

February 11, 2025

Hon. Joseph Solomon, Jr.  
House Committee on Corporations  
Rhode Island State House  
82 Smith Street  
Providence, RI 02903

**RE: House Bill 5246 – Digital Electronics Right to Repair**

Dear Chairman Solomon and Committee Members

On behalf of the Alliance for Automotive Innovation<sup>1</sup> (Auto Innovators), thank you for the opportunity to provide testimony on House Bill 5246, which would allow for digital electronic equipment and parts that are sold in state to be repaired by an independent repair provider.

The modern “Right to Repair” movement draws its basis in a 2013 state law passed in Massachusetts that specifically pertained to automobiles (Chapter 93k, of the Massachusetts General Laws). This law codified industry practices that made all information necessary to diagnose and complete a repair available to both DIY-inclined consumers and the independent repair community. Subsequent to passage of the Massachusetts Right to Repair law, representatives of automakers and the aftermarket part manufacturing community came together to negotiate a memorandum of understanding (MOU), which applies the requirements of the Massachusetts’ law across the entire country. Highlighting how successful a model this arrangement has been, within this MOU there is a process for an independent repairer to follow if they ever find that information needed for a repair is unavailable – that dispute resolution process has never been triggered. More recently, Auto Innovators joined with the Automotive Service Association and the Society of Collision Repair Specialists – two of the largest and most well-respected associations representing the independent repair community – to announce a national agreement in the summer of 2023 around vehicle data needed to properly diagnose and repair a vehicle today and into the future. These national agreements, backed-up by an underlying state law, are working well for independent repairers and vehicle owners alike. The auto industry is now the gold standard in terms of a competitive marketplace for repairs, granting consumers a wide range of options to service their vehicle.

As the auto industry is essentially the model to which Digital Right to Repair advocates wish to have all other industries follow, we would respectfully ask for your consideration of language to exclude automakers from House Bill 5246. We would respectfully ask that you consider a legislative amendment exemption as roughly outlined below:

*Covered Products Definition*

*“... are not a motor vehicle, or any product or service manufactured or sold by a motor vehicle manufacturer or a motor vehicle dealer.”*

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<sup>1</sup> From the manufacturers producing most vehicles sold in the U.S. to autonomous vehicle innovators to equipment suppliers, battery producers and semiconductor makers – Alliance for Automotive Innovation represents the full auto industry, a sector supporting 10 million American jobs and five percent of the economy. Active in Washington, D.C. and all 50 states, the association is committed to a cleaner, safer and smarter personal transportation future. [www.autosinnovate.org](http://www.autosinnovate.org).

Stand alone Definitions

*(XX) "Motor vehicle", means any vehicle that is designed for transporting persons or property on a street or highway and that is certified by the manufacturer under all applicable federal safety and emissions standards and requirements for distribution and sale in the United States, but excluding (i) a motorcycle; or (ii) a recreational vehicle or an auto home equipped for habitation.*

*(XX) "Motor Vehicle Dealer" means any person or business who, in the ordinary course of business is engaged in the business of selling or leasing new motor vehicles to a person or business pursuant to a franchise agreement, who has obtained a license as a motor vehicle dealer, and who is engaged in the diagnosis, service, maintenance, or repair of motor vehicles or motor vehicle engines pursuant to such franchise agreement.*


*(XX) "Motor Vehicle Manufacturer" means any person or business engaged in the business of manufacturing or assembling new motor vehicles.*

It is also important to note that the Alliance for Automotive Innovation has previously reached an agreement around the above exclusions with the Digital Right to Repair Coalition, the main organizing force behind the effort to secure consumer rights to repair outside, and which also hosts the [www.repair.org](http://www.repair.org) website. As the auto industry is the model, they would like all others to follow, they have not raised objections to excluding automakers from these types of bills.

Some may suggest that simply passing another law that requires the same obligations as the Massachusetts law would be a "belt and suspenders" approach to this issue. We strongly discourage this course of action. Even if a law could be perfectly crafted to mirror the statute of another state, the problem would arise when the underlying laws ultimately need to be updated – to reflect changes in new technology, for example. With only one law anchoring the repair practices of the industry, the discussion is rather simple to identify and address newfound needs. Were there to be two laws governing the same hardware on a vehicle, automakers would be in the unfortunate position of manufacturing two different vehicle models to comply with state-specific regulations, if those laws were not amended at the exact same juncture.

Thank you for considering our views. Please do not hesitate to contact me at [jfenelus@autosinnovate.org](mailto:jfenelus@autosinnovate.org) or our legislative liaison, Peter Baptista should you need additional information.

Kindest regards,

  
Judith Fenelus