the bill because the auto parts industry put “tremendous financial resources” behind it.

“It’s intensified because they [parts makers] have failed in every other state,” she said of the bill. “This is their last stand.”

Hickey, a lobbyist working on behalf of independent mechanics and the auto parts industry, said advocates visited “every single legislator” in the four years since the bill was first proposed and “outworked” their opponents on Beacon Hill.

“Auto manufacturers have been busy trying to get billions in taxpayer money [through federal bailouts] and people are getting pretty mad,” he said. Consumers wonder “why am I taking my seven-year-old car to a new dealer to get it fixed?”

Right to Repair has been proposed in Congress and to eight state legislatures since 2001, but has never been enacted.

In Massachusetts, the legislation was first proposed in 2006. Automakers’ fierce opposition is rooted in the concern that if they release manufacturing information about parts, the after-market parts industry will make and sell them more cheaply.

Boch Enterprises and Subaru of New England, one of Massachusetts’ biggest auto dealers, retained Suffolk Group LLC, a Boston lobbying firm, for $44,000 last year, in part out of concern about the bill. (William Cass, a principal in the firm, is a former state representative.)

“I’m just looking out for my interests,” said owner Ernie Boch Jr. He said the Right to Repair proposal is like “going to the government and demanding Coke give the formula for their product.”

Barry Steinberg, owner of four Direct Tire & Auto Service shops in
Massachusetts, said he supports the measure because his shops cannot fix some cars, forcing them to send customers to dealerships, where they face higher costs.

“Legislators know their constituents are going to spend more money to fix their cars if this thing doesn’t go through,” he said. “That’s why these lobbyists are so scared.”

State Senator Michael W. Morrissey, chairman of the Legislature’s committee that reviewed the measure, said that after meeting with lobbyists from both sides he voted for the bill, believing it would help small business owners.

“You have to make a decision on the information that’s been presented to you,” Morrissey said. “This is a very difficult issue to wade through.”

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