

**Testimony of Carter Machinery Company, Inc.
By
Tim Lambert**

Maryland Right to Repair – Farm Equipment Act HB 562

**Public Hearing of the in the House Economic Matters Committee
Maryland General Assembly**

February 23, 2022

Chairman Wilson and Members of the Committee:

My name is Tim Lambert and I've held various service roles for the Carter Machinery organization throughout my 28-year career. Carter Machinery is the Caterpillar dealer serving the state of Maryland. We operate over 14 locations within the state with over 400 employees. We are strongly opposed to the passage of HB 562. Caterpillar customers are already given access to many software codes to help them repair their equipment. They can access logged diagnostic codes, perform diagnostic tests and calibrations, and monitor their equipment in real time. We draw the line, however, at providing access to embedded codes that control the safety and federal EPA emissions compliance on machines. Given access, they could manipulate the coding to disengage built-in safety features of the machines, such as safety levers on excavators, seat sensors, overload sensors, etc. We're concerned that access to such codes will invite the tampering of complex engine and hydraulic systems on machine operating near the public. Our power generators also serve as critical back-up to hospitals, data centers, and local and state government buildings. Providing access to unqualified personnel could pose a risk to the occupants of those buildings resulting in injury or even death.

At Carter Machinery, we invest hundreds of thousands of dollars each year in training technicians. As you know, there is a nationwide shortage of qualified technicians and we are committed to training, mentoring, and ensuring that our techs are the best qualified to be servicing Caterpillar equipment. Carter invests in several community colleges throughout the state (Baltimore County P- Tech, Sollers Point, Carroll County Career and Tech Center, amongst others) in order to maintain a pipeline of qualified students. Carter also has an accredited 15-month training program with the state of Maryland for apprenticeships for students to help fill the void of technicians.

In closing, out of an abundance of caution for the public safety and environmental concerns with this legislation, we feel there is no need for right-to-repair in the construction industry. Thank you.

Tim Lambert

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