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HB 2688 (Electronic Product Repair): Risky and Costly to Oregon Consumers

Consumer Security, Safety & Privacy Concerns

HB 2688 poses serious risks to the safety and security of the growing network of connected electronic products. Unfettered access to anyone to parts, tools, technical manuals, and software to a broad range of electronic products represents real exposure to the safe and genuine repair of consumers' everyday products. It presents troubling, unintended consequences including serious cybersecurity, privacy and safety risks, mass copyright infringement, and hurdles to innovation.. **We urge you to oppose HB 2688.**

Security and Privacy Risks

- HB 2688 requires manufacturers to provide diagnostic tools, source code, and software, and permit access to tightly controlled supply chains to unaffiliated, unvetted third parties which may place consumer devices at risk by placing sensitive information in the hands of malicious hackers, creating a new set of cybersecurity vulnerabilities.
- Because repair of connected products often requires the ability to modify or update the firmware in order to restore functionality, it exposes the products to potential tampering beyond simply restoring the product to an operational state.
- Consumers, small and large businesses, public schools, hospitals, banks, and industrial manufacturers all need reasonable assurance that those they trust to repair their connected products will do so safely, securely, and correctly.
- Enabling anyone to have the digital and physical keys to these products cannot be the solution. Government should be focused on protecting consumers, ensuring repairs are done responsibly and correctly – not adding more risk.

Safety Risks

- Most electronics are highly-integrated products, only intended to be dismantled by trained professionals. Improper handling of high-risk components or alterations threaten consumer safety and may lead to serious injuries such as burns, blindness, and death.
- The improper repair of a connected fire and life safety device could cause the device to malfunction in an emergency. Lithium ion batteries may pose serious safety risks if they are not installed properly or from substandard batteries that are not approved for use by the original equipment manager.
- The contractual relationships between original equipment manager's and their repair networks contain quality and safety assurances for customers and employees. Nothing in HB 2688 would require that sort of assurance from an "independent repair provider."

Legislation Would Isolate Oregon Consumers

- No state has enacted legislation like HB 2688. Oregon should resist unwarranted intervention in the marketplace with one-size-fits-all mandates that compromise consumer safety and protection.