



NATIONAL INDEPENDENT AUTOMOBILE DEALERS ASSOCIATION

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October 14, 2016

Via Electronic Submission

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue
Suite CC-5610 (Annex J)
Washington, DC 20580

Re: Comments to Auto Buyer Consumer Survey, Project No. P154800

Dear Secretary,

On September 14, 2016, the Federal Trade Commission (“FTC” or “Commission”) published a second notice in the Federal Register seeking comment about a proposed qualitative survey the Commission wishes to conduct of consumers who within the preceding six months purchased an automobile and financed the purchase through a dealership.¹ The first notice about this proposed survey was issued by the Commission on January 7, 2016.²

In response to the initial notice, the National Independent Automobile Dealers Association (“NIADA”) submitted comments questioning the need for the study given the Commission’s practical usefulness of this qualitative approach given the unique, individualized nature of each transaction and the FTC’s stated inability to generalize information gathered from the survey.³ NIADA also commented on the duplicative nature of this proposed study with the roundtables conducted by the Commission in 2011.⁴

¹ 81 Fed. Reg. 63179 (Sept. 14, 2016).

² 81 Fed. Reg. 780 (Jan. 7, 2016).

³ <https://www.ftc.gov/policy/public-comments/initiative-633>, Comment #00021.

⁴ *Id.*

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The National Automobile Dealers Association (“NADA”) also submitted comments to the January notice.⁵ NADA also questioned the need for the study as duplicative with the roundtables and this study.⁶ Furthermore, NADA expressed reservations with the mechanics of the survey.⁷ NADA made several requests of the Commission⁸, with which NIADA agrees, to bring more transparency to the survey if the Commission intends to move forward.

Additionally, the American Financial Services Association (“AFSA”) and Consumer Bankers Association (“CBA”) commented on the initial notice and asked the FTC to ensure researchers were not biased in their approach.⁹ AFSA and CBA suggested the best approach to promote a lack of bias and ensure the survey results did not morph into a fishing expedition for an enforcement action was for the research firm to remove any identifying information about the dealer and finance company from the responses. NIADA agrees with this suggestion.¹⁰

In reviewing the FTC’s second notice, NIADA does not believe the Commission has sufficiently resolved the concerns about the duplicative nature of this survey when compared with the information gathered just a few short years ago through the roundtables. Moreover, NIADA does not believe the Commission has addressed the requests made to make any survey transparent and free of bias. Until such issues are satisfactorily resolved, the Commission should not proceed.

NIADA appreciates the opportunity to comment on this proposal. Please do not hesitate to contact me if we can be of further assistance to you in consideration of this survey.

Sincerely,


Senior Vice President
Legal and Government Affairs

⁵ <https://www.ftc.gov/policy/public-comments/initiative-633>, Comment #00018.

⁶ *Id.* at 2-5.

⁷ *Id.* at 5-8.

⁸ *Id.* 8-9.

⁹ <https://www.ftc.gov/policy/public-comments/initiative-633>, Comment #00022.

¹⁰ *Id.* at 2.