



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

April 22, 2019

The Honorable Jeff Barker
Chair, House Labor Committee
Oregon House of Representatives

Re: HB 2688– Right to Repair

Chair Jeff Barker and members of the House Business and Labor Committee:

TechNet is the national, bipartisan network of over 85 technology companies that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50 state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents more than three million employees in the fields of information technology, e-commerce, clean energy, gig and sharing economy, venture capital, and finance. TechNet is committed to advancing the public policies and private sector initiatives that make the U.S. the most innovative country in the world.

TechNet respectfully opposes HB 2688, legislation which would mandate original equipment manufacturers (OEMs) of digital electronic equipment or a part for the equipment sold in Oregon to provide independent repair providers with diagnostic and repair information, software, tools, and parts.

As you know, this is a very complex issue that extends far beyond the stated intent of providing access to parts, tools, technical manuals, and software to a broad range of electronic products. TechNet and its members are concerned that this legislation would have the potential for troubling, unintended consequences, including serious cybersecurity, privacy and safety risks.

In 2018, Right to Repair legislation was proposed and defeated in 19 states because these bills would have allowed unrestricted access to digital keys and proprietary information for thousands of internet-connected products. We fear that a government mandate would force manufacturers to reveal sensitive technical information about their products, including source code, proprietary parts and tools, and trade secrets – which presents a security risk for the use of a product, the network, and other devices connected to the network, and could allow for tampering with firmware controls that protect copyrighted works. Additionally, there are physical safety risks that accompany repairs by independent shops. Some repairs are so complex (i.e. connected smoke detectors and security cameras) that there is no room for error.

Technology companies have every incentive to ensure that their customers have ample opportunity to get their products repaired –in fact, our brands depend on being able to provide superior customer service. They must be able to manage their repair networks in order to provide safe and effective repairs. It is important to understand that technology companies do, in fact, maintain extensive networks of authorized repair partners that are well-trained and highly qualified to safely and securely repair or refurbish their products and that any repair shop can apply to become an authorized repair shop. Repairs and refurbished products from authorized partners ensure that a product is safe, secure, and meets factory specifications, including the most recent software updates and other improvements. We hope the Committee agrees with us that opening up digital repair to any facility that wishes to hang a shingle puts both the manufacturer and the consumer at risk.

It is also worth noting that it is an unfair and unfounded claim that electronic products are not getting recycled. Electronic product manufacturers have designed policies and programs to ensure that they are continuously improving the sustainability of their products and reducing the overall amounts of e-waste generated.

For the above stated reasons, TechNet opposes HB 2688. Thank you in advance for your consideration on these matters and please do not hesitate to reach out with any questions.

Sincerely,

/s/

Christina Fisher
Executive Director
TechNet
cfisher@technet.org
508-397-4358