



U.S. State Right-to-Repair Laws

April 10, 2018

Holly Evans, hevans@microsoft.com

Stacey Sublett, ssublett@bdlaw.com

History of Right to Repair Legislation in the U.S.

Context & Background

- **Federal and state legislation for automobile right to repair**

- Proposals in Congress (2001);
- Massachusetts legislation and voter referendum (2012-2013);
- 2014 MOU amongst auto repair and manufacturing trade associations

- **Evolution of right to repair legislation for electronics**

- Momentum gained in January 2017 when New York, Nebraska, Minnesota, Massachusetts and Kansas;
- Varying scope and coverage;
- Advocacy and template language from Repair.org;
- Goal of providing more repair options, lower costs more expedience for consumers, and avoidance of planned obsolescence.
- **No bills have passed, yet.**



Key Components of Right to Repair Legislation

Key Definitions

- Original Equipment Manufacturer
- Covered products (equipment; part; service part)
- Fair and reasonable terms

Key Provisions

- Release diagnostic and repair information to independent repair providers and customers.
- Sell parts for repair to independent repair providers and customers.

State- Specific Distinctions

- Agricultural Bills
- California
- Washington

State-by-State Right to Repair Legislation

18 States Nationwide with Proposed Bills Since January 2017

State	Legislation (Date Introduced)
California	AB2110 (2/8/18)
Illinois	HB3030 (2/9/17)
Iowa	HF 556 (3/8/17)
Kansas	H.B. 2122 (1/23/17)
Massachusetts	H.143 (1/23/17); S.96 (1/23/17)
Minnesota	SF 15 (1/5/17); HF 287 (1/17/17)
Missouri	HB 1178 (5/12/17)
North Carolina	H663 (4/6/17)
Nebraska	LB67 (1/5/17)

State	Legislation (Date Introduced)
New Hampshire	HB 1733-FN (1/3/18)
New Jersey	A4934 (6/5/17)
New York	S618B (1/4/17)
Oklahoma	HB 2551 (2/5/18)
Tennessee	SB0888 (2/9/17)
Vermont	S.180 (1/3/18)
Virginia	HB 20 (11/22/17); HB 468 (1/7/18)
Washington	HB 2279 (12/13/17)
Wyoming	HB199 (1/24/17)

Industry Concerns

Right to Repair Legislation

Safety

IP

Cybersecurity Risks

Existing Agreements

Liability

Other



Where is it all going?

State Trends

California ([AB 2110](#))

- Originally to be considered by CA Assembly's Natural Resources Committee, but was successfully pulled back to Rules Committee and referred to Assembly Committee on Privacy and Consumer Protection and Committee on Business and Professions.
- Broad-based trade coalition prepared to engage.
- Could establish significant precedent if passed.

Vermont ([S.180](#))

- Study bill;
- Upcoming hearing on April 12th.
- Concern that set up of study committee may yield biased results.

Washington ([HB2279](#))

- Unique in that it would have also prohibited sale of computer products with non-removable battery.
- Bill stayed in Rules Committee where it died for the legislative year.
- EPEAT as policy option was relevant.

Industry Lobbying

Efforts to Counter Right to Repair Legislation

Recent Advocacy and Lobbying

Broad-Based Coalition

State-by-State Advocacy



State Privacy and Security Coalition, I



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Strategic Considerations for Electronics Sector

How does the sector prepare for this potential change?

Robust
opposition
advocacy?

- What has been successful to-date?
- What arguments have been effective with legislators? Other stakeholders?

Proactive
industry
agreement?

- What does an MOU look like in this context?
- What provisions of the existing legislation are feasible/reasonable for the electronics industry?
- Diversity of industries impacted – is agreement possible? Electronics sector only MOU?

Design for repair
and
disassembly?

- Trade-offs: Removable battery may reduce battery life and may make device heavier and thicker.
- When is design change warranted?
- EPEAT non-design criteria as alternative?

Questions & Discussion