

STATES DO-IT-THEMSELVES: AMID SPOTTY FEDERAL ENFORCEMENT, STATE LEGISLATURES ARE REVAMPING RIGHT-TO-REPAIR LAWS AT AN UNPRECEDENTED PACE



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At both the federal and state levels, product warranties and product-design features that may limit how consumers repair and service products have increasingly come under legal scrutiny. The Federal Trade Commission (“FTC”) and class-action plaintiffs have filed complaints in recent years seeking to enforce warranties and challenge repair restrictions, though state legislatures have been most active recently, particularly as new and more complex technologies have become integrated into consumers’ everyday lives. In 2023 alone, 30 state legislatures have either enacted or proposed new right-to-repair laws, creating a complex regulatory web for companies to navigate. This article examines these recent developments and offers best practices for complying with the emerging (and fast-changing) regulatory landscape.

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At both the federal and state levels, product warranties and product-design features that may limit how consumers repair and service products have increasingly come under legal scrutiny. The Federal Trade Commission (“FTC”) and class-action plaintiffs have filed complaints in recent years seeking to enforce warranties and challenge repair restrictions, though state legislatures have been most active in this area. With few publicly reported FTC investigations and enforcement actions, state legislatures have sought to fill any perceived void in this area by actively passing and proposing new laws at an unprecedented rate, particularly as new and more complex technologies have become integrated into consumers’ everyday lives. In 2023 alone, 30 state legislatures have either enacted or proposed new right-to-repair laws, creating a complex regulatory web for companies to navigate. This article examines these recent developments and offers best practices for complying with the emerging (and fast-changing) regulatory landscape.

I. THE MODERN RIGHT-TO-REPAIR MOVEMENT

Consumers generally have three options when repairing a broken product: the original equipment manufacturer or an authorized dealer repairs the product, a local “fix-it shop” repairs the product, or the consumer engages in a do-it-yourself fix. Some manufacturers have allegedly sought to limit repair options, either by voiding customers’ warranties when they make unauthorized repairs or using sophisticated design features that make independent repairs more challenging.

Many right-to-repair advocates have recently pushed for greater protections in this area, especially amid enhancements in technology. These advocates argue that manufacturers often create unnecessary barriers to lock out independent repairs, including by making parts and repair information unavailable, choosing product designs that prevent independent repairs or make them less safe, and using software locks and firmware updates to complicate access to internal product repair systems.² Advocates claim that these actions may limit consumer choice and increase repair costs.³

At the same time, manufacturers and dealers have explained the need for these features. For example, when software is embedded in a product, manufacturers have expressed concerns that independent repairers would have access to proprietary information.⁴ Some manufacturers point to safety risks, liability, and reputational harm that could result from repairs that are inherently dangerous without proper training from the manufacturer or from independent repair shops otherwise making faulty repairs.⁵ And others point to cybersecurity concerns, explaining that certain restrictions are necessary to protect against data breaches and other privacy risks.⁶ As detailed in this article, these considerations have resulted in varied approaches to right-to-repair legislation and enforcement.

II. FEDERAL ENFORCEMENT REMAINS LIMITED DESPITE INCREASED INTEREST

At the federal level, the primary laws regulating repair rights are the Magnuson-Moss Warranty Act and the Federal Trade Commission Act. In particular, Section 2302(c) of the Magnuson-Moss Warranty Act generally prohibits voiding a customer’s warranty or denying warranty coverage “if the customer uses a part made by someone else or has someone other than the dealer repair the product.”⁷ Section 5(a) of the FTC Act prohibits “unfair methods of competition in or affecting commerce” and “unfair or deceptive acts or practices in or affecting commerce,” the latter of which has traditionally been used by the FTC’s Bureau of Consumer Protection to bring warranty-related enforcement actions.⁸

Despite these laws, the FTC’s enforcement record has been somewhat limited. From October 2015 until 2022, the FTC did not file any complaints related to an alleged Warranty Act violation.⁹ During this 7-year period, the FTC did send warning letters to six different companies (all in 2018), but no enforcement action was ever filed.

² Fed. Trade Comm’n, Nixing the Fix: An FTC Report to Congress on Repair Restrictions at 6 (May 2021) (“FTC Report”), https://www.ftc.gov/system/files/documents/reports/nixing-fix-ftc-report-congress-repair-restrictions/nixing_the_fix_report_final_5521_630pm-508_002.pdf.

³ *Id.* at 40-43.

⁴ *Id.* at 24-26.

⁵ *Id.* at 26-27, 32-33.

⁶ *Id.* at 30-31.

⁷ 15 U.S.C. § 2302(c).

⁸ 15 U.S.C. § 45(a); Lesley Fair, FTC Announces Three Right-to-Repair Cases: Do Your Warranties Comply with the Law?, Fed. Trade Comm’n Blog (July 7, 2022) (“Right to Repair Cases”), <https://www.ftc.gov/business-guidance/blog/2022/07/ftc-announces-three-right-repair-cases-do-your-warranties-comply-law>.

⁹ Fed. Trade Comm’n, Policy Statement of the FTC on Repair Restrictions Imposed by Manufacturers and Sellers at 2 n.4 (July 21, 2021) (“Policy Statement on Repair Restrictions”), https://www.ftc.gov/system/files/documents/public_statements/1592330/p194400repairrestrictionspolicystatement.pdf.

Recognizing the need to reengage in right-to-repair enforcement, the FTC held a workshop on repair restrictions in July 2019 and issued a 54-page report to Congress in May 2021, detailing the FTC’s concerns about repair restrictions and vowing to “devote more enforcement resources.”¹⁰ Notably, the FTC’s May 2021 report emphasized the increasing need for enforcement in light of the recent technological advances affecting consumer products. For example, the FTC’s report noted concerns that certain manufacturers use software features to limit third-party repairs by refusing to provide firmware updates unless owners of equipment purchase maintenance contracts.¹¹

About a month later, in July 2021, the FTC voted 5-0 to approve a two-page policy statement which explained that the FTC would “prioritize investigations into unlawful repair restrictions.”¹² The policy statement outlines four enforcement goals:

1. Seeking injunctive relief under the Warranty Act, using the FTC Act to “investigate a pattern of unfair or deceptive acts or practices,” filing amicus briefs in private-plaintiff litigation, and exploring rulemaking;
2. Scrutinizing “repair restrictions for violations of the antitrust laws,” including restrictions that “may constitute tying arrangements or monopolistic practices — such as refusals to deal, exclusive dealing, or exclusionary design;”
3. Assessing repair restrictions under both the “unfair methods of competition” and “unfair acts or practices” provisions of Section 5 of the FTC Act; and
4. Working closely with state agencies and policymakers to combat allegedly unlawful repair restrictions.¹³

But in the two-and-a-half years since this policy statement, the FTC appears to have done very little, at least publicly, to accomplish these objectives. The FTC was most active in mid-2022, filing three separate administrative actions against grill manufacturer Weber-Stephen Products, motorcycle manufacturer Harley-Davidson, and outdoor power-equipment manufacturer Westinghouse Electric, “alleging they violated the Magnuson-Moss Warranty Act and the Federal Trade Commission Act by including warranty provisions that unlawfully conveyed that their warranties would be voided if a customer used third-party parts or, in the case of Harley-Davidson and Westinghouse, independent repairers.”¹⁴ Each of the respondents agreed to a consent order, which required them to revise their warranties, notify customers of their repair rights, and take various compliance steps to ensure no further violations.¹⁵

The FTC has filed no right-to-repair complaints or consent orders in 2023. And the three consent orders in 2022 all focused on traditional consumer products — grills, motorcycles, and power equipment — not the tech-based products that were of significant concern in the FTC’s May 2021 report.

III. STATES STEP INTO THE RIGHT-TO-REPAIR FRAY SEEKING TO FILL THE VOID

In the past year, states have taken center stage in the right-to-repair movement while the FTC has focused more on “supporting state efforts” in this area.¹⁶ Indeed, in April 2023, the FTC’s Chief Counsel for Development and Innovation, Dan Salsburg, provided testimony on behalf of the Commission before the California State Senate Judiciary Committee as it considered a bill that would create new repair rights for most consumer products.¹⁷ Salsburg’s testimony focused on two commonly cited justifications for repair restrictions that he claimed were “debunked” in the FTC’s 2021 report. Salsburg explained that while “safety considerations are a critical part of any discussion about repairs,” the Commission’s report concluded that there is “scant evidence” to support arguments by original equipment manufacturers that consumer injuries are often tied to repairs performed by owners or independent repair shops.¹⁸ Salsburg further testified that “the Commission found no empirical evidence”

10 FTC Report, *supra* note 2.

11 FTC Report, *supra* note 2, at 23.

12 Policy Statement on Repair Restrictions at 2, *supra* note 9.

13 *Id.*

14 Right-to-Repair Cases, *supra* note 8.

15 *Id.*

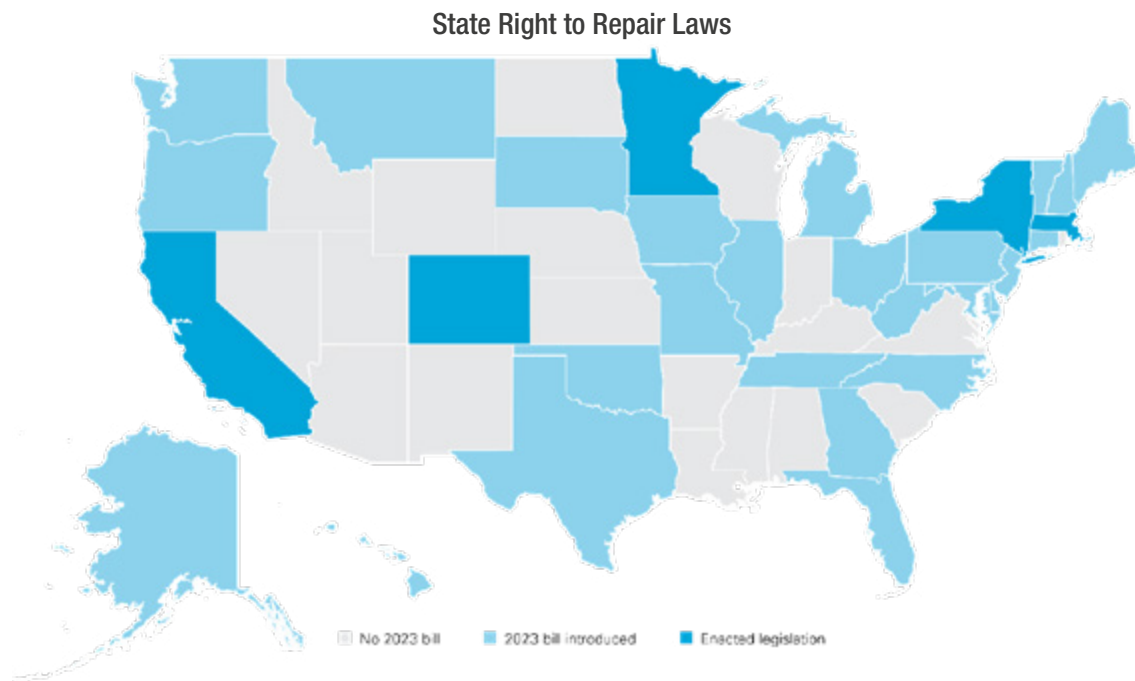
16 Fed. Trade Comm’n, Prepared Statement Before the House Committee on the Judiciary at the Hearing on the Oversight of the FTC at 34 (July 13, 2023), https://www.ftc.gov/system/files/ftc_gov/pdf/p210100_housejudiciarytestimony07132023.pdf.

17 Fed. Trade Comm’n, Prepared Statement Before the Cal. State Senate Judiciary Comm. on Repair Restrictions (Apr. 11, 2023), https://www.ftc.gov/system/files/ftc_gov/pdf/P194400-Nixing-the-Fix-California-Senate-Judiciary-Committee-Testimony.pdf.

18 *Id.* at 3.

supporting manufacturer concerns that independent repair shops are more likely than authorized dealers to compromise or misuse customer data, or that providing independent repairers with access to diagnostics and firmware patches would introduce cybersecurity risks.¹⁹

While a handful of states, such as Colorado, Massachusetts, and New York, have had right-to-repair laws in place for a while, at least 30 states enacted or introduced right-to-repair legislation in 2023.



White & Case Research as of November 10, 2023²⁰

The substance and scope of these state laws and proposals vary significantly – some are very broad, others have significant carve outs, and some are limited in scope. Most notably, in October 2023, California Governor Gavin Newsom signed what is arguably the strongest right-to-repair law to date. California’s Right to Repair Act requires that most original equipment manufacturers “make available to owners of the product, service and repair facilities, and service dealers, sufficient documentation and functional parts and tools, inclusive of any updates, on fair and reasonable terms, to effect the diagnosis, maintenance, or repair of a product” for at least three or seven years, depending on the wholesale price of the product, after the last date a product is manufactured.²¹ The law will cover nearly all products, except for products or components of alarm systems and video games.²² The Right to Repair Act will become effective on July 1, 2024 and will apply to products “manufactured for the first time, and first sold or used in California, on or after July 1, 2021.”²³

A few states like Georgia have also introduced broad bills that would require original equipment manufacturers of “any product or part of such product containing a microprocessor originally manufactured for distribution and sale in the United States” to provide independent repairers with (1) the same diagnostic and repair information that authorized repairers have access to without any additional charge, and (2) the same parts provided to authorized repairers on fair and reasonable terms.²⁴ Other state proposals also apply broadly but provide carveouts for specific products. For example, Minnesota’s Digital Repair Act, which passed earlier this year, covers any product “that depends, in whole or in part, on digital electronics embedded in or attached to the product in order for the product to function,” except for cars, medical devices, farm and construction equipment, video-game consoles, and home energy-storage systems.²⁵

¹⁹ *Id.*

²⁰ See also *Right to Repair Legislation*, The Repair Ass’n, repair.org/legislation.

²¹ S. 244, 2023 Leg., Reg. Sess., §§ 42488.2(a)-(b) (Cal. 2023).

²² *Id.* § 42488.2(j)(3)(B).

²³ *Id.* § 42488.2(j)(3)(A).

²⁴ S.B. 243, 157th Gen. Assemb., Reg. Sess. (Ga. 2023).

²⁵ Minn. Stat. § 325E.72 2(e), 6.

Many other state proposals similarly include carveouts for motor vehicles, agricultural equipment, and medical devices, which appear to have been adopted in response to industry input. For example, AdvaMed, the world's largest medical-technology association, advocated for a medical device exemption to Delaware's right-to-repair bill, arguing that the proposal would "compromise patient safety" unless amended.²⁶ And other carveouts, such as for agricultural equipment, largely appear to stem from industry-specific lobbying efforts.²⁷ The Association of Equipment Manufacturers, a trade association representing agricultural and other off-road equipment manufacturers, submitted survey research that it had conducted in response to the FTC's call for public comments on repair restrictions, emphasizing that 62% of original equipment manufacturers had reported that non-manufacturer modifications "reduced reliability, durability or resale value of the equipment."²⁸

At the same time, other states are considering right-to-repair bills for a narrow set of specified products. For example, Connecticut,²⁹ Illinois,³⁰ Montana,³¹ and Tennessee,³² have introduced bills that only apply to powered wheelchairs, while Colorado,³³ Florida,³⁴ and Maryland³⁵ are considering proposals that focus on lifting repair restrictions on agricultural equipment.

IV. COMPLIANCE STEPS TO MANAGE RISK

Given these rapid developments, a strong and proactive compliance approach is essential to minimizing legal risks under federal and state laws. At a minimum, companies should start with the following:

A. Establish a Compliance Program with a Focus on Federal and State Laws

Companies have traditionally focused their compliance efforts in this area on federal law, particularly the Warranty Act. With so many new and proposed state laws driving regulation in this area, companies quickly need to start tracking developments carefully and implementing a plan to ensure that their business practices remain compliant. As detailed above, the scope of these state laws and proposals vary significantly, often have industry-specific implications, and may apply to products already sold, as in California. It is also important for companies that operate nationwide to analyze and prepare for potential compliance implications if their products are manufactured in one state (or abroad) and shipped to other states.³⁶

26 Del. Gen. Assemb., House Economic Development, Banking, Insurance, & Commerce Meeting (Mar. 7, 2023), <https://legis.delaware.gov/MeetingNotice/32971>.

27 See e.g. Matthew Gault, John Deere-Backed Lobbying Groups Host Anti-Right to Repair Conference, *Vice* (Oct. 13, 2021), <https://www.vice.com/en/article/88nw54/john-deere-backed-lobbying-groups-host-anti-right-to-repair-conference>; Tyne Morgan, AEM, John Deere Respond to Biden's Planned Executive Order Over Right to Repair Equipment, *AGWEB* (July 7, 2021), <https://www.agweb.com/news/policy/politics/aem-john-deere-respond-bidens-planned-executive-order-over-right-repair> ("John Deere does not support the right to modify embedded software due to risks associated with the safe operation of the equipment, emissions compliance and engine performance.").

28 Equipment Dealers Association and Association of Equipment Manufacturers, Comment Letter on Nixing the Fix: A Workshop on Repair Restrictions (Apr. 30, 2019), <https://www.regulations.gov/comment/FTC-2019-0013-0017>.

29 H.B. 6083, 2023 Gen. Assemb., Reg. Sess. (Conn. 2023).

30 H.B. 3602, 103rd Gen. Assemb. Reg Sess. (Ill. 2023).

31 H.B. 195, 2023 Leg., Reg. Sess. (Mont. 2023).

32 S.B. 0077, 113th Gen. Assemb., Reg. Sess. (Tenn. 2023).

33 H.B. 1011, 74th Gen. Assemb., Reg. Sess. (Colo. 2023).

34 S.B. 422, 2023 Leg., Reg. Sess. (Fla. 2023).

35 H.B. 712, 2023 Gen. Assemb., Reg. Sess. (Md. 2023).

36 See generally *Motor and Equipment Mfrs. Ass'n, Inc. v. Env't Prot. Agency*, 627 F.2d 1095, 1109 (D.C. Cir. 1979) (discussing "heightened state activity" in regulating emissions control in the 1960s as "raising the spectre of an anarchic patchwork of federal and state regulatory programs, a prospect which threatened to create nightmares for manufacturers"); Beth Schneider Naylor & Jacob E. Bischoff, States of Disrepair – Recent Developments in the "Right to Repair" Movement, *MANUFACTURING.NET* (Aug. 25, 2023), <https://www.manufacturing.net/laws-regulations/article/22871258/states-of-disrepair-recent-developments-in-the-right-to-repair-movement> ("With the passing of the New York bill, other states are likely to follow. Manufacturers should begin to consider the possibility of right to repair legislation in their respective industries As developments continue to occur, manufacturers – both domestically and internationally – will be left with the difficult task of achieving compliance and limiting liability.").

B. Proactively Conduct a Compliance Audit of Your Warranty Terms

While the FTC has not filed many enforcement actions in this area, companies should expect the FTC to investigate and potentially challenge a manufacturer's written and oral statements to consumers suggesting that "warranties will be void if they use third-party services or parts, or that they should only use branded parts or authorized service providers."³⁷

The FTC has also highlighted the importance of complying with Part 701 of the Warranty Act, which requires warranty terms be "disclose[d] in a single document" and expressed in "readily understood language" that includes a "clear description and identification of products, or parts, or characteristics, or components or properties covered by and where necessary for clarification, excluded from the warranty."³⁸ Given public comments by the FTC, it is prudent for companies to conduct a compliance check to ensure that their warranty terms comply with Part 701 of the Warranty Act.

C. Conduct Compliance Training for Employees and Authorized Dealers

Potential warranty violations are not limited to written terms and policies but may also include oral statements by employees or authorized dealers. For example, as part of the FTC's Harley-Davidson investigation and consent agreement, the FTC found that a warranty instructing consumers to consult a dealer for details about the warranty violated the rule's single-document requirement.³⁹ Such statements—often innocent and intended to assist the consumer—may create a compliance issue with the single-document rule and lead to inconsistencies in how warranty policies are orally conveyed to consumers.

At a minimum, employees and dealers should be instructed to refer consumers to the warranty itself and not make representations about the warranty terms. One best practice, if commercially feasible, is to have a dedicated person or department that can address warranty questions, so that sales representatives and other employees do not inadvertently make inconsistent or inaccurate representations. Moreover, state right-to-repair laws focus on the types of information that need to be shared with independent repair shops so that they may complete repairs. Training the relevant employees as to what information can and cannot be shared will be a critical part of an effective compliance program, especially with different state-law requirements.

D. Ensure Repair Restrictions or Design Features Do Not Violate Antitrust Laws

Separate from the Warranty Act and the right-to-repair laws discussed above, federal and state antitrust laws are increasingly being used to challenge alleged repair restrictions. For example, the FTC's May 2021 report emphasizes that "refusals to deal, exclusive dealing, exclusionary design, and aggressive assertion of patent rights" may limit repair rights and violate antitrust laws.⁴⁰ While the FTC has filed no antitrust actions in this area, class-action plaintiffs have recently filed suits against motorcycle, furniture, vacuum, electronic, and farm-equipment manufacturers, as well as technology companies and wholesalers for alleged violations of the Warranty Act and antitrust laws, primarily based on monopolization and product-tying theories.⁴¹

At the same time, there may be pro-competitive reasons for implementing certain design features or other business practices that may limit repair rights, such as privacy, data security, efficient design, manufacture, distribution, and safety justifications.⁴² Making these types of

³⁷ FTC Approves Final Orders in Right-to-Repair Cases Against Harley-Davidson, MWE Investments, and Weber, Fed. Trade Comm'n: Press Releases (Oct. 27, 2022), <https://www.ftc.gov/news-events/news/press-releases/2022/10/ftc-approves-final-orders-right-repair-cases-against-harley-davidson-mwe-investments-weber>. The Warranty Act contains two exceptions: (1) if the company receives a waiver from the FTC, which requires a showing "that the warranted product will function properly only if the article or service so identified is used in connection with the warranted product" and "such a waiver is in the public interest"; or (2) if the part or service "is provided without charge to the consumer." 15 U.S.C. § 2302(c)(2); 16 C.F.R. § 700.10(a); see also Adam Acosta, J. Mark Gidley & Anna Kertesz, 5 Steps Cos. Can Take Amid Surge in 'Right to Repair' Actions, Law360 (Feb. 14, 2023), <https://www.law360.com/articles/1575673/5-steps-cos-can-take-amid-surge-in-right-to-repair-actions>.

³⁸ 16 C.F.R. § 701.3(a).

³⁹ Right-to-Repair Cases, *supra* note 8.

⁴⁰ FTC Report at 15, *supra* note 2.

⁴¹ See, e.g. Consolidated Am. Class Action Compl. at 42, *In re: Harley-Davidson Aftermarket Parts Mktg., Sales Practices and Antitrust Litig.*, No. 2:23-MDL-3064 (E.D. Wis. July 17, 2023), ECF No. 33 ("Through their unlawful tying scheme, the Defendants engaged in the restraint of trade or commerce of Compatible Parts, and monopolized or attempted to monopolize trade or commerce of Compatible Parts and maintain that monopoly, with the intention of injuring or destroying competition therein"); Class Action Compl. at 32, *Lambrix v. Tesla, Inc.*, No. 3:23-cv-01145 (N.D. Cal. Mar. 14, 2023), ECF No. 1 ("This anticompetitive conduct, which has unreasonably restrained and threatens to continue unreasonably restraining competition in the Tesla Repair Services market, includes at least the following: Implementing vehicle warranties and other policies designed to actively discourage Tesla EV owners from obtaining Tesla Repair Services other than those offered by and through Tesla, thus tying the purchase of Tesla Repair Services to the purchase of Tesla EVs").

⁴² See Adam Acosta, J. Mark Gidley & Anna Kertesz, 5 Steps Cos. Can Take Amid Surge in 'Right to Repair' Actions, Law360 (Feb. 14, 2023), <https://www.law360.com/articles/1575673/5-steps-cos-can-take-amid-surge-in-right-to-repair-actions>.

assessments is often fact-specific and antitrust counsel should be consulted early on when implementing design features or policies that might be perceived as inhibiting repairs.

V. CONCLUSION

In addition to pre-existing federal laws, as manufacturers focus on compliance and independent repairers and consumers focus on their rights, the following overview identifies the recent state laws and pending bills to keep on your radar.

Recent State Legislation (as of November 2023)

Source: White & Case Research⁴³

State	Bill	Status	Date of Last Action
Alaska	SB 112 : Covers all products except motor vehicles	Referred to the Senate Labor & Commerce Committee	March 22, 2023
California	SB 244 : Covers all products except for “alarm system” products such as fire protection systems and video game consoles	Enacted; effective July 1, 2024	October 10, 2023
Colorado	HB 1011 : Covers agricultural equipment	Enacted; effective January 1, 2024	April 25, 2023
Connecticut	HB 6083 : Covers powered wheelchairs	Passed Joint Committee on General Law review	February 3, 2023
Connecticut	HB 6512 : Covers “consumer electronics”	Referred to Joint Committee on General Law	January 24, 2023
Delaware	HB 41 : Covers all products except various off-road equipment such as agricultural and construction equipment	Passed House Committee on Economic Development, Banking, Insurance & Commerce review	March 7, 2023
Florida	SB 422 : Covers agricultural equipment	Failed Senate Committees on Commerce and Tourism reviews	May 5, 2023
Georgia	SB 243 : Covers all products	Referred to Senate Committee on Science and Technology	February 27, 2023
Hawaii	HB53 : Covers all products except motor vehicles	Deferred by the House Committees on Higher Education & Technology, Consumer Protection & Commerce, and Finance	February 1, 2023
Hawaii	SB 1172 : Covers medical devices	Referred to Senate Committees on Health and Human Services, Judiciary, and Consumer Protection & Commerce	January 27, 2023
Hawaii	SB 1105 / HB 645 : Covers all products except motor vehicles, heavy construction equipment, and medical equipment valued at or over \$100,000	Referred to Senate Committees on Energy, Economic Development, & Tourism and Commerce & Consumer Protection as well as House Committees on Economic Development, Consumer Protection & Commerce, and Finance	January 27, 2023
Iowa	HF 587 : Covers all products	Referred to House Committee on Commerce	March 2, 2023
Illinois	HB 3602 : Covers powered wheelchairs	Referred to House Rules Committee	March 10, 2023
Illinois	HB 3593 : Covers all products except medical devices, motor vehicles, and various off-road equipment such as farming and outdoor power equipment	Referred to House Rules Committee	March 10, 2023
Illinois	HB 3601 : Covers “educational technology equipment,” i.e. laptops and tablets used by school districts	Referred to House Rules Committee	March 10, 2023
Massachusetts	H 360 / S 142 : Covers mobile phones	Referred to House and Senate Committees on Consumer Protection and Professional Licensure	February 16, 2023
Maine	SB 1487 : Covers all products except motor vehicles	Referred to Senate Committee on Innovation, Development, Economic Advancement & Business	April 5, 2023
Maryland	HB 712 : Covers farm equipment	Withdrawn	February 28, 2023
Maryland	HB 1193 : Requires access to repair data from motor vehicles	Referred to House Committee on Economic Matters	February 10, 2023

⁴³ See also *Pennsylvania Becomes 30th State to Put Forward Right to Repair Legislation*, Pub. Int. Rsch. Gr.: Right to Repair (June 14, 2023), <https://pirg.org/updates/pennsylvania-becomes-30th-state-to-put-forward-right-to-repair-legislation>.

State	Bill	Status	Date of Last Action
Michigan	HB 4562 : Covers all products except motor vehicles	Referred to House Committee on Regulatory Reform	May 16, 2023
Michigan	HB 4609 / HB 4673 / SB 342 / HB 4651 / SB 341 / : Covers agricultural equipment	Referred to various committees	May 18-25, 2023
Missouri	SB 554 : Covers all products except motor vehicles	Referred to Senate Committee on Progress and Development	May 12, 2023
Missouri	HB 698 : Covers farm, construction, or forestry machinery	Referred to House Committee on Rural Community Development	April 11, 2023
Minnesota	HF 1337 / SF 1598 : Covers all products except motor vehicles, medical devices, farm and construction equipment, video game consoles, and home energy storage systems	Combined and enacted; effective January 1, 2024	March 27, 2023
Montana	HB 475 / SB 347 : Covers agricultural equipment”	Failed committee review	March 11, 2023
Montana	HB 195 : Covers powered wheelchairs	Failed committee review	May 2, 2023
North Carolina	H 752 : Covers “medical equipment”	Referred to House Committee on Rules, Calendar, and Operations of the House	April 19, 2023
New Hampshire	HB 73 : Covers home appliances	Referred to House Committee on Commerce and Consumer Affairs	September 6, 2023
New Jersey	AB 1538 : Covers all products except motor vehicles	Referred to Assembly Consumer Affairs Committee	January 11, 2022
New Jersey	AB 3612 : Covers farm equipment and lawn mowers	Referred to Assembly Agriculture and Food Security Committee	March 17, 2022
Ohio	SB 273 : Covers all products except motor vehicles, farm and forestry equipment and medical equipment.	Referred to Senate Financial Institutions and Technology Committee	March 1, 2023
Oklahoma	SB 869 : Covers all products except motor vehicles, medical devices, and “off-road equipment”	Referred to Senate Business and Commerce Committee	February 7, 2023
Oregon	SB 542 : Covers “consumer electronic equipment” except motor vehicles, home cooling and energy storage systems, and certain engines and power sources	Referred to Senate Committee on Rules	June 25, 2023
Pennsylvania	SB 744 : Covers all products except motor vehicles, medical devices, off-road equipment, and certain engines and power sources	Referred to Senate Committee on Consumer Protection & Professional Licensure	June 6, 2023
South Dakota	SB 194 : Covers all products except motor vehicles	Deferred by the Senate Committee on Commerce and Energy	February 14, 2023
Tennessee	SB 0077 : Covers powered wheelchairs	Referred to Senate Commerce & Labor Committee	January 20, 2023
Texas	SB 1654 : Covers farm and heavy equipment	Left pending in committee	April 17, 2023
Washington	SB5464 / HB1392 : Covers laptops, tablets and cell phones	Passed in the House; referred to Senate Committee on Environment, Energy & Technology; Returned to the House Rules Committee for third reading	April 23, 2023
West Virginia	HB 3384 / SB 738 : Covers farm, forestry, and lawn and garden equipment	Passed in the Senate; referred to House Judiciary Committee	March 7, 2023
Vermont	H 81 : Covers farm equipment	Passed in the House; referred to the Senate Committee on Rules	May 8, 2023
Vermont	H. 79 / S. 46 : Covers all products except motor vehicles and medical devices	Referred to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs	January 20, 2023

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