

NetChoice *Promoting Convenience, Choice, and Commerce on The Net*

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Senator David J. Osmeck
100 Rev. Dr. Martin Luther King Jr. Blvd.
State Office Building, Room 19
St. Paul, MN 55155-1206

RE: **Opposition to SF 873 – Right to Repair**

Dear Senator Osmeck:

We ask that you not pass SF 873.

We understand the desire of repair shops to access confidential and proprietary information and to supply chains, since that would surely help their own businesses. However, SF 873 would invalidate the hard work of hundreds of *authorized* repair shops across Minnesota by allowing unauthorized repair shops to circumvent training and compliance provisions. SF 873 would also endanger Minnesotans by encouraging non-certified, non-authorized individuals to work on complicated devices. It could even allow bad actors to get their hands on keys to the security systems that protect Minnesota residents.

Harms Minnesota businesses and employees who became authorized repair shops.

There are hundreds of authorized repair shops across the state employing thousands of hardworking Minnesotans. To become authorized, these businesses completed training and achieved the required level of professionalism and reliability. Becoming authorized allows them to access proprietary device information, tools, and supply chains for parts.

SF 873 would devalue the hard-earned authorized status of those repair shops, by throwing open technical manuals, exposing trade secrets, and creating state-mandated supply agreements.

SF 873 would create no new jobs in Minnesota. It would merely shift some repair work from authorized businesses to unauthorized stores.

The University of Minnesota Bookstore, Micro Center Stores, and Best Buy Geek Squad are among the hundreds of authorized device repair shops in Minnesota

If passed, SF 873 harms authorized repair shops across Minnesota like:

- TechCenter in Hastings is authorized to repair Samsung devices.
- Yerkotech Computer Solutions in Elk River is authorized to repair Dell products.
- Microcenter in Twin Cities is authorized as an Apple repair store.
- Over 40 Best Buy stores across Minnesota are certified to repair Dell, HP, Acer, Toshiba, Apple, Lenovo computers and also Samsung and Magnavox televisions.

- Best Buy’s Geek Squad program employs hundreds of Minnesotans and spent millions of dollars training and advertising safe, reliable, professional, and authorized repair services for consumers.
- The University of Minnesota and Minnesota State University bookstores are authorized to repair Apple and Dell products.
- Over 150 Verizon, T-Mobile, AT&T and Sprint stores across Minnesota are authorized to repair Apple, HTC, and Samsung devices.

SF 873 would take business away from these authorized stores and their employees.

Dangers to Minnesotans created from the mandated disclosure of technical and security information.

SF 873 encourages the introduction of compromised devices into the consumer device universe. SF 873 applies to any device with a CPU and covers processors operating as safety mechanisms for devices such as lawnmowers, thermostats, smoke detectors, and chair lifts. Imagine the danger created if someone who lacks proper training makes repairs to these devices. Even if the original owner of the device is willing to accept those risks, someone who buys the device or receives it through a device-recycling product is at a disadvantage or at risk.

SF 873 isn’t just limited to consumer devices – it also covers *medical* devices. Encouraging unauthorized individuals to make changes to medical equipment endangers lives. Improperly serviced medical devices can skew test results, create flawed research, and cause life-saving devices to fail.

Moreover, SF 873 raises questions it fails to answer: where does liability fall when a Minnesotan is harmed by a device malfunction attributed to an unauthorized repair? Should liability fall on the owner, the repair shop, and/or the device manufacturer?

SF 873 makes Minnesotans more vulnerable to the malicious intent of others. With access to technical information, criminals can more easily circumvent security protections. With this knowledge, bad actors might install malware on devices, intentionally cause mechanical failures, and harm not only the device owner but also everyone who shares their network. In an era of sophisticated cyber attacks, we should not make it easier for criminals to hack security provisions.

Minnesotans could unintentionally void their device warranties

Usually, repairs conducted by unauthorized individuals will void the manufacturer’s warranty. While savvy consumers may choose to void their warranty by allowing unauthorized repair shops to fix their devices, other consumers may not appreciate the risks. If an unauthorized repair shop fails to fix the product or causes additional damage, these consumers have limited recourse with the device manufacturer or original place of purchase.

This result is detrimental to both consumers and manufacturers. Manufacturers are put in the unfortunate position of being the “bad guy” by telling customers their warranty is void. Consumers are left with broken devices and/or expensive repair costs.

Consider the case of 3M whose consumer electronics business makes multi-touch displays for a variety of markets. 3M’s manufacturers warranty clearly and specifically excludes coverage for

"Unauthorized repair; modification or damage through misuse; or subsequent manufacturing or integration processes not approved by 3M Touch Systems."

Under SB 873, 3M would become the “bad guy” every time a customer unwittingly voids a 3M warranty.

Tools exist today to help legitimate unauthorized repair shops

We understand the desire of legitimate unauthorized repair shops to have access to confidential and proprietary information and supply chains to provide services. Fortunately, much of that access exists today.

There are already several websites providing technical information on hundreds of devices. They obtain and share much of this information through teardowns and reverse engineering. Through their websites they also sell repair parts and tools.

Manufacturers have mechanisms in place to help unauthorized repair shops become authorized. This can involve technical training and confidentiality agreements. Hundreds of stores across Minnesota have already taken these steps as we mentioned above.

Every day authorized repair shops across the North Star state provide valuable services to Minnesotans. To avoid threatening these businesses and putting the state's citizens at risk, we ask that you not pass SF 873.

We appreciate your consideration of our views, and please let me know if I can provide further information.

Sincerely,



Carl Szabo
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NetChoice is a trade association of e-Commerce and online businesses. www.netchoice.org