



DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DATE: February 8, 2024

TO: Chair Sollman, Vice-Chair Findley, and Members of the
Senate Committee on Energy and Environment

FROM: Kimberly McCullough, Legislative Director
Oregon Department of Justice

SUBJECT: SB 1596 – Right to Repair

This testimony is presented in support of SB 1596.

Background

The Right to Repair is a bipartisan issue that impacts every consumer and household in a time of increasing inflation and supply chain disruption. It is about ensuring that consumers have choices as to who, where, when and at what cost their phones, computers and other appliances can be repaired. It is about ensuring that small businesses can remain competitive against a closed system favored by original equipment manufacturers (OEMs) and rural and low-income consumers can obtain important repairs locally, quickly, and at an affordable price.

Digital devices and other equipment are becoming more technologically advanced and built with more embedded electronics. OEMs often control access to these electronics parts, directly by driving up prices and making it nearly impossible to conduct repairs. The Federal Trade Commission (FTC) issued a policy statement sounding the alarm and highlighting the many methods manufacturers use to make parts difficult to replace, limit the availability of parts and tools, or make diagnostic software unavailable.¹

That is why in 2023 I joined a bipartisan group of 28 state attorneys general on a letter to Congress urging lawmakers to pass federal Right to Repair legislation.² Although there has been no federal action on this issue to date, we remain hopeful that Congress will eventually set the stage for more choice and competition when it comes to equipment repairs. In the meantime, Oregon is working to protect consumers and small businesses in this space.

¹https://www.ftc.gov/system/files/documents/public_statements/1592330/p194400repairrestrictionspolicystatement.pdf

² <https://oag.ca.gov/system/files/attachments/press-docs/3.24.2023%20Right%20to%20Repair%20Ltr.%20to%20Congress%20FINAL.pdf>

Proposal

SB 1596 will make Oregon the fourth state to pass Right to Repair legislation, following New York, Minnesota, and California. This bill is similar to California's Right to Repair bill, which takes effect on July 1, 2024. It requires manufacturers to make diagnostic tools, information, and replacement parts available to a consumer or third-party repair provider at a fair and reasonable price. This requirement applies whenever manufacturers make similar materials available to authorized repair providers.

The Department of Justice worked with proponents of this measure on civil enforcement provisions allowing for Attorney General action when a violation occurs related to an Oregon consumer. Attorney General enforcement of this measure will take effect on July 1, 2026.