



## 2025 SENATE BILL 129

March 14, 2025 - Introduced by Senators JACQUE, CABRAL-GUEVARA and PFAFF, cosponsored by Representatives PENTERMAN, BEHNKE, BRILL, BROOKS, DITTRICH, GOEBEN, GOODWIN, GUNDRUM, KNODL, MAXEY, MELOTIK, MIRESSSE, MURPHY, MURSAU, PIWOWARCZYK, SORTWELL, STROUD and WICHGERS. Referred to Committee on Transportation and Local Government.

- 1 **AN ACT** *to create* 218.0170 of the statutes; **relating to:** the right to repair
- 2 motor vehicles and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

This bill prohibits motor vehicle manufacturers from employing certain barriers that impair the ability of the motor vehicle owners and the persons that repair motor vehicles from accessing motor vehicles' vehicle-generated data, critical repair information, or tools in order to repair the motor vehicles; that affect motor vehicle owners' ability to use a vehicle towing provider or service provider of their choice; or that affect motor vehicle owners' abilities to diagnose, repair, and maintain their vehicle in the same manner as would the motor vehicle manufacturer. The bill also prohibits motor vehicle manufacturers from employing certain barriers that affect the ability of aftermarket parts manufacturers, aftermarket parts remanufacturers, motor vehicle equipment manufacturers, motor vehicle repair facilities, distributors, or service providers to produce or offer compatible aftermarket parts. Additionally, the bill requires motor vehicle manufacturers to provide to motor vehicle owners and certain other entities access to certain data and tools related to the repair of the motor vehicles it manufactures. The bill also prohibits motor vehicle manufacturers from making certain mandates in regards to what parts, tools, or equipment must be used on its vehicles.

A manufacturer that violates a provision of the bill is subject to a forfeiture of \$10,000 per violation.

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For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 218.0170 of the statutes is created to read:

2           **218.0170 Right to repair motor vehicles. (1) DEFINITIONS.** In this  
3 section:

4           (a) “Aftermarket part” means a part offered for sale or for installation in or on  
5 a motor vehicle after the motor vehicle has left the motor vehicle manufacturer’s  
6 production line. “Aftermarket part” does not include a piece of original equipment  
7 or part manufactured for a motor vehicle manufacturer.

8           (b) “Barrier” means a restriction that prohibits, makes more difficult, or  
9 tends to make more difficult the ability of a person to exercise a right under this  
10 section.

11           (c) “Critical repair information and tools” means all necessary and  
12 compatibility information, tools, equipment, schematics, parts nomenclature and  
13 descriptions, parts catalogs, repair procedures, training materials, software, and  
14 technology, including information related to diagnostics, repair, service, and  
15 calibration or recalibration of parts and systems, used to return a motor vehicle to  
16 operational specifications.

17           (d) “Distributor” has the meaning given in s. 218.0101 (6).

18           (e) “Manufacturer” has the meaning given in s. 218.0101 (20).

19           (f) “Motor vehicle” has the meaning given in s. 218.0101 (22).

20           (g) “Motor vehicle dealer” has the meaning given in s. 218.0101 (23).

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1 (h) “Motor vehicle equipment” has the meaning given in 49 USC 30102 (a) (8).

2 (i) “Motor vehicle repair facility” means a person that, in the ordinary course  
3 of its business, is engaged in the business of diagnosis, service, maintenance,  
4 repair, or calibration of motor vehicles or motor vehicle equipment.

5 (j) 1. Except as provided in subd. 2., “owner” means all of the following, as  
6 applicable:

7 a. A person who owns a motor vehicle, or his or her designee.

8 b. A lessee of a motor vehicle, or his or her designee.

9 2. “Owner” does not include a manufacturer, a person acting on behalf of a  
10 manufacturer, a motor vehicle financing company, a motor vehicle dealer, or a motor  
11 vehicle lessor.

12 (k) “Remanufacturer” means a person who uses a standardized industrial  
13 process that returns previously sold, worn, or nonfunctional products to same-as-  
14 new or better condition and performance, resulting in a fully warranted product.

15 (L) “Service provider” means a designee of an owner or a designee of a motor  
16 vehicle repair facility that is employed by the owner or motor vehicle repair facility  
17 to assist with the diagnosis and repair of a motor vehicle.

18 (m) “Specified legal barrier” means any of the following:

19 1. A request or requirement that an owner waive his or her right to use a  
20 motor vehicle repair facility of the owner’s choice.

21 2. Offering compensation or another incentive in exchange for an owner  
22 waiving his or her right to use a motor vehicle repair facility of the owner’s choice.

23 (n) “Technological barrier” means a technological restriction that prohibits,

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1 makes more difficult, or tends to make more difficult the ability of a person to  
2 exercise a right under this section.

3 (o) "Telematics system" means a system in a motor vehicle that collects  
4 information generated by the operation of the motor vehicle and, using wireless  
5 communication, transmits such information to a remote receiving point where it  
6 will be stored.

7 (p) "Vehicle-generated data" means direct, real-time, in-vehicle data  
8 generated by the operation of a motor vehicle that is related to the diagnostics,  
9 repair, service, wear, and calibration or recalibration of parts and systems required  
10 to maintain or return the motor vehicle to operational specifications in compliance  
11 with federal motor vehicle safety and emissions laws, regulations, and standards.

12 **(2) MANUFACTURER BARRIERS PROHIBITED.** A manufacturer may not employ a  
13 technological barrier or specified legal barrier that impairs any of the following:

14 (a) The ability of an owner to access his or her motor vehicle's vehicle-  
15 generated data that the manufacturer is required to make available under sub. (3)  
16 (a) and (b).

17 (b) The ability of an owner, an aftermarket parts manufacturer, an  
18 aftermarket parts remanufacturer, a motor vehicle equipment manufacturer, a  
19 motor vehicle repair facility, a distributor, or a service provider to access critical  
20 repair information and tools made available in accordance with sub. (3) (c).

21 (c) The ability of an owner to use a motor vehicle towing provider or service  
22 provider of the owner's choice.

23 (d) The ability of an aftermarket parts manufacturer, an aftermarket parts

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1 remanufacturer, a motor vehicle equipment manufacturer, a motor vehicle repair  
2 facility, a distributor, or a service provider to produce or offer compatible  
3 aftermarket parts.

4 (e) The ability of an owner to diagnose, repair, and maintain his or her motor  
5 vehicle in the same manner as would a manufacturer or motor vehicle dealer.

6 **(3) DATA, INFORMATION, AND TOOL ACCESS.** (a) A manufacturer shall provide  
7 to owners of the motor vehicles it manufactures access to vehicle-generated data  
8 without restriction, limitation, fee, license, or requiring use of a device mandated by  
9 the manufacturer to decrypt the vehicle-generated data.

10 (b) If a manufacturer uses wireless technology or a telematics system to  
11 transmit vehicle-generated data, the manufacturer shall provide access to the  
12 vehicle-generated data as required under par. (a) and in a direct and wireless  
13 method through a standardized access platform.

14 (c) A manufacturer shall provide to the owners, aftermarket parts  
15 manufacturers, aftermarket parts remanufacturers, motor vehicle equipment  
16 manufacturers, motor vehicle repair facilities, distributors, and service providers of  
17 the motor vehicles it manufactures access to critical repair information and tools  
18 related to the motor vehicles it manufactures without restriction or limitation and  
19 at a fair, reasonable, and nondiscriminatory cost.

20 **(4) MANUFACTURER MANDATES PROHIBITED.** Except for recall and warranty  
21 repairs, a manufacturer may not, within repair or maintenance service procedures,  
22 recommendations, service bulletins, repair manuals, position statements, or other

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1 similar repair or maintenance guidelines that are distributed to owners or  
2 professional repairers, do any of the following:

3 (a) Mandate, or imply a mandate for, the use of any particular brand or  
4 manufacturer of parts, tools, or equipment.

5 (b) Recommend the use of any particular brand or manufacturer of parts,  
6 tools, or equipment, unless the manufacturer provides a prominent notice  
7 immediately following the recommendation, in the same font used in the  
8 recommendation and in a font size no smaller than the font size used in the  
9 recommendation, that states the following:

10 **NOTICE:** Vehicle owners can choose which repair parts, tools, and equipment  
11 to purchase and should carefully consider their options.

12 (5) CYBERSECURITY. Nothing in this section shall be construed to preclude a  
13 manufacturer from employing a cryptographic or technological protection  
14 necessary to secure motor vehicles, vehicle-generated data, or safety-critical vehicle  
15 systems from an unintended audience.

16 (6) DESIGNEE COUNT. A person that manages access to a motor vehicle's  
17 vehicle-generated data transmitted by a standardized access platform may not limit  
18 the number or types of persons that a person who owns or leases a motor vehicle  
19 may designate as his or her designee.

20 (7) CONTRACTS VOID. In regard to a contract or arrangement entered into,  
21 renewed, or modified on or after the effective date of this subsection ... [LRB inserts  
22 date], a term, provision, agreement, or language in the contract or arrangement

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1 that waives, avoids, restricts, or limits the manufacturer's obligations under this  
2 section is void and unenforceable.

3 (8) PENALTY. A manufacturer that violates sub. (2), (3), or (4) shall be subject  
4 to a forfeiture not to exceed \$10,000 per violation. Each act prohibited or required  
5 by sub. (2), (3), or (4) shall constitute a separate violation. Each day that a  
6 manufacturer knowingly violates sub. (2), (3), or (4) constitutes a separate violation.

7 (END)