

**TAXPAYERS
PROTECTION
ALLIANCE**

February 11, 2025

House Committee on Corporations
Rhode Island General Assembly
82 Smith Street
Providence, RI 02903

Dear Chair Solomon, Vice Chair O'Brien, Vice Chair Caldwell, and Members of the Committee,

On behalf of the millions of taxpayers and consumers we represent – including many in the state of Rhode Island – the Taxpayers Protection Alliance (TPA) strongly advises against the passage of H5246. This legislation would force device makers to work with unauthorized third-party repair shops to repair consumer electronics.

So-called “right to repair” legislation is well-intentioned, but largely flawed. The policy aims at increasing repairability of consumer electronics, automobiles, medical equipment, and a wide arrange of consumer goods. While these are noble goals, this push for repairability unfortunately comes at the expense of intellectual property (IP) rights, freedom of commerce, and consumer safety.

By requiring manufacturing companies to sell tools, documentation, software, or parts to unauthorized repair shops, policymakers would violate manufacturers’ right to freedom of association. Business transactions should be conducted freely between two consenting parties, as this is the basis of a mutually beneficial exchange. Mandates inherent to right to repair laws would considerably hamper manufacturers’ ability to set standards and conditions in these transactions. Non-disclosure agreements, and other measures that protect IP and trade secrets, will become legally problematic.

Right to repair mandates will also expose manufacturers to unnecessary brand risk. Unauthorized and unvetted repair shops operate with no supervision from manufacturers. Thus, there is no way to guarantee that any repairs are done properly and to a standard deemed acceptable by the manufacturer. However, if consumers received an improperly repaired or refurbished device, they are likely to blame the manufacturer instead of the repairer. This will ultimately negatively impact the sales of the manufacturer, instead of the repair shop responsible for the faulty device.

Unauthorized and unaccountable third-party repairs also significantly compromise consumers’ privacy and safety. Consumer electronics, such as smartphones, have become more important in users’ day-to-day life. They host intimate, medical, financial, and all kinds of sensitive data. As such, these devices have become a common target for malicious actors.

By granting unauthorized repair shops access to software tools that allow them to get unrestricted access to these devices, right to repair legislation makes it easier for ill-intentioned individuals to breach consumers’ privacy. It also exposes users to the installation of malware and spyware, creating a cybersecurity risk both for the owners of the device and to all the information technologies that interact with the compromised device.

TAXPAYERS
PROTECTION
ALLIANCE

The bill's proposal to restrict parts pairing would remove a powerful deterrent against black market parts and erode privacy protections. These black market parts are usually stolen or lower quality. However, parts pairing notifies consumers when unauthorized pieces are used in a repair, so repair shops are deterred from using parts of questionable origin. This reduces the resale value of black market parts. Parts pairing can also restrict the functionality of counterfeit parts that could circumvent a device's privacy safeguards, such as compromised biometric data sensors. This restriction is critical for the protection of users' privacy by blocking counterfeit parts from collecting sensitive information.

Right to repair bills will cause more harm than good if implemented. It is in the best interests of taxpayers and consumers in Rhode Island to reject these proposals to safeguard their privacy and security.

TPA commends the House's efforts to listen and inform themselves on the matter. We strongly urge you to consider the risks of such legislation and, ultimately, reject it.

Sincerely,



David Williams
President