



Auto Consumer Alliance
13900 Laurel Lakes Avenue, Suite 100
Laurel, MD 20707

Testimony to the House Economic Matters Committee
HB 31– Consumer Protection– Right to Repair – Powered Wheelchairs
Position: Favorable

The Honorable C.T. Wilson
House Economic Matters Committee
251 Lowe House Office Building
Annapolis, MD 21401
cc: Members, House Economic Matters Committee

Jan. 21, 2025

Honorable Chair Wilson and Members of the Committee:

I'm a consumer advocate and Executive Director of Consumer Auto, a nonprofit group that works to secure safety, transparency, and fair treatment for Maryland drivers and consumers.

We support **HB 31** because it should help many consumers in the disability community get greater choice and faster and less costly repairs on the wheelchairs they rely on for mobility and independence. At the same time, it will boost local repair shops and entrepreneurs by helping them get access to information they need to serve the repair needs of those customers.

Modern wheelchairs often are highly sophisticated and offer great features. But they're also rather fragile. One study cited by Harvard Health Publishing found that 64% of wheelchair users with spinal cord injuries reported needing at least one repair in the last six months.¹ And users are often left stranded, with very limited mobility and at risk of further injury, for weeks or months as they seek repairs. A May 2022 study from U.S. PIRG found that "a skewed market for wheelchair repairs often results in even simple, mechanical repairs taking weeks or months to complete." Their survey found that 62% of wheelchair users said the average repair took 4 weeks or more; 40% of respondents estimated it took 7 weeks or more.²

The reasons wheelchair repairs often take so long can be complex and include cumbersome reimbursement rules from Medicare and Medicaid. But among the key issues is that the wheelchair market is dominated by two huge suppliers that seek to control costs by limiting technicians and repair options.³ As Harvard Health puts it, "By reducing technician hours and parts inventories, restricting consumers' access to parts and software passcodes, requiring pre-approvals from insurers for repairs, and other practices, these companies virtually ensure delayed repairs."⁴

¹ <https://www.health.harvard.edu/blog/millions-rely-on-wheelchairs-for-mobility-but-repair-delays-are-hurting-users-202207212785>

² https://publicinterestnetwork.org/wp-content/uploads/2022/05/USPIRGEF_Stranded_June2022.pdf, p. 4.

³ https://www.usnews.com/news/health-news/articles/2022-05-31/despite-a-first-ever-right-to-repair-law-theres-no-easy-fix-for-wheelchair-users#google_vignette

⁴ <https://www.health.harvard.edu/blog/millions-rely-on-wheelchairs-for-mobility-but-repair-delays-are-hurting-users-202207212785>



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And indeed, as wheelchairs have grown more technically sophisticated, those manufacturers have erected more technical barriers to customers making their own repairs. Some chairs now require a software passcode or physical key to make repairs. The PIRG study found that “power wheelchair users are increasingly running up against manufacturer-imposed software locks and restrictions that give wheelchair manufacturers the power to determine who is allowed to service and configure power wheelchairs.”⁵

HB 31 would help break the manufacturers’ control of information and access to repairs by mandating that manufacturers make relevant repair and software information available both to wheelchair owners and independent repair shops. Section 14-5002 (A) and (B) of the bill mandate that they make available, on fair and reasonable terms, “Any documentation, parts, embedded software, firmware or tools” needed to use the equipment or open any electronic locks or security functions on the device. Failing to do so would constitute an Unfair and Deceptive Practice under Maryland Consumer Protection Act.

This “right to repair” approach will dramatically democratize information wheelchair users and independent repair shops need. It promises to greatly expand the repair options available and speed up the repair of devices critical to the lives of many thousands of Marylanders.

In 2022, Colorado became the first state to pass this kind of “right to repair” law for wheelchair users. While the law is still relatively new, it has been successful enough that Colorado went on to pass right to repair laws covering agricultural equipment in 2023 and many consumer electronic devices in 2024.⁶

Five states now have right to repair rules that cover wheelchairs. It’s time for Maryland to offer the same kind of access to information to our wheelchair users and independent repair shops.

We support HB 31 and ask you to give it a FAVORABLE report.

Sincerely,

Franz Schneiderman
Consumer Auto

⁵ https://publicinterestnetwork.org/wp-content/uploads/2022/05/USPIRGEF_Stranded_June2022.pdf

⁶ <https://kdvr.com/news/politics/colorado-politics-news/apple-samsung-must-let-customers-repair-their-own-phones-under-new-colorado-law/>