



3 February 2021

The Honorable Delores G. Kelley, Chair  
Senate Finance Committee  
3 East Miller Senate Building  
Annapolis, MD 21401

**Re: SB 412 - Consumer Protection – Right to Repair – Support with Amendments**

Dear Chair Kelley:

Thank you for the opportunity to comment on HB 84. On behalf of the Marine Trades Association of Maryland, representing nearly 350 marine businesses in Maryland, we ask that you support HB 84 with amendments.

As an industry, we are always striving to give the consumer a better experience by having certified technicians work on marine engines and to keep the boater out on the water with less down time when their boat is in the shop. This is why the recreational boating dealerships and manufacturers have together invested millions of dollars in educating, training and certifying technicians. What was once repaired with a screwdriver and some ‘know-how’ has been replaced with highly specialized technical skills and computer software. If a technician is not up to date with manufacturer repair and service practices, they could unwittingly be putting the user and their families at risk when they are out on the water.

We do not oppose a consumer’s right to repair, and in fact see many of our members working with their customers to sell the required parts and train them to do simple repairs themselves. However, granting consumers access to software and features incorporated into marine engines and electronics would make them no longer compliant with federal emissions and safety requirements. There is a reason that these “Right to Repair” bills across the country exempt automobiles – because it was recognized how dangerous it would be to tamper with the ‘chip’ that controls steering or fuse load.

As drafted, this ‘Right to Repair’ legislation would apply to all off-highway engines and have serious effects on the wellbeing of the recreational boating businesses and customers. We understand that the origination of these “Right to Repair” bills was to allow for access to cell phone repairs and as such, we understand the value. However, granting untrained consumers access to the schematics for boats could result in unsafe boating and improper emissions. Therefore, we cannot support this bill as written.

We respectfully offer the following amendments to the bill as drafted:

(B) THIS SUBTITLE DOES NOT APPLY TO:

(7) MARINE ENGINE MANUFACTURERS, MARINE PRODUCT MANUFACTURERS, OR ANY PRODUCT OR SERVICE OF A MARINE ENGINE OR MARINE PRODUCT MANUFACTURER;

(8) ENGINES USED IN MARINE APPLICATIONS, INCLUDING FOR PROPULSION AND POWER GENERATION, OR ANY PRODUCTS DESIGNED TO OPERATE ON WATERWAYS AND USING MARINE ENGINES; OR

(9) DEALERS WHO SELL, DISTRIBUTE, REPAIR, MAINTAIN OR SERVICE MARINE ENGINES OR PRODUCTS, OR ANY PRODUCT OR SERVICE PROVIDED BY SUCH DEALERS.

The Marine Trades Association of Maryland is a 501(c)(6) organization representing the boating trades and the recreational boaters in Maryland. This industry is a \$3.5 billion industry in Maryland and supports nearly 18,000 jobs.

I appreciate your time and consideration.

Sincerely,



Susan Zellers  
Executive Director

cc: Members, Senate Finance Committee