

July 26, 2018

The Honorable Jeffrey Sanchez
Chair, House Ways and Means Committee
24 Beacon St.
Room 243
Boston, Massachusetts 02133

Re: S. 2630 – Electronic Products Manufacturers Opposition

Dear Chair Sanchez,

On behalf of the hundreds of manufacturers and businesses the undersigned organizations represent, we respectfully oppose S. 2630, which would establish a special commission to research and make legislative recommendations on the feasibility of requiring original equipment manufacturers (OEMs) of electronic equipment sold in Massachusetts to provide unfettered access to diagnostic and repair information, software, tools, and parts.

The proposed study commission is flawed in its design and scope. Comprised of 23 members, the study commission excludes many of the industry sectors that would be directly impacted by so-called “digital right to repair” mandates. These include many members of the Massachusetts business community such as manufacturers of consumer electronics; home appliances; security and home safety equipment; HVAC equipment; lithium ion batteries; and even toys. Other sectors that depend on the secure operation of different connected devices, such as the software, video game, and motion picture industries, are also not represented.

Furthermore, the scope of the study – to pursue mandates on manufacturers to provide parts, tools, software, etc. – would jeopardize consumer privacy, safety and security as well as exposing the sensitive and valuable intellectual property of businesses. Not only would this endanger Commonwealth residents but would lead to significant harm for companies that have invested billions of dollars on research and development, threatening the continued growth and prosperity of Massachusetts’ and the United States’ innovation economy.

The Joint Committee on Consumer Protection & Professional Licensure has spent a tremendous amount of time over the past 3 years debating this issue and hearing from many advocates on both sides. Further review of this issue is unnecessary as consumers have numerous options available to them to repair their products without a state mandate that creates numerous unintended consequences.

We appreciate your consideration of our concerns with the proposed study in S. 2630. Though one state (Vermont) has moved forward with a legislative study, every other state that has considered legislating on this issue has rejected the mandates sought by proponents. For these reasons, we would urge Massachusetts against moving forward with the study commission.

Sincerely,

Association of Home Appliance Manufacturers (AHAM)
Computing Technology Industry Association (CompTIA)

Consumer Technology Association (CTA)
CTIA – The Wireless Association
Internet Coalition
National Electrical Manufacturers Association (NEMA)
NetChoice
PRBA – The Rechargeable Battery Association
Security Industry Association (SIA)
TechNet