



**TECHNET**  
THE VOICE OF THE  
INNOVATION ECONOMY

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April 18, 2023

The Honorable Chip Curry, Senate Chair  
The Honorable Tiffany Roberts, House Chair  
Committee on Innovation, Development, Economic Advancement, and Business  
Cross Building, Room 206  
Augusta, ME 04333

***Re: LD 1487 – An Act to Ensure Residents Have the Right to Repair Their Own Electronic Devices***

Dear Chair Curry, Chair Roberts, and Members of the Committee:

I write on behalf of TechNet to ask that you protect Mainers' digital safety and privacy and not advance LD 1487 – problematic legislation that would mandate that manufacturers of digital electronic equipment provide unvetted third parties with sensitive diagnostic information, software, tools, and parts – without the critical consumer protections afforded by authorized repair networks.

*TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over five million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance. TechNet has offices in Austin, Boston, Chicago, Denver, Harrisburg, Olympia, Sacramento, Silicon Valley, and Washington, D.C.*

Consumers currently have a variety of professional repair options, including independent repair providers or a manufacturer's authorized repair network. By establishing relationships with authorized repair providers, which include local small businesses, manufacturers can ensure the technicians receive the appropriate training and have the relevant qualifications so that repairs are done properly and safely. Contractual relationships that original equipment manufacturers (OEMs) enter into with their authorized repair networks contain quality and safety assurances for customers and technicians, thereby guaranteeing that repairs meet OEM performance and safety standards. Consumers deserve nothing less.

Unfortunately, LD 1487 severs this accountability link that protects consumers. If a consumer drops off their electronic device at a repair shop, they ought to be granted some level of security in the unfortunate circumstance that their data is compromised. It

is not only essential that each repair person be properly trained in how to repair the device, but also that an accountability link exist between the manufacturer and the repair facility so that the consumer knows that the repair shop has been vetted and that they have recourse if something goes wrong.

Further, if LD 1487 is allowed to become law, consumers might reasonably expect that all independent repair shops will use genuine OEM parts, since they are available to them by law. However, there are no consumer protections in the bill that would require independent shops to use genuine parts, nor even inform consumers when they choose to use cheap knockoff or counterfeit parts – which will be far easier to fabricate if OEMs are forced to hand over detailed schematics.

Advocates for this legislation claim it will reduce electronic waste. The truth is, e-waste is in significant decline and has been since 2015, according to a [study](#) conducted by researchers at Yale and the Rochester Institute of Technology, while [data](#) from the US Environmental Protection Agency shows consumer electronics are the fastest declining portion of the solid waste stream. Manufacturers make significant efforts to return devices and parts to useful service and out of the waste stream because it makes financial sense to do so. Authorized repair shops are held to sustainability and reuse standards by their affiliated OEMs. Independent shops are not.

Finally, we also have concerns about the bills' impact on manufacturers' intellectual property. Manufacturers make significant investments in the development of products and services, and the protection of intellectual property is a legitimate and important aspect of sustaining the health of all industries. Many diagnostic programs are developed by the manufacturer at significant cost and are confidential or licensed under a contractual arrangement. But LD 1487 would require manufacturers to turn over those tools without the contractual protections afforded by an authorized repair relationship.

In closing, if a consumer wishes to bring their device to an unaffiliated third-party repair shop, there is nothing preventing them from doing so under current law. They own the device and can choose where to have it serviced. But SB LD 1487 forces the hand of manufacturers to give unvetted companies unfettered access to devices we all rely on, many of which contain our most sensitive data, without any consumer protections to speak of. We ask that this Committee not advance this bill.

Sincerely,



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