



Maryland Farm Bureau, Inc.

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February 3, 2021

To: Senate Finance Committee

From: Maryland Farm Bureau, Inc.

Re: Support with Amendment for SB 412 - Consumer Protection - Right to Repair

On behalf of our member families, I submit this support with amendments for SB 412. This bill requires an original equipment manufacturer, on fair and reasonable terms, to make available to an independent repair provider or owner of digital electronic equipment any documentation, parts, tools, or updates to information or embedded software. It also requires, as it applies to equipment that contains a security-related function, any documentation, tools, parts, or updates needed to reset the lock or function when disabled.

Maryland Farm Bureau Policy: We support legislation requiring agricultural equipment manufacturers to make available the necessary documents, software and information to allow independent shops and individuals to repair equipment.

After working with farm equipment manufacturers in 2020, they rolled out a program to offer a Right-to-Repair program that includes documents, software and information for equipment owners and independent shops. On December 1, 2020 we hosted a virtual event to highlight the new Right-to-repair programs.

Unfortunately, this rollout didn't go far enough. The core issue that is still needed to fully repair your own equipment is the "parts pairing" issue. Without the ability to activate a spare part the entire point of Right to Repair is lost and the option of any independent repair is gone. We fully understand the concerns of the equipment dealers of equipment owners tampering with federally regulated emissions as well as proprietary embedded software or code. Therefore, we are offering the following amendment to address these industry concerns, but still supporting the equipment owner's Right-to-repair.

For safety, durability, environmental, and liability reasons, diagnostic and repair information and tools does not include the ability to:

- (a) Reset an immobilizer system or security-related electronic modules unless necessary for repair;**
- (b) Reprogram any electronic processing units or engine control units unless necessary for repair;**
- (c) Change any equipment or engine settings negatively affecting emissions or safety compliance; or**
- (d) Download or access the source code of any proprietary embedded software or code;**

MARYLAND FARM BUREAU SUPPORTS SB 412 WITH AMENDMENT

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