



Frank Martin Sons, Inc.

www.fms-equipment.com
E-Mail: mail@fms-equipment.com

P.O. Box 10
316 Market Street
Fort Kent Mills, ME 04744
207-834-3171
491 Lakewood Rd.
Madison, ME 04950
207-858-4748
Fax-207-858-4747



April 14, 2023

To Senator Curring, Representative Roberts, and fellow Members of this committee:

My name is Steven Ouellette and I'm a co-owner of Frank Martin Sons, Inc., a construction and forestry equipment dealership located in the Town of Fort Kent. I'm testifying in opposition to LD 1487, an Act to Ensure Residents of the State Have the Right to Repair Their Own Electronic Devices.

Our family business had been serving our customers in this State since 1952 and we invest heavily in employee training and product support to serve our contractors. We stock over two million dollars in parts inventory and are very responsive to our customer's servicing needs. We also assist our contractors by providing basic troubleshooting over the phone in order to minimize downtime. Two of our major manufacture's also provide our customers with diagnostic software programs at a nominal fee. Each one of our 2 locations are set up with service trucks and 3 bay garages.

After reading this bill which a similar version was presented about 4 years ago and ultimately failed in committee, I was concerned about why this current bill excluded motor vehicles but included off road equipment such as agriculture, construction, forestry and other outdoor power equipment. Allowing our contractors to tamper with the computer code through the ECM/ECU could have several unintended consequences. First, the federally mandated EPA emissions requirements could be easily by- passed. Also safety considerations come into play which could cause some features not to work properly and cause harm to an operator and or technician without their knowledge of which functions have been tampered with. Furthermore, unnecessary warranty and non-warranty repairs could be very expensive to the customer, equipment dealer and manufacturer which would drive up costs for future production of equipment. Lastly, liability for equipment failure and injury or death would be shifted to all parties.

Since this bill would be a huge financial burden to our family business which could result reduced staff and possible closure, I strongly urge this committee to oppose this piece of legislation or at a bare minimum exclude off road equipment before final passage.

Thank you for your valuable time and allowing me to testify in opposition to LD 1487.

Sincerely,

Steven Ouellette
President
Frank Martin Sons, Inc.