



Right to Repair Opposition Talking Points

- 1. I do not think Right to Repair legislation is necessary for our industry. Currently, most everything a customer would need to diagnose or repair their equipment is already available. This includes operators and technical manuals, diagnostic routines, tools, parts, schematics as well as electronic service capabilities. Legislation is not needed to require us to provide things that are already available in the marketplace today.**
- 2. Our business has made a huge investment in parts inventories, employee training, tools service trucks, etc. to ensure our customers can remain up and running. We support our local schools, contribute significantly to the local economy, partner with the local FFA and 4H chapters, provide scholarships for students to go to school and then return to our communities to live and work. The essence of this bill represents a huge threat to our presence in our communities. We are often one of the largest employers in our area – and we want to continue to grow and support our hometowns.**
- 3. Allowing open access to the code creates a tremendous safety concern. In our operation –and on every farm I am aware of, safety is the number one concern. Improperly modifying the software on a machine can potentially cause one of our employees or our customers to be injured or even killed. These machines are very sophisticated. We spend thousands of dollars every year ensuring our team has the proper training and tools to keep the customer up and running – but to do so safely. Even we do not have open access to the manufacturer’s software – nor do we need it. The access this bill asks for creates safety hazards and quite frankly puts my employees, my customers and my business at risk.**
- 4. Today, we already see a growing problem with something called “chipping” – where a customer has increased the horsepower of an engine, often far beyond the manufacturer’s specs. This results in premature wear of the machine – again a safety hazard. We also see a lot of units that have had their emissions systems “defeated” – or overridden. These defeated machines do not meet federal emissions standards. This is something our organization can be fined for by the EPA if we resell a non-compliant machine. This bill asks for the ability to override security features, which just further enables this illegal practice.**
- 5. We many times have no way of recognizing that the machine was ever tampered with or modified, because the software was set back to manufacturers specs prior to being traded in. Or, if it hasn’t been set back, we have no way of knowing WHAT was changed. Simple, yet catastrophic things like steering direction would be undetectable. This means that I could potentially be misrepresenting the equipment to the next buyer since I am unaware of the extent of damage done when it was run under modification. It also undermines the overall integrity of the used equipment market. Besides the huge liability this presents from a safety and compliance standpoint, my business’ reputation is at stake. We take tremendous pride**

that we represent our company, our employees, our owners and our manufacturers with honesty and honor. We stand behind what we sell and recognize that our customer's success is our success.

- 6. Make no mistake that we DO fully support our customers having the ability to repair their equipment. But we do not support unauthorized and unsafe modification - for all the reasons I've talked about such as safety, liability, emissions, open access to code. Therefore, I ask you to please vote no on Right to Repair legislation.**