

Maryland Senate
Senate Finance Committee
Bill #: SB412, Consumer Protection--Right to Repair
January 27, 2021
****SUPPORT****

Dear Chair and Members of the Committee,

I am writing in SUPPORT of HB412, Consumer Protection---Right to Repair, which would require an original equipment manufacturer to make available, on fair and reasonable terms, certain materials or updates to an independent repair provider or owner of digital electronic equipment that are critical to repair.

My name is Jessa Jones, and I grew up on the Eastern shore of Maryland. I graduated from College Park and went on to complete my PhD at Johns Hopkins School of Medicine in Baltimore. My extended family has lived for the last 300 years. The state of Maryland will always be “home” to me.

I now live near Rochester, NY and I run a local independent repair business that employs a team of six former stay-at-home moms and dads. My team has trained over 500 students from all over the world how to troubleshoot and fix iPhone logic board problems. We have assisted the US Department of Justice, US Department of Defense, and many local law enforcement agencies in the US and abroad to bring phones crucial to law enforcement investigations back to life since the OEMs refused to help. ([Examples here.](#)) In addition we do routine iPhone, iPad and MacBook repair within our local community.

I am an Apple certified iOS technician, because I passed a simple online test that did not require me to even touch an iPhone. As such, I am qualified to work at an Apple Authorized Service Provider. However, I choose not to become Apple Authorized---and thank goodness! If I were, then I wouldNOT be permitted to do 90% of the repairs that we routinely perform at my shop. I would be forced to tell consumers that problems I know are repairable, are not. If I told my customers the truth about their repairable phone problems, I would lose my Apple Authorization.

The Myth of “Authorized Repair”

I'd like to tell you about the myth of “authorized repair”. When we hear this term, it really means “manufacturer-controlled repair” and quite often does not mean “repair” at all. It means Sales. Here's a real life example:

You purchase an iPad mini 3 from Best Buy. Cost on Jan 25, 2021 at Best Buy is \$399. You do not opt for extra cost of Apple insurance. Just out of the one year limited warranty, you

crack the screen on your iPad.

If you'd like to repair it by having the broken screen replaced on your iPad by an Apple authorized repair, you are out of luck. The manufacturer controlled "repair" consists only of you relinquishing your iPad, including your data, and purchasing someone else's refurbished iPad mini 3.

We can read about what the [authorized "repair" process](https://support.apple.com/ipad/repair/service) looks like at Apple.com (https://support.apple.com/ipad/repair/service). Apple uses the phrase "How to Get YOUR iPad FIXED" on this page, but that is misleading greenwashing. You will not see your iPad again if you choose to go this route. You will either mail your iPad to Apple in a box, or turn it in at an Apple Authorized Service Provider. They will then send the device to a hub and send you back someone else's blanked iPad. You will have no idea how the other person took care of their iPad mini 3--Did they use original chargers? Has it been dropped many times? Was it bent and then straightened? Who knows, and you will not be getting a warranty extension to cover these risks. These are real risks. Some Apple Store employees report that the refurbished devices they hand to customers are not even working while still in the white box.

The cost for this "repair" for iPad mini 3 is listed on Jan 25, 2021 as \$299, but you had to surrender your broken mini to Apple for that deal. Recall that you bought it new for \$399. To save some trouble, rather than allowing Apple to harvest your repairable iPad mini, you could simply sell your cracked screen mini 3 on eBay--today's going price is \$100. Then just pay full price for a new iPad mini 3 and you will skip the risks inherent in owning someone else's refurbished property.

Today's price for an independent repair to ACTUALLY repair your cracked iPad mini 3 is around \$100.

The elephant in the room is that the traditional concept of repair where YOUR iPad is actually FIXED and returned to you does not exist for "authorized" repair of iPads. It is a machine to facilitate sales of refurbished devices under the guise of repair. We see similar examples of very limited or no repair options at all for all but the most common problems across many manufacturers of mobile devices.

Competition from free-market Independent Repair is essential.

A recent study by Nathan Proctor from the Public Interest Research Group shows that 78% of repairs that Independent Repair providers do are NOT OFFERED by manufacturer-controlled authorized repair centers.

The corporate Apple policy is that they will not refer repairs that they simply don't do to people

like me. Even if that means that someone will lose their precious data trapped on a dead device.

Recently I repaired a MacBook for a local woman. She had her unfinished novel on the MacBook when a glass of water accidentally spilled onto it.

Apple refused to repair the MacBook to save her data--even though they could have simply taken out the drive and handed it to her, or read the drive in another machine---all very straightforward solutions to her problem.

Her only option to get her data back was independent repair. We can help her today, but only with heavy reliance on parts, tools and information of unknown origin or quality. Our ability to help her in the future is threatened by the increasing prevalence of software locks pairing parts so that they can not be replaced at all.

The OEM monopolies are increasingly using software locks to prevent repair for things we have always repaired.

We have already lost the ability to replace some parts that were once replaceable, and this list grows with every generation of new devices.

I can not replace your new home button on an iPhone 7, but I could on all earlier iPhones. Today, only Apple can pair a new one. They do not offer home button replacement.

A single drop of water can kill your flood illuminator on iPhone X, which will make your phone stop working. I can make it turn on again. But, I can't bring back your FaceID function.

Although I can replace the damaged part, the original part is software locked to the device and only Apple or "authorized repair" can instruct the device to recognize the new part. They do not offer this repair. They will not even make your device turn on again so you can back it up. They will force you to buy an entire new screen for your iPhone X for \$279, or an entire new device if they see that the drop triggered a water indicator. That will be \$549. (see Apple service policies online <https://support.apple.com/iphone/repair/service#otherrepairs>)

When I change your battery on your iPhone XS, you will lose function. That was never the case before iPhone XS.

Your phone will light the check engine light "Battery Service" and refuse to show your battery health information, *even if* I use an OEM battery from another iPhone. What if I take that same new battery and swap it into an earlier model iPhone X? It will work flawlessly. The iPhone X was not engineered to require a serial number match from the battery that can only be

programmed by Apple. The iPhone XS AND ALL iPhones since then have this new anti-repair restriction.

Today, we can't change your iPhone screen without losing TruTone function unless we use a fancy programmer from China to copy the serial number to the new screen. Apple has added this new software pairing last year, before it never existed for the last 10 years of independent repair screen replacement.

We think that support of the right to repair is important, because we simply believe in protecting the ability of shops like me to do what we've already been doing. Stand up against the monopolization of repair by the manufacturers, a part is a part. Say no to software locks on parts. We don't want to see a world where you can't change the batteries in your own remote control because they have a serial number paired to the TV.

Thank you for your favorable support of this bill, and please reach out to me with any further questions.

Jessa Jones, PhD

Born and Bred on Maryland's Eastern Shore!

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