



**LEGISLATIVE POSITION:
UNFAVORABLE
Senate Bill 412
Consumer Protection-Right to Repair
Senate Finance Committee**

Wednesday, February 3, 2021

Dear Chairwoman Kelley and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 5,000 members and federated partners, and we work to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees, and families.

Senate Bill 412 would require an original equipment manufacturer (OEM) to make available certain materials or updates to an independent repair provider or owner of digital electronic equipment. Commonly known as "right to repair," the legislation requires OEMs to provide consumers and independent repair businesses with equal access to repair documentation, diagnostics, tools, service parts and firmware as their direct or authorized repair providers.

The Maryland Chamber of Commerce has many concerns regarding the implications of this legislation and its potential unintended consequences.

First, we are concerned that SB 412 will unnecessarily harm consumer security. The privacy and security of user information on electronic products, in particular, is among the top priorities for the consumers that rely on them. When provided access to technical information, bad actors will be able to circumvent security protections, potentially harming product owners and all parties that share their network. Consumers of all types need reasonable assurance that the vendors they trust to repair their products will do so safely and securely. State law should not mandate that all OEMs provide a "how to" for any product and provide it for anyone who asks as it unnecessarily risks consumer privacy and security in our hyper-connected economy.

In addition, SB 412 will have negative implications for consumer safety. Manufacturers want to ensure that their products are serviced by professionals who have been trained in their intricacies, and who have the knowledge necessary to safely repair them without compromising product standards. OEMs authorized network of repair facilities guarantee that repairs meet performance and safety standards. Without the training and other quality assurance

requirements of authorized service providers, manufacturers would not be able to stand behind their work, warranties, technical support, training, and business support.

Lastly, the marketplace already offers consumer choice for repair with varying levels of quality, price, and convenience. SB 412 would harm the marketplace by undermining the relationship that OEMs have with authorized repair facilities, many of which are small businesses. These authorized providers have received appropriate training and are qualified to ensure that repairs are done safely and securely.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **UNFAVORABLE REPORT** on SB 412.

