



February 28, 2024

Sen. Janeen Sollman, Chief Sponsor, SB 1596
Members of the Oregon House Committee on Business and Labor

Re: AICC Follow-Up Regarding Oregon Right-to-Repair Legislation (SB 1596)

Dear Senator Sollman and Honorable Members of the Oregon State Legislature:

AICC has submitted its February 15, 2024 letter into the record in this proceeding setting forth the urgent life safety reasons to exempt alarm systems and security devices from the Right to Repair disclosure requirements, because if the access codes, schematics and other sensitive information about alarm systems find their way into the public domain, it could allow the disabling of all similar alarm systems. This follow-up letter is being submitted to provide information responsive to certain questions we have gotten about the alarm industry's concerns, including information gathered from the alarm industry members and experts. One of these experts, Kirk MacDowell, is providing direct testimony at the Committee hearing on Wednesday, February 28, 2024.

1. There is already a specific exemption stating that the bill does not "Require an original equipment manufacturer to make available special documentation, tools, parts or other devices or implements that would disable or override, without an owner's authorization, anti-theft or privacy security measures that the owner sets for consumer electronic equipment." So to the extent that anything in repair information would allow a repair technician to override a security measure, OEMs would not be required to disclose it.

RESPONSE: This exemption is very limited. It refers only to those "anti-theft or privacy security measures that an owner sets," and even still, with an owner's permission, can be overridden. There are some security features set by the manufacturer, not the owner, such as universal override codes that would need to be made available on demand. These codes could be used at an equipment owner's home, or in any other home or business that uses the same equipment, thereby endangering numerous Oregon consumers without their knowledge. If the DIY consumer or its hired contractor simply stores such information on their computers or phones, there is a risk it ends up on the dark web via a hack; or it could be used by a disreputable contractor directly, or put on the internet in connection with an "iFixit" or Youtube video, without realizing the consequences.

2. Most of the examples cited by the alarm industry as being particularly at risk wouldn't be covered (business, hospital, bank, jewelry store, and power plant). The bill only applies to products that are "generally used for personal, family or household purposes."

RESPONSE: Many businesses use the same type of alarm equipment, panels, cameras, etc. as home security systems, even if it is for just part of the business' security. While a device might be found in more homes than businesses, it doesn't mean that they aren't found in both places. An alarm panel that controls a home security system might also protect a Congressional district office, a jewelry store, a walk-in health clinic, shop, etc.

3. It's likely that security systems wouldn't be covered at all because they don't usually offer repairs, they just replace a broken device. OEMs are only covered if they already offer the "services of diagnosing, maintaining, repairing or updating consumer electronic equipment," (send your same equipment back to you), if they don't already do those things, they wouldn't be covered.

RESPONSE: First, while an OEM would not be an "authorized service provider", it would still be obligated as an OEM to disclose access codes, schematics and other "documentation and tools" to requesting consumers and contractors under Section 2(a). Second, security companies diagnose, maintain, repair, update, and in some cases replace electronic equipment. When a customer calls to let the security company know that their system is malfunctioning, a technician must first troubleshoot to find out what the problem is. If it is more cost-effective for the customer to repair the equipment, a repair is made. If, after diagnosing the problem, the equipment must be replaced, it is replaced. Alarm companies generally assist customers to do their own repairs on small items that can be fixed without compromising the system, such as a battery replacement.

4. Security companies don't put instructions for bypassing security systems in distributed repair manuals. Repair manuals explain how to fix things, and criminals looking for tips on theft don't check the support page from the security company.

RESPONSE: The right to repair disclosure requirements in SB 1596 require more than just disclosure of the repair manual. Section 2 (a) would require disclosure of "Documentation", which under Section (1)1 (c) means "any manual, diagram, reporting output, service code description, schematic diagram, security code, password or other guidance or information that enables a person to diagnose, maintain, repair or update consumer electronic equipment."

Unfortunately, armed with system information, including the location of the radio transmitter, power source, and / or universal override codes, someone with bad intentions could misuse their knowledge to break into homes, businesses and government installations with these systems. This article by Consumer Reports from 2019 discusses how some DIY alarm system signals can be jammed, and recommends that users of these systems not advertise their use (via signs or stickers) as it could make it easier for someone with this knowledge to jam their signal. [Can a Burglar Jam Your Wireless Security System? - Consumer Reports](#)

<https://www.consumerreports.org/home-garden/home-security-systems/can-burglar-jam-your-wireless-security-system-a8747147102/>

Most security customers advertise via signs and stickers that their home or business is protected by an alarm service, and these signs and stickers are generally branded. If someone knows how to disarm or reroute the signal of a particular provider's equipment, they could look for these signs when scouting for new homes or businesses to victimize.

California (SB 244) and New York (NY Fair Repair Act Chapter Amendments S. 1320), two of the most consumer-protective states in America, have responded to the alarm industry's concerns by adding an alarm exemption to their Right to Repair Acts. The Michigan Digital Equipment Repair Act (House Bill 4562) includes an exemption for alarm systems. See HB 4562 proposed substitute H-1 (9/12/2023) (mi.gov). And right to repair bills in Hawaii (SB 2700), Arizona (SB 1536) and Illinois (SB 2680) include alarm system and fire protection exemption language similar to that used in California. We ask that Oregon do the same.

Respectfully submitted,

ALARM INDUSTRY COMMUNICATIONS COMMITTEE



Tiffany Galarza, Co-Chair
Sascha Kylan, Co-Chair
c/o The Monitoring Association
7918 Jones Branch Drive, Suite 510
McLean, VA 22102
703-242-4670
www.tma.us