



SUSAN TALAMANTES EGGMAN

REPRESENTING SENATE DISTRICT 05

SB 983 – Right to Repair

SUMMARY

Owners of electronics and independent repair shops too often don't have access to repair guides or the tools and parts that are essential to extending the life of consumer electronics.

For 30+ years, California has required manufacturers provide access to replacement parts and service materials for electronics and appliances to the manufacturer's authorized repairers in the state. This bill extends this requirement to also provide the same parts and service materials, under fair and reasonable terms, to independent service dealers regulated by the Department of Consumer Affairs and to individual owners. This will create a more competitive repair marketplace ensuring that consumers aren't forced to pay a manufacturer's designated, high cost repair service, or be forced to invest in a new item altogether due to their inability to affordably repair broken electronics and appliances.

BACKGROUND

When the manufacturers are the only entities that hold the correct information and parts to make repairs, they're able to set repair prices that ultimately result in an unnecessary and wasteful high turnover of electronics. Without a fair and competitive repair marketplace, we will continue to see vast amounts of electronic waste generated in the state and money taken out of the pockets of everyday people, with potentially the greatest harm to low-income areas and communities of color.

In July of 2021, President Biden issued an Executive Order broadly aimed at promoting fairness and competition in the marketplace, and specifically directing the Federal Trade Commission (FTC) to address, among other issues: "unfair anticompetitive restrictions on third-party repair or self-repair of items, such as the restrictions imposed by powerful manufacturers that prevent farmers from repairing their own equipment."

This order follows a landmark report from the FTC released in May of 2021. "Nixing the Fix" was the product of a workshop that began in July of 2019, bringing together consumer advocates, manufacturers, repair professionals, and more, to comprehensively examine the types of practices President Biden would later target in his order. Restrictions on repair stem all the way from product design and part availability to software locks and licensing agreements, but the report found that "there is scant evidence to support manufacturers' justifications for repair restrictions." While the President's order calls on the FTC to use its authority to address repair restrictions, the FTC acknowledges in their report that more action is needed, and that they will work with state legislators to ensure consumer choice.

Electronic devices have become an essential part of our lives, and we need access to more choices when it comes to the inevitable repairs that will be needed. Continuing to allow manufacturers to push consumers to replace their broken electronics by creating barriers to repair stimulates low-wage factory jobs overseas, feeds our growing e-waste crisis, and hurts consumers and small businesses doing this work. Providing independent repair shops with the correct information and parts to make repairs efficiently will stimulate jobs within the communities where repairs are needed, reduce the need to replace products with simple fixes, and save money for consumers.

THIS BILL

SB 983 adds individual owners and regulated independent service dealers to the entities eligible to receive functional parts, tools, and service literature from manufacturers for electronics and appliances.

SUPPORT

CalPIRG (Cosponsor)
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