

*Before the*  
**Maryland General Assembly House Economic Matters Committee**  
**Re: House Bill HB1429**

**Right to Repair Motor Vehicles and Farm Equipment**  
**March 10, 2026**

*Comments of*  
**Engine Technology Forum**  
**5300 Westview Drive # 308**  
**Frederick MD 21703**

The Engine Technology Forum (ETF) is a not-for profit educational organization headquartered in Frederick MD. We represent manufacturers of advanced engines and equipment, components, petroleum, and renewable biofuel producers. More information on us is at [www.enginetechforum.org](http://www.enginetechforum.org).

ETF **opposes House Bill 1429** – an Act that purports to address Consumer Protection via enabling the “Right to Repair” (RTR) of Motor Vehicles and Farm Equipment. However, this legislation is not necessary due to recent actions of USEPA and runs counter to protecting the health of Marylanders and the Chesapeake Bay.

**I. Introduction**

Diesel engines power most heavy-duty trucks and nearly all farm tractors and other off-road machines thanks to their unique combination of efficiency, power, durability, and reliability.

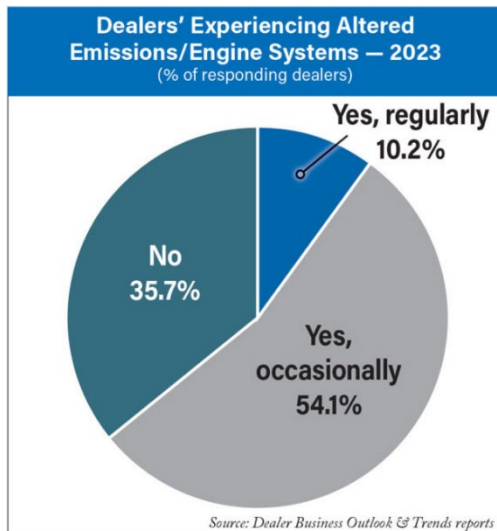
Over the last two decades, manufacturers of diesel engines and equipment have invested billions of dollars to reduce emissions to near zero levels and meet CAA requirements. Engine computers control, measure, and monitor on a real time basis tractor and machine fueling rates, air flows, exhaust pressures and temperatures, diesel exhaust fluid levels, and many other parameters that affect emissions and overall machine performance. Presently, everyone in Maryland benefits from these advanced technologies in the form of cleaner air.

We are concerned that HB 1429, if enacted, may encourage tampering with both hardware and software of emissions control systems. As a result, this would contribute to the degradation of air quality in the state through higher emissions of particulate matter and nitrogen oxide emissions, a precursor to ozone formation.

**II. The Incidence of Tampering with Emissions Controls in Both Motor Vehicles and Off-Road Equipment is Well-Documented**

As evidenced in the publication *Farm Equipment Dealer: Business and Trends* report (referenced below), dealers report that seeing engines and machines that have been tampered with is **a well-documented problem**.

Most often tampering occurs because vehicle and equipment owners decide deliberately that emissions control systems are costing them money or reducing the desired performance of their vehicle or machine. Tampering can involve physically removing particulate filters or other hardware or installing software to defeat the manufacturers emissions control systems operations.



Almost two-thirds of dealer's report altered emission systems come through their shops at least occasionally, according to the 2024 *Farm Equipment Dealer Business Outlook & Trends* report.

Just over 10% of dealers say they're seeing these "chipped" machines regularly. While 54% say they're seeing them occasionally. Just over one-third of dealers said they do not receive machines with altered emissions systems in their shops.

Credit: ([Ben Thorpe](#) posted on March 1, 2024 | Posted in [Best Practices](#), [Manufacturer & Dealer Issues](#))

Similarly, a 2020 [report](#) confirms the problem is not limited to the off-road sector. USEPA office of Enforcement, Air Enforcement Division (AED) quantified tampering incidence in a population of 550,000 heavy duty diesel pickup

"AED estimates that the emissions controls have been removed from more than 550,000 diesel pickup trucks in the last decade. As a result of this tampering, more than 570,000 tons of excess oxides of nitrogen (NOx) and 5,000 tons of particulate matter (PM) will be emitted by these tampered trucks over the lifetime of the vehicles. These tampered trucks constitute approximately 15 percent of the national population of diesel trucks that were originally certified with emissions controls."

### III. New Actions by the US EPA Eliminate the Need for Right to Repair Legislation

Three new and significant developments at USEPA have occurred since the last time the House Economic Matters Committee considered so-called right to repair legislation.

One of the principal arguments of proponents seeking right to repair legislation is problems cited with the emissions control systems; particularly the selective catalytic reduction (SCR) systems that utilize diesel exhaust fluid, aka "DEF."

Users reported that these systems would fail at the worst time, causing delays in harvesting crops or inability to deliver their freight load, until a technician was available to diagnose, repair and reset the system. Emissions control system problem warnings include a series of progressive

inducements designed to compel the vehicle or tractor operator to address the issue and repair the engine. These inducements are designed to protect the safety of the engine and to ensure compliance with the emissions standards.

Inducements are different for each manufacturer but generally speaking include a series of visual (dash lights) audible (buzzers and alarms), and other warning signals to alert the operator of the need for the systems to be repaired, or the tractor or vehicle's engine would derate to a limited speed and, if maintenance was ignored long enough, the engine would eventually not start at a future key on/key off event.

The **first development** is that In August of 2025, EPA Administrator Lee Zedldin [announced](#) new [guidance](#) directed to engine manufacturers of both on road and off-road vehicles and equipment. This guidance has allowed manufacturers to adjust the time intervals between initial identification of a fault condition with the emissions control system to when an engine will reduce power or speed (derating.) EPA's guidance now allows up to 8,400 miles or 160 hours of operation after the initial indication of a problem until engine shutdowns occur.

Manufacturers are now rolling out these adjustments across their engine families, vehicles, and equipment, but it will take time. This is a large population of commercial heavy-duty trucks made since 2010 and most off-road engines and equipment since 2014.

**Second**, EPA has issued a [clarification](#) that farmers indeed have a right to reset and/or repair their emissions control systems without contacting dealers, provided that the systems are returned to manufacturers specifications after the repair.

**Third**, EPA has issued a [Request for Information](#) (RFI) from engine manufacturers to report data involving warranty and repair claims on three model years of engines to better understand the extent of the issues surrounding emissions control system performance, engine deratings and diesel exhaust fluid related issues. EPA has indicated additional regulatory changes are possible for diesel engines as a result of this information.

#### **IV. Manufacturers Memoranda of Understanding (MOUs) with the Farm Bureau ensure access to the tools, training, and parts necessary for farmers to repair their own engines and equipment**

As part of [Memorandums of Understanding \(MOUs\)](#) with the American Farm Bureau Federation, farm equipment manufacturers are providing their customers with access to the necessary manuals, training, tools, and parts to diagnose, repair, and reset these systems themselves.

#### **V. Summary**

ETF Appreciates the opportunity to submit these written comments and urges that the Committee **issue an unfavorable report on HB 1429.**

With the existing MOUs covering training and tools, the new **EPA DEF** guidance and flexibilities provided to manufacturers, and EPA's clarification regarding farmers' ability to perform repairs under the Clean Air Act (CAA), concerns about ability to repair emissions control system repairs have been fully addressed.

While EPA has **clarified** the CAA tampering provisions, confirming that farmers can repair their emissions control systems, farmers must still return the system to the manufacturer's configuration and cannot remove emissions control devices or install software that defeats emissions controls.

At ETF, we are working to do our part to encourage better stewardship of diesel technology by users - including through the support of state legislation to tighten fines and penalties against tampering with emissions controls. Attached is a flyer on this topic part of our national campaign to discourage tampering and promote clean operation of diesel engines and equipment of all kinds.

Thank you for considering these comments. We welcome the opportunity to answer questions and collaborate further with the Committee.

[EPA Advances Farmers' Right to Repair Their Own Equipment, Saving Repair Costs and Productivity | US EPA](#)



An official website of the United States government  
[Here's how you know](#)

# EPA Advances Farmers' Right to Repair Their Own Equipment, Saving Repair Costs and Productivity

February 2, 2026

## Contact Information

EPA Press Office ([press@epa.gov](mailto:press@epa.gov))

**WASHINGTON** – Today, the U.S. Environmental Protection Agency (EPA) advanced American farmers and equipment owners' lawful right to repair their farm and other nonroad diesel equipment. EPA's guidance to manufacturers clarifies that the Clean Air Act (CAA) supports, rather than restricts, Americans' ability to make repairs on their own, and makes clear manufacturers can no longer use the CAA to justify limiting access to repair tools or software. For America's farmers, timely and affordable repairs are essential to planting, harvesting, and keeping operations running.

*"EPA is proud to set the record straight and protect farmers. For far too long, manufacturers have wrongly used the Clean Air Act to monopolize the repair markets, hurting our farmers," said EPA Administrator Lee Zeldin. "Common sense is following the law as it is written, and that is what the Trump EPA is committed to doing. By protecting every American's right to repair, we're not just fixing devices, we're securing a stronger, more independent future for our country."*

*"This is another win for American farmers and ranchers by the Trump Administration. By clarifying manufacturers can no longer use the Clean Air Act to justify limiting access to repair tools or software, we are reaffirming the lawful right of American farmers and equipment owners to repair their farm equipment," said Secretary of Agriculture Brooke L. Rollins. "Thank you, Administrator Zeldin, for continuing to put farmers first. This is expected to save our farmers thousands in unnecessary repairs, saving much needed funds after Bidenflation drove up equipment costs on average 45%."*

*“EPA’s guidance affirming the Right to Repair will save our agricultural communities thousands of dollars by eliminating corporate middlemen and empowering farmers to fix their own equipment,” said **Small Business Administration Administrator Kelly Loeffler**. “The Clean Air Act has long crushed family farmers across America – but under the Trump Administration, they are finally getting the regulatory relief to break free from burdensome Green New Scam rules and focus on the vital job of feeding, clothing, and fueling America and the world.”*

For years, prominent equipment manufacturers have interpreted the CAA’s emission control anti-tampering provisions as preventing them from making essential repair tools available to all Americans. This has forced farmers to take their equipment exclusively to manufacturer-authorized dealers to be fixed, even though the repair could have been made in the field or at a nearby independent repair shop. Not only has this made repairs more costly, but it has also caused many farmers to opt for older agricultural equipment that lack modern emission controls simply because they can fix that equipment themselves.

EPA’s guidance does not change the law, weaken emission standards, or reduce compliance obligations. Rather, it clarifies what the CAA already states, that temporary overrides of emission control systems are allowed when it is for the “purpose of repair” to that equipment to obtain proper functionality. This clarification applies to all nonroad diesel engines equipped with advanced emission control technologies including selective catalytic reduction and inducement systems as well as Diesel Exhaust Fluid (DEF) system repairs. Importantly, farmers and equipment owners are not required to rely on authorized dealers exclusively to fix equipment. This makes clear that the law should not serve as a barrier to timely, affordable maintenance of agricultural equipment.

Today’s action will not only expand consumer choice and provide opportunities for farmers but also encourage the use of newer farm equipment. This underscores the agency’s commitment to both America’s farmers and EPA’s core mission of protecting human health and the environment.

To read EPA’s guidance, click [here](#).

## **Background**

On June 3, 2025, John Deere sent a letter to EPA requesting the agency issue guidance confirming that temporary emission control overrides are allowed by EPA. The agency’s guidance is a direct response to this request and makes clear that temporary overrides are allowed under the CAA.

On August 12, 2025, Administrator Zeldin [announced](#) new guidance urging engine and equipment manufacturers to revise DEF system software in existing vehicles and equipment. EPA's action works to protect hard-working American farmers, truckers, and other diesel equipment operators from sudden shutdowns and give them the time to make repairs without impacting productivity or safety.

## Related Links

- [Headquarters](#)
- [Read other EPA News Releases about Air and Radiation](#)

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Last updated on February 3, 2026

# Keep it Clean Don't Tamper with Emissions Controls



## Top 10 Reasons Not to Tamper with Emissions Controls

- 1 It is illegal and will cost you – a person may be liable for a maximum civil penalty of **\$4,819** per defeat device manufactured, sold, or installed, or per vehicle tampered. A dealer or vehicle manufacturer who tampers with a vehicle may be subject to significantly higher civil penalties.

### IT WILL...

- 2 void your vehicle or equipment warranty.
- 3 cause problems in other parts of the vehicle or equipment.
- 4 cause problems with insurance.
- 5 violate job contracts.
- 6 increase air pollution.
- 7 make your vehicle or equipment unsafe to operate.
- 8 violate employer health and safety laws.
- 9 make your vehicle tough to sell and reduce its value.
- 10 bring the wrong kind of publicity to you and your business.

Embrace the new generation of efficient, powerful, and near-zero emissions diesels. Be good stewards of the technology and environment, don't tamper!

### Whatever you call it...

- reprogramming
- tuning
- chipping
- defeating
- bypassing
- disabling
- removing

### It's all the same: **TAMPERING**

It is illegal to install aftermarket emissions defeat devices, as well as remove or bypass emissions control devices like catalytic converters or particulate filters. It is also dangerous and bad for the environment.

If you suspect someone is manufacturing, selling, or installing illegal defeat devices or otherwise tampering with emissions controls, tell the EPA by emailing: [tampering@epa.gov](mailto:tampering@epa.gov).



A message from the Engine Technology Forum. For more information visit [enginetechnologyforum.org](http://enginetechnologyforum.org)

### Report Environmental Violations

Learn more at: <https://echo.epa.gov/report-environmental-violations>.