



WASHINGTON, D.C. 20460

July 1, 2026
IACD-2026-08 (LDV, LDT, and HDE)

SUBJECT: EPA's Support for the Freedom to Fix and Clarification of Manufacturer's Obligations

Dear Manufacturer,

The purpose of this letter is to affirm the U.S. Environmental Protection Agency's (EPA) commitment to further the Freedom to Fix under the Clean Air Act (CAA) and to reiterate related EPA regulations.

The EPA acknowledges the positive and proactive way in which manufacturers have worked in collaboration with the automotive service industry to not just satisfy EPA regulations but to do so in a way that facilitates resolution of issues with all parties.

One example of this collaboration is the National Automotive Service Task Force (NASTF), a not-for-profit organization established to facilitate the identification and correction of gaps in the availability and accessibility of automotive service information, service training, diagnostic tools and equipment, and communications. NASTF helps ensure an equal playing field for all automotive service professionals. NASTF is a cooperative effort among the automotive service industry, the equipment and tool industry, and automobile original equipment manufacturers (OEMs). There is no cost to participate in NASTF, which is open to professional automobile service technicians, shop owners, service writers, OEM service employees, and any other automotive industry professional.¹

Additionally, the EPA appreciates the long-standing commitments² by OEMs to provide consumers and independent repair shops with the same diagnostic and repair information they provide to franchised dealers.

As explained in greater detail below, the CAA and EPA regulations expressly state that no action shall be treated as a prohibited act if the action is for the purpose of repair and the vehicle is returned to its proper function when the repair is complete.³

¹ <https://wp.nastf.org/>.

² See e.g., Memorandum of Understanding between Automotive Aftermarket Industry Association, Coalition for Auto Repair Equality, Alliance of Automobile Manufacturers, and Association of Global Automakers, dated January 15, 2014, available at <https://www.autosinnovate.org/about/advocacy/right-to-repair/2014%20R2R%20MOU%20as%20signed.pdf>; Automotive Repair Data Sharing Agreement between Automotive Service Association, Society of Collision Repair Specialists, and Alliance for Automotive Innovation, dated July 2023, available at <https://www.autosinnovate.org/about/advocacy/right-to-repair/1%20-%20National%20Automotive%20Repair%20Data%20Sharing%20Commitment%20July%202023.pdf>; Memorandum of Understanding between Commercial Vehicle Solutions Network, Equipment and Tool Institute, Heavy Duty Aftermarket Canada, Auto Care Association, and Truck and Engine Manufacturers Association, dated August 2025, available at <https://www.autocare.org/docs/default-source/government-affairs/rtr-national-commercial-vehicle-service-information-mou.pdf>

³ 42 U.S.C. 7522(a) and 40 CFR 1068.101(b)(1)(i) and (ii).

In addition, the CAA authorizes the EPA Administrator, through regulation, to require manufacturers to make available “any and all information” needed to diagnose and repair a vehicle’s emission control system.⁴ In tandem, these provisions of the CAA strongly support not just the theoretical right of individuals to fix their own vehicles, but access to the practical information and tools they need.

Additionally, the CAA anticipates that it may be necessary to disable an element of the emission control system to effectuate a repair and is clear that such an action is not a prohibited act when it is for the “purpose of repair” and “such action thereafter results in the proper functioning of the device.”⁵

The “prohibited acts” provision in CAA section 203 discusses that tampering by any person, including owners, is prohibited and specifically excludes from that prohibition any and all activities that are necessary for the repair of the vehicle. The CAA goes further to protect consumers, providing that manufacturers cannot suggest that it is necessary to use their own branded parts to avoid tampering or as a condition of an emissions warranty.^{6,7} Consumers can use equivalent generic parts to maintain their vehicles without fear that the use of unbranded parts will void their emissions warranty or be considered tampering by the EPA.

Additionally, the EPA’s implementing regulations state that individuals may repair the engine or equipment if it is restored to proper functioning when the repair is complete or may modify an engine or equipment to respond to a temporary emergency and as long as it is restored to proper functioning as soon as possible.⁸

This means that the use of one or more procedures and/or tools that temporarily take a product out of its certified configuration as necessary to perform maintenance and/or repair are not prohibited acts provided the vehicle or engine is returned to its certified configuration before being returned to service.⁹

In authorizing the EPA to require onboard diagnostic (OBD) systems,¹⁰ Congress anticipated that the information contained in the diagnostic system would be fundamental to the ability of vehicles to be properly repaired and, therefore, the CAA directs the EPA Administrator to require through regulations that certain information be made available.¹¹

The EPA adopted regulations for all sizes of light- and heavy-duty vehicles and engines to ensure third-party repair shops, manufacturers of third-party service tools, including generic scan tools, and individual vehicle owners have access to the “information needed to make use of the emission control diagnostics system.”^{12, 13} The EPA’s regulations require manufacturers to:

⁴ 42 U.S.C. 7521(m)(5).

⁵ 42 U.S.C. 7522(a).

⁶ *Id.*

⁷ 42 U.S.C. 7541(c)(3)(B).

⁸ 40 CFR 1068.101(b)(1)(i) and (ii).

⁹ On Feb. 3, 2026, the EPA issued IACD-2026-01 to the nonroad industry to affirm the Right-to-Repair for nonroad equipment and to encourage nonroad manufacturers to make service tools available to the owners of nonroad equipment.

¹⁰ 42 U.S.C. 7521(m)(1).

¹¹ 42 U.S.C. 7521(m)(5).

¹² 68 FR 38428 (June 27, 2003).

¹³ 74 FR 8310 (Feb. 24, 2009).

1. Make full text emissions-related service information and training information available via the World Wide Web;¹⁴
2. Provide equipment and tool companies with information that allows them to develop equipment with passthrough reprogramming capabilities;¹⁵
3. Make available enhanced diagnostic information to equipment and tool companies;¹⁶
4. Make available manufacturer-specific diagnostic tools for sale to interested parties;¹⁷ and
5. Make available additional OBD technical information that manufacturers must provide.¹⁸

The EPA has an ongoing responsibility to ensure that manufacturers meet their obligations under the CAA and EPA regulations. In this instance, that means ensuring manufacturers make available to owners and third-party service providers the same service information they make available to their own branded service centers. The obligation to provide service information does not, however, extend an obligation for manufacturers to share proprietary elements of their designs, software codes, or any other intellectual proprietary or confidential business information. When such information is provided to the EPA, it is protected from disclosure under Federal law and EPA regulations. The EPA takes the obligation to protect such information seriously and will not release information for which a valid confidential business information claim is made.

The contents of this document do not have the force and effect of law and are not meant to bind the EPA or manufacturers in any way. This document is intended only to provide clarity to manufacturers and the public regarding requirements under the CAA and EPA regulations.

Manufacturers have an ongoing and critical role in ensuring the effective freedom to fix for the products they produce and sell in compliance with the CAA. If you have any questions about your obligations as a manufacturer, please contact your certification representative, or Byron Bunker at Bunker.Byron@epa.gov.

Sincerely,



Aaron Szabo
Assistant Administrator
Office of Air and Radiation



Jeffrey A. Hall
Assistant Administrator
Office of Enforcement and Compliance Assurance

¹⁴ 40 CFR 86.1808-01(f)(3).

¹⁵ 40 CFR 86.1808-01(f)(13).

¹⁶ 40 CFR 86.1808-01(f)(9).

¹⁷ 40 CFR 86.1808-01(f)(14).

¹⁸ 40 CFR 86.1808-01(f)(13)(ii).