



**Metropolitan
Washington Ear**

Committee: Senate Finance Committee

Bill Number: Senate Bill 382 – Consumer Protection – Right to Repair – Powered Wheelchairs

Hearing Date: February 6, 2025

Position: Support

Metropolitan Washington Ear, Inc. (MWE) located in Silver Spring, Maryland, is a nonprofit, 501(c)(3) organization incorporated under the laws of the State of Maryland. MWE provides reading and information services, and independent living skills training for blind, visually impaired, and physically disabled people who cannot effectively read print, see plays, watch television programs and films, or view museum exhibits. Established in 1974, we've been providing quality services throughout Maryland, Virginia, and the District of Columbia for more than 50 years. As an organization that serves the disabled community and fights for the rights of our community, we **SUPPORT** SB 382.

SB 382 requires a manufacturer to make available (on fair and reasonable terms and costs, as specified) any documentation, parts, embedded software, firmware, or tools that are intended for use with a powered wheelchair (or any part), inclusive of any updates, to an independent repair provider or owner. The bill only applies prospectively and may not be applied or interpreted to have any effect on (or application to) any contract that is executed between an authorized repair provider and a manufacturer before the bill's effective date. Violation of the bill is an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA), subject to MCPA's civil and criminal penalty provisions.

In 2022, Colorado made headlines by recognizing the importance of 'Right to Repair' for powered wheelchairs by passing *HB22-1031 Consumer Right To Repair Powered Wheelchairs Act*. This legislation required manufacturers to provide necessary resources – from parts to embedded software and essential documentation – to both wheelchair owners and independent repair providers. The law safeguards consumers by preventing manufacturers from engaging in deceptive trade practices, while also ensuring manufacturers aren't liable for faulty repairs not conducted by them.

Wheelchairs, particularly powered ones, are more than just devices. They are an extension of the user, providing mobility, autonomy, and freedom. When a wheelchair malfunctions, it can severely hinder the user's day-to-day life. By ensuring that users and independent repair providers have access to necessary repair resources, Maryland can significantly reduce the downtime and costs associated with manufacturer-based repair services.

For these reasons, MWE **supports SB 382** and **asks the committee for a favorable report**.

If we can provide any additional information, please contact Jocelyn I. Collins at jcollins@policypartners.net.