

"There Ought To Be A Law!"

by Margaret Pittelkow



Former Supreme Court Justice Oliver Wendell Holmes, Jr. said, "I find the great thing in this world is not so much where we stand, as in what direction we are moving." The freedom of mobility makes possible the American way of life.

Yet one person's rights can restrict another's. This year Congress will draft a new transportation bill to meet the mobility challenges the country faces. While one person can make a difference, organizations can and should weigh in on these efforts to ensure the best possible outcome.

Last month, we recapped some legislative efforts to help the emergency road service industry hold onto its towing frequencies. In this column we'd like to update readers in two more areas where AAA has lobbied on behalf of the industry.

About two years ago the Federal Motor Carrier Safety Administration (FMCSA) proposed new hours of service laws designed to combat truck driver fatigue. (The existing rules have not been changed in over 60 years). The FMCSA proposal, however, would apply to tow truck operators and long-haul truckers. While no

one would argue that long-distance haulers sometimes push themselves past fatigue and potentially endanger others on the road, there is no evidence to suggest that this same factor comes into play in accidents involving tow truck drivers. AAA, a recognized expert in the traffic safety field, joined with the Towing and Recovery Association of America (TRAA) to make that case to regulators. The FMCSA received over 50,000 comments in response to their proposal. "It appears that they are putting the final touches on a revised proposal, which may be available for public review in early 2003."

Another issue concerns the consumer's right to choose his auto mechanic as well as the repair facility's right to earn this business. New innovations in automotive technology help attract new car buyers, but also increase the competitive nature of the information stored in the vehicle. Today's cars are equipped with more sophisticated technology, but all auto technicians are not guaranteed access to it. Whether you are a tow provider with a repair business, or count yourself among consumers with newer cars, beware. Your wallet

and even your safety may be in jeopardy. Consider a lack of choice in where to purchase a reasonably priced replacement key for your vehicle, or worse, the inability of an independent mechanic to retrieve antilock brake data stored in a car's onboard computer.

AAA has supported the Right to Repair Act (H.R. 2736/S.2617) to ensure that consumers' interests are served. If the motoring public loses their choice of repair options, critical safety functions of their vehicles can be impacted. AAA will continue to monitor this legislation to ensure that motorists' rights are protected. For now, those holding access to this information have pledged to make this information available in the near future. Should you experience a situation where this has been a problem, contact your local AAA club automotive representative. AAA will continue to monitor these issues on behalf of consumers and automotive providers everywhere. Let's keep the watch together. 🚚

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