

AARON M. FREY  
ATTORNEY GENERAL



STATE OF MAINE  
OFFICE OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0006

TEL: (207) 626-8800  
TTY USERS CALL MAINE RELAY 711

REGIONAL OFFICES  
84 HARLOW ST. 2ND FLOOR  
BANGOR, MAINE 04401  
TEL: (207) 941-3070  
FAX: (207) 941-3075

125 PRESUMPCOT ST., SUITE 26  
PORTLAND, MAINE 04103  
TEL: (207) 822-0260  
FAX: (207) 822-0259

14 ACCESS HIGHWAY, STE. 1  
CARIBOU, MAINE 04736  
TEL: (207) 496-3792  
FAX: (207) 496-3291

***Testimony in Support of LD 1487, An Act to Ensure That Residents of the State  
Have the Right to Repair Their Own Electronic Devices***

Senator Curry, Representative Roberts, and honorable members of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, my name is Aaron Frey, and I have the pleasure of serving as Maine's Attorney General. I am here today to testify in support of LD 1487, *An Act to Ensure That Residents of the State Have the Right to Repair Their Own Electronic Devices*.

The ability for consumers to repair electronic devices they have purchased is an issue of growing concern among consumer protection agencies like the Office of the Attorney General. Technological advancements have led to the embedding of electronics into products that previously may not have contained complicated electronic parts. While most of us rely heavily on our phones and computers, there are an increasing number of other products in which embedded electronics might appear, like agricultural equipment or medical devices. This proliferation of electronic components in items has led to original equipment manufacturers ("OEMs") using this technology to maintain control over repair of their products, rendering these products useless without manufacturer-specific fixes. The Federal Trade Commission highlighted some of these methods in a 2021 report, such as utilizing certain adhesives that make parts impossible to repair and limiting availability of tools and diagnostic software. These methods evidence an attempt by OEMs to monopolize the business of repairs of their products.<sup>1</sup>

This type of strategic OEM market control is not only inconvenient, but it also challenges fair market practices and threatens the livelihoods of smaller, family-owned businesses who cannot reasonably compete with ever-changing, intentionally complicated technologies. Consumers in rural states, where store options may be limited and finding a reasonably close manufacturer repair might be impossible, are especially disadvantaged. All of this amounts to an unfair restraint on trade that ultimately serves to drive up prices and give consumers fewer options.

My office recently signed onto a bipartisan letter from 28 attorneys general across the country urging Congress to take action to ensure consumers have a choice in repairing their

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<sup>1</sup> Nixing the Fix: An FTC Report to Congress on Repair Restrictions,  
[https://www.ftc.gov/system/files/documents/reports/nixing-fix-ftc-report-congress-repair-restrictions/nixing\\_the\\_fix\\_report\\_final\\_5521\\_630pm-508\\_002.pdf](https://www.ftc.gov/system/files/documents/reports/nixing-fix-ftc-report-congress-repair-restrictions/nixing_the_fix_report_final_5521_630pm-508_002.pdf) (Accessed 4/14/2023)

property. However, Maine does not have to wait for the federal government to protect consumers. I urge this committee to take action to level the playing field here in Maine and give consumers meaningful choices by voting Ought to Pass.

Thank you for your time and consideration