

# What is Right to Repair?

## A Primer

**You have the right to repair your property.** This includes doing your own maintenance and repairs, or choosing who to hire for those services. Manufacturers cannot legally require you to use their repair services, or punish you for hiring an independent repair technician. But across multiple industries, manufacturers have been employing tactics that force customers to rely on them for repairs, including but not limited to:

- making it harder to disassemble their products without special tools;
- making it unsafe to repair their products without certain tools or information;
- making parts, repair manuals, diagnostic software and tools unavailable;
- implementing digital locks and technological protection measures;
- aggressively and inappropriately asserting copyright.

**Right to Repair legislation aims to stop manufacturers from unfairly monopolizing the repair market.**

### **Right to Repair is an economics issue.**

By restricting access to parts and information, **manufacturers monopolize repair services.** Manufacturers who authorize some service providers to perform repairs can set their own requirements, creating a barrier that makes independent service providers less competitive.

### **Right to Repair is an equity issue.**

Smart phones and computers are necessary for modern life. Restricting repair services to certain authorized providers increases both the price and the length of time that it takes to get your property repaired. **These costs disproportionately impact low-income and underserved communities.**

Moreover, manufacturer barriers to authorization are more likely to **impact small businesses** from underserved communities, preventing them from accessing parts and information and making it harder for these small repair businesses to compete.

### **Right to Repair is an environmental issue.**

Between the cost of services and the time cost of mailing damaged items in for repairs, it can often be cheaper to simply replace a damaged item. Every time a consumer makes this choice, another piece of technology becomes **technological waste.** Maintenance and repairs extend the life of technological products. It also **lessens demand for rare earth metals** and other resources needed to produce replacements.

# Repair restrictions are unjustifiable

## Right to Repair does not put manufacturer's intellectual property at risk.

Copyright law preventing inappropriate use of intellectual property is untouched by Right to Repair laws. **Maintenance and repair are considered appropriate use.** Existing regulations already allow things like copying computer programs or circumventing technological protection measures for the purposes of repair and maintenance.

Proposed Right to Repair laws explicitly state that **manufacturers are not required to divulge trade secrets** when providing parts, tools, and repair manuals.

## Repair restrictions do not protect consumers or repair providers.

Manufacturers defend limiting repair manuals, tools, and parts to personally authorized repair providers by claiming that doing so protects consumers and repair technicians. However, when the FTC asked them to defend these claims, **manufacturers could not provide evidence that independent providers:**

- were less careful when performing hazardous repairs;
- performed improper repairs that endangered customers;
- used lower-quality or faulty parts that endangered customers;
- were more likely to misuse customer data obtained through the use of diagnostic software.

Moreover, making repair manuals, tools, and replacement parts available to independent repair providers increases their ability to maintain both physical and cyber security for themselves and customers. Restricting information about products makes repair providers less informed about risks. Having the proper tools, parts, and diagnostic software makes it easier to ensure appropriate repairs.

## HB 1933 and SB 6276 would help address these issues.

Washington's House Bill 1933 was introduced January 8, 2024. Its companion, Senate Bill 6276, came on January 19. These bills require manufacturers of digital electronic products to make repair manuals, parts and tools available to product owners and independent repair providers.

Massachusetts' 2012 Right-to-Repair law made great strides in the automotive industry. In the years since, Minnesota, New York, California, and Colorado have also passed Right to Repair legislation. Washington can and should do the same.

# Support HB 1933 & SB 6276

Information compiled from FTC's May 2021 Nixing the Fix report, as well as reporting from US PIRG, Wired, and ArsTechnica. Summary written by Ian Stanfield for Quaker Voice on Washington Public Policy.