



1919 S. Eads St.  
Arlington, VA 22202  
703-907-7600  
**CTA.tech**

January 6, 2026

Senator Chip Curry, Chair  
Representative Traci Gere, Chair  
Joint Standing Committee on Housing and Economic Development  
Cross Building, Room 206  
100 State House Station  
Augusta, ME 04333

Re: CTA Testimony to LD1908

Senator Curry, Representative Gere, and Members of the Joint Standing Committee on Housing and Economic Development,

On behalf of the Consumer Technology Association (CTA), thank you for the opportunity to provide testimony on LD1908, An Act to Require the Cooperation of Original Manufacturers of Electronic Devices to Facilitate the Repair of Those Devices by Device Owners and Independent Repair Providers.

CTA is the trade association representing the U.S. consumer technology industry. Our members are the world's leading innovators – from startups to global brands to retailers – helping support more than 18 million American consumer technology jobs. Our members include manufacturers of the devices subject to the provisions of this legislation. CTA has concerns with LD1908 which is misaligned with industry's stance on repair and includes provisions concerning to CTA's member companies.

### **Patchwork Concerns**

Given eight states have passed repair legislation, CTA is concerned about a patchwork of varying repair requirements emerging across the United States. CTA supports a national repair approach that will ensure that consumers and independent repair providers receive the same or equivalent treatment as manufacturer-authorized repair providers for purposes of repairing consumer technology devices. CTA also stands ready to work with repair advocates to establish a national Memorandum of Understanding to facilitate repair nationally.

Enactment of varying state repair laws with different requirements, enforcement mechanisms and definitions subject to differing interpretations by state courts and regulators is a major concern for our industry. **We strongly encourage Maine to not move forward with LD1908 given the differences with existing state laws and the significant harm it may cause to industry.**

### **Concerns Specific to LD1908**

CTA has identified several areas of concern for members where the language will create confusion for producers and/or doesn't ensure reasonable accommodation for industry that other states have recognized and put into law while ensuring both that repairs can be made by consumers and independent repair shops without substantially compromising safety and security concerns.

CTA's top concern on LD1908 relates to the potential cause significant harm to industry. The enforcement mechanism in LD1908 is the Maine Unfair Trade Practices Act (UTPA) which enables consumers to file private lawsuits against manufacturers. No state repair law adopted to date allows for private right of action. Repair laws should focus on increasing access to repair options for consumers; not increasing litigation costs for manufacturers or putting companies at risk of inconsistent interpretations of laws across jurisdictions. Limited enforcement mechanisms should be given solely to the Maine Attorney General in line with current repair laws across the U.S. and any reference to the UTPA or private right of action language must be removed.

CTA recommends that §1500-Z(5) be struck in its entirety and replaced with the following language:

§1500-Z(5) Violations. (a) The Attorney General shall have exclusive authority to enforce the provisions of this bill. Under Section 5(b), the Attorney General may initiate an action in the name of the State to seek an injunction to restrain any violations of this bill, and seek to obtain any relief that the Attorney General is authorized to obtain under [state UTPA statute].

(b) Prior to initiating any action under this bill against any individual or business, the Attorney General shall provide the individual or business 30 days' written notice identifying the specific provisions of this bill the Attorney General alleges have been or are being violated. If within the 30-day period the individual or business cures the noticed violation and provides the Attorney General an express written statement that the alleged violations have been cured and that no such further violations shall occur, no action shall be initiated against the individual or business. Written notice by the Attorney General shall be delivered by certified mail and by first-class mail with proof of mailing. If an individual or business continues to violate this chapter following this cure period or breaches an express written statement provided to the Attorney General under this Section 5(b), the Attorney General may initiate an action as described in Section 5(a).

(c) Nothing in this bill shall be construed to create an individual or private right of action, or to provide the basis for, or be subject to, an individual or private right of action for violations of any parts of this bill, including under any other law.

CTA does not support the retroactive nature of the requirements and broad language. In §1500-Z(1) on page 4, line 26, the bill states that provisions are applicable to "digital electronic equipment sold or in use in the State on or after July 1, 2021." Requirements placed on manufacturers should be forward looking in nature, not retroactive. In fact, CTA recommends a grace period for new products to come into compliance, which should be at least one year from the time the product is first sold or used in the state. If the language remains in the bill, CTA notes that it is more expansive than other states which have similar provisions but use language such as "manufactured for the first time" or "first sold or used" to limit the scope of products impacted. If the language remains in the bill (which CTA would recommend removing the retroactive component and providing a grace period), CTA recommends amending the language to read "digital electronic equipment first sold or used in the State on or after July 1, 2021."

Fair and reasonable should mean "fair and reasonable", not "the most favorable costs and terms" as defined in §1500-Y(13). CTA recommends the removal of all language after "On fair and reasonable terms" means", beginning with "with (page 3, line 5) and ending with "and that" (page 3, line 12). Fair and reasonable is then defined by the remaining subsections.

The definition of “digital electronic equipment” should be limited to products that are sold at retail for personal or household use and should not include any product sold under business-to-government or business-to-business contract that is not typically offered for sale directly by a retailer seller. Additionally, there should be a clear exemption for information technology equipment that is intended for use in critical infrastructure to avoid security risks.

As found in other state repair laws, consumers should be provided with basic information about the repair provider and parts provided by the independent repair provider, and such independent repair provider should be required to protect consumer data and recycle responsibly. If the main point of this legislation is to expand consumer rights, there should be a concurrent expansion of disclosure to consumers of who is doing the repair – which other states have recognized.

The above challenges are just some of the examples we see in LD1908. Most repair bills focus on providing consumers with options to repair their products; LD1908 goes far beyond the typical consumer products in scope of these proposals and does little to provide reasonable accommodation for manufacturers which have invested heavily in supporting consumers as well as independent and authorized repair providers.

**Conclusion:**

Given the multiple concerns outlined above, we strongly encourage Maine to not to move forward with LD1908. Our concern is that variations in these nuanced provisions among state laws will be a field day for attorneys (especially with private right of action) and move the center of energy away from expanding repair and into prolonged court battles. CTA has developed model legislation on repair in conjunction with TechNet. We would welcome the opportunity to discuss this language as a path forward for repair in Maine.

Thank you again for the opportunity to submit our comments. If you should have any questions, please do not hesitate to contact me at [kreilly@cta.tech](mailto:kreilly@cta.tech).

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Reilly', with a stylized flourish at the end.

Katie Reilly  
VP, Environmental Affairs and Industry Sustainability  
Consumer Technology Association