

**Written Testimony offered on behalf of:
United Ag and Turf**

**Senate Committee on Economic Development,
Housing and General Affairs
Hearing: February 24, 2023, at 8:30 AM
UNITED AG AND TURF OPPOSES S.46**

Attn: Scott Moore, Committee Assistant
*Chair Hinsdale and Honorable Members of the
Senate Committee on Economic Development, Housing and General Affairs
Submitted Via Electronic Mail: SMOore@leg.state.vt.us*

Dear Chair Hinsdale and Honorable Committee Members:

My name is Scott Miller, and I am writing on behalf of United Ag and Turf (UAT). As President of UAT, which is an independently owned and operated John Deere dealerships with eight Vermont locations. UAT employs around 900 employees in the region. Our industry fully supports our customers and third parties having the ability to repair their equipment, but we DO NOT support S. 46 as this legislation fails to address safety concerns or federally mandated emissions systems. Furthermore, the legislation would hurt small, agricultural businesses and customers in the state of Vermont.

Unlike many other industries, the agricultural equipment industry supports the customer's "right to repair" making this legislation unnecessary for our industry. You may have heard that the State of New York recently passed a right to repair law (attached). That law exempts the off-road industry. The exemption included in New York's right to repair bill is included below for reference. See FN1.

Customers in our industry can already repair their own machine, have an independent repair shop work on it, or bring it to a local John Deere dealership for repairs. John Deere and United Ag & Turf offer 100% parts lookup to consumers and independent repairs shop, the same resources for parts lookup that the dealers have. See FN2. The diagnostic service tool, Customer Service ADVISOR, is available from John Deere directly to customers and independent repair shops through JohnDeereStore.com. See FN 3. This commitment to customer access to diagnostic and repair information was recently formalized in a memorandum of understanding with the American Farm Bureau Federation. See FN 4.

Let me be very clear, any independent repair provider can access the tools, diagnostics, and repair information outlined above. Operating such a business, however, requires investment in not only these items but also in training on the complex systems. As you can see, S. 46 would undermine Vermont businesses and is unnecessary to ensure repair and diagnostic information is available to customers and third-party repair providers.

It is important to note that Customer Service Advisor, and the full array of DIY offerings available to customers today, do not provide the technical training required to perform sophisticated diagnostic tests and troubleshooting procedures which comes with significant formal education and years of experience in the field. Modern diesel engines and power trains utilize a vast array

of sophisticated electronic components and sensors to deliver appropriate horsepower and productivity, conserve fuel and comply with EPA emissions standards. S. 46 fails to provide any safeguards to prevent illegal tampering of emissions systems or even safety systems.

In conclusion, our industry fully supports our customers and third parties having the ability to repair their equipment, but we DO NOT support S. 46 as it would hurt rather than help small, agricultural businesses and customers in the state of Vermont. We encourage you to adopt the amendment below which would exclude our industry from this legislation.

Therefore, United Ag and Turf respectfully requests an UNFAVORABLE COMMITTEE REPORT on S. 46.

Respectfully Submitted,

Scott Miller

Scott Miller
President
United Ag and Turf

FN 1:

New York Off Road Amendment

Manufacturers, distributors, importers or dealers of all off-road (non-road) equipment, including without limitation, farm and utility tractors, farm implements, farm machinery, forestry equipment, industrial equipment, utility equipment, construction equipment, compact construction equipment, road-building equipment, mining equipment, turf, yard and garden equipment, outdoor power equipment, portable generators, marine, all-terrain sports and recreational vehicles (including racing vehicles), stand-alone or integrated stationary or mobile internal combustion engines, other power sources, (including without limitation, generator sets, electric/battery and fuel cell power), power tools, and any tools, technology, attachments, accessories, components and repair parts for any of the foregoing.

FN 2: Online Parts Look Up

<https://partscatalog.deere.com/jdrc/>

FN 3: Online Access to Customer Service Advisor

<https://www.deere.com/en/parts-and-service/manuals-and-training/customer-service-advisor/>

FN 4: AFBF and John Deere Memorandum of Understand Press Release

<https://www.fb.org/news-release/afbf-signs-right-to-repair-memorandum-of-understanding-with-john-deere>