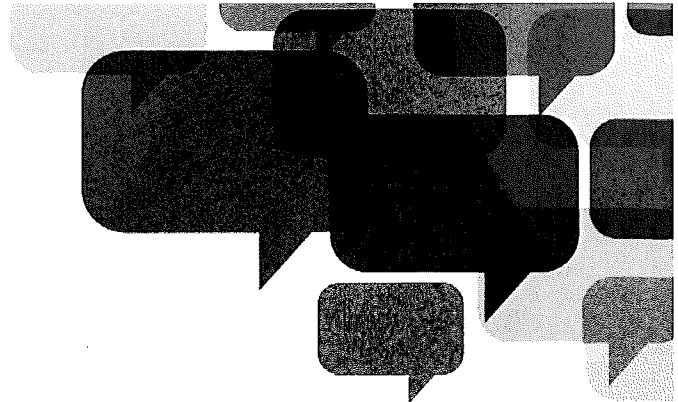




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January 9, 2024

Senator Chip Curry, Chair
Representative Tiffany Roberts, Chair
Members of the Innovation, Development, Economic Advancement and Business Committee

RE: Testimony in OPPOSITION to LD 1716, An Act to Establish a Repairability Index for Consumer Electronic Products

Dear Senator Curry, Representative Roberts and members of the IDEA Committee:

My name is Curtis Picard and I am the President and CEO of the Retail Association of Maine. I am a resident of Topsham. We have more than 350 members statewide and represent retailers of all sizes. Maine's retailers employ more than 85,000 Mainers. I am here today to testify in opposition to LD 1716.

The members of the IDEA Committee have discussed the issue of right to repair, and we expect additional discussions on that topic soon. LD 1716 is kind of a version of right to repair, but it is also very different. It is a proposal that is overly complex, and very random in the products that is being defined.

The bill, as drafted, puts an incredible amount of work on Maine's Department of Economic and Community Development to solicit input and publish a repairability index for certain products. The index would be based on five criteria including the 'ease of disassembly' which is not clearly defined. Certainly, the disassembly of a washing machine is likely to be different than a laptop or cell phone. Additionally, in many cases, the production and sale of spare parts is not by the original equipment manufacturer. So, the availability of those products is a much more difficult undertaking that may be envisioned.

However, since our members are retailers, we take particular exception to Section 3, Retail Sales Notice. It would require retailers to prominently post signage about the index either on the product or nearby the product; and to provide information about the index and how it was

calculated to a consumer. Certainly, this provision is envisioning sales of products at brick and mortar locations, and not e-commerce transactions.

In closing, we are not aware of any states that have adopted a repairability index law. The committee is well poised to continue to the discussion regarding right to repair, but LD 1716 is not a model that should be part of that discussion. We would urge the committee to vote LD 1716 Ought Not to Pass.

Thank you for the opportunity to share our concerns with you.

Sincerely,

Curtis Picard, CAE, President and CEO