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January 21, 2025

TO: The Honorable C.T. Wilson, Chair
Economic Matters Committee

FROM: Steven M. Sakamoto-Wengel
Consumer Protection Counsel for Regulation, Legislation and Policy

RE: House Bill 31 – Consumer Protection – Right to Repair – Powered
Wheelchairs - SUPPORT

The Consumer Protection Division of the Office of the Attorney General submits the following written testimony in support of House Bill 31, sponsored by Delegate Kaufman, which would require manufacturers of powered wheelchairs to make the tools and instructions necessary to repair the wheelchairs available to independent repair facilities.

House Bill 31 is based on a Colorado law and is intended to make it easier, faster and less expensive for users of powered wheelchairs to repair their wheelchairs when they're broken. Powered wheelchairs are essential for many to be able to mobilize and function, but many users have reported having to wait months, or even years, to have their wheelchairs repaired by manufacturer-authorized repair facilities. House Bill 31 would provide more options to wheelchair users by requiring manufacturers to make available to independent repair facilities and the owners of wheelchairs, upon fair and reasonable terms and costs, documentation, parts, embedded software, firmware, or tools necessary to repair the wheelchair. The bill would not require manufacturers to divulge trade secrets, except to the extent that the trade secrets are integral to the repair, and provides that the manufacturers are not liable for faulty repairs performed by an independent repair facility.

The Consumer Protection Division has been a long-time supporter of right-to-repair laws that make it easier and less expensive for consumers to fix their broken devices. House Bill 31 would help to ensure that powered wheelchair users are not deprived of their mobility due to the inability to get prompt repairs. Accordingly, the Division requests that the Economic Matters Committee give HB 31 a favorable report.