

Testimony – Consumer Enforcement of Assistive Technology Device Warranties – House Bill 5017

February 25, 2025

Chair Solomon and members of the House Committee on Corporations my name is Zach Gauthier and I'd like to express my support for Representative Diaz's House Bill 5017 relating to consumer enforcement of assistive technology device warranties.

This bill is crucial for individuals, like myself, who rely on electronic assistive technology devices, such as wheelchairs, scooters and communication devices, to enhance their mobility or communication. It ensures that manufacturers are obligated to provide fair and reasonable access to service and repair for these devices.

The bill requires original equipment manufacturers to make available documentation, parts, embedded software, firmware, and tools to independent repair providers or device owners in Rhode Island. This means that if someone's wheelchair or scooter needs repair, they can have access to the necessary resources to have it fixed promptly.

The bill prohibits manufacturers from using parts pairing or any other mechanism that would prevent the installation or functioning of non-manufacturer approved replacement parts. This is important because it allows the equipment's user to choose the most suitable, timely and cost-effective replacement parts for their device, rather than being limited to manufacturer-approved options.

The bill also prevents manufacturers from inhibiting or reducing the functioning of any part in a way that would cause the device to operate with reduced functionality or performance if repaired by an independent provider or the device's owner. This ensures that they can have their device repaired without compromising its functionality or performance.

Additionally, the bill prohibits manufacturers from creating false, misleading, deceptive, or non-dismissible alerts or warnings about parts. This protects users from being misled or confused about the condition or performance of their device and ensures that they can make informed decisions about repairs.

The bill also addresses pricing concerns by prohibiting manufacturers from charging additional fees or increased prices for future repairs. This protects users from being unfairly charged for repairs and ensures that the costs remain reasonable and transparent.

Furthermore, the bill ensures that there are no restrictions on who can purchase parts or perform repair services. This means that users have the freedom to choose the repair provider that best meets their needs and preferences, rather than being limited to specific authorized providers.

It is important to note that the bill specifies that manufacturers must provide access to documentation and tools at no charge, except for reasonable actual costs of preparing and sending physical copies. This ensures that users can access the necessary information and tools without facing unnecessary financial burdens.

The bill also includes provisions for penalties and equitable relief in case of violations. This ensures that manufacturers are held accountable for any deceptive trade practices and provides a means for seeking recourse if users rights as a consumer are violated.

In conclusion, this bill is a significant step towards ensuring that individuals with disabilities who rely on adaptive technology devices have fair and reasonable access to service and repair. It protects their rights as consumers and promotes independence by allowing them to choose the most suitable repair options for their devices.

Thank you for your consideration.

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