



Mike Tipping
Senator, District 8

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Senator Curry, Representative Gere and esteemed members of the Joint Standing Committee on Housing and Economic Development.

My name is Mike Tipping and I represent Senate District 8 in Penobscot County. I'm proud to be here today to present LD 1908, Maine's bipartisan electronic right to repair law. It's designed to protect the rights of Maine people and allow them to fix the stuff they own.

A few weeks ago, my garage door opener broke. I was able to take it apart, watch a YouTube video, and buy a \$20 used circuit board off eBay to get it working again. I probably saved hundreds of dollars in repair or replacement costs.

If it were a different electronic device that broke, I might not have been able to. That's because some manufacturers have found that they can make more money if they make it impossible to repair certain devices, in particular some of the phones and computers that have become so central to our lives.

They do this in a number of ways, from designing new screws that you can't unscrew to implementing software locks that recognize an attempt to repair a device and intentionally disable it. I know you've already heard about some of these practices when it comes to automotive repair, which this committee has considered in other legislation.

This right to repair law would prevent manufacturers from making these barriers insurmountable in consumer electronic devices, preventing them from denying consumers the ability to repair and modify the items they have purchased and own.

LD 1908 requires that manufacturers of digital devices doing business in Maine make the same repair materials they already provide to their repair partners to device owners and independent repair specialists on fair and reasonable terms. It doesn't require that manufacturers change the design, marketing or pricing of their devices in any way.

Allowing independent repair businesses to fix these devices is an important part of this legislation. We're a rural state and right now many Mainers have to wait for weeks or travel long distances to have their devices repaired. It's one thing for your iPhone to break when you live in Boston or Portland, it's another to have it break when you're hundreds of miles away from the nearest Apple Store.

That's why a coalition of 26 independent repair shops, from Kittery to Caribou are supporting this legislation. Many have had already seen their businesses hurt by these unfair practices.

This bill is about important rights of ownership and independence, but it's also a pocketbook issue. These protections would bring down the costs of repairs for Mainers dramatically while allowing them to extend the life of their devices. It makes a big difference to a family budget if you only have to replace your phone every six years, instead of every three. One recent report estimated that ensuring a right to repair would save households an average of \$382 per year.¹

When I first introduced similar legislation two years ago, we were closer to the cutting edge on this issue, we're now more in the middle of the pack. Since then the number of states with similar right to repair laws has doubled to 10 and legislation has now been introduced in all 50 states.

This is not a partisan issue. A similar bill recently passed in Oregon with wide bipartisan majorities. One just passed in Texas unanimously.

Maine's Attorney General has also called for right to repair laws at the state and federal level, recognizing the importance of these protections for Maine people. Even some large electronics companies like Google now vocally support right to repair laws.

The specifics of this bill are based on the work of the previous committee that heard a similar bill last term. It includes exclusions for motor vehicles, diagnostic medical devices used in hospitals, off-road and farm equipment, generators and power sources, commercial switching gear, security systems and game consoles.

I don't necessarily believe all these categories need to be exempted. There are certainly devices within them that people should be able to repair, but I wanted to honor the hard work that already went into previous legislation.

This bill also more specifically addresses the issue of parts pairing and the intentional disabling or degrading of devices when repairs are made.

Obviously lobbyists for certain constituencies will want additional exemptions and clarifications. From those I've heard from, I believe two improvements could be made.

First, under section three, we could clarify that these requirements don't apply if "the original equipment manufacturer provides an equivalent or better, readily available replacement digital electronic equipment at no charge to the owner." This would exempt certain companies that lease equipment and replace it free of cost.

Also, this bill excludes motor vehicles using a definition from Maine's Title 10 Commerce and Trade Statute which does not cover motorcycles. This committee may wish to instead use the definition of motor vehicle from Title 29-A, which does.

¹ <https://pirg.org/edfund/resources/repair-saves-families-b>



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We all understand the that when you buy something, it should belong to you. You should be able to use it, lend it to a friend, sell it, take it apart and fix it if it breaks. Mainers in particular have long been proud of using and repairing and re-using things until they finally, fully wear out. I hope we can act to protect these rights and this tradition.

Thank you for your consideration and I'm happy to answer any questions.



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