



State Privacy and Security Coalition, Inc.



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September 7, 2018

The Honorable Matthew Hill
The Honorable Christopher Pearson
Co-Chairs, Right to Repair Task Force
Vermont Statehouse
115 State Street
Montpelier, VT 05633-5301

Re: Scope of Work and Future Meetings of the Right to Repair Task Force

Dear Vermont Right to Repair Task Force Members:

The undersigned organizations represent hundreds of leading manufacturers and businesses, including manufacturers of consumer electronics, home appliances, HVACR equipment, security equipment, toys, lithium ion batteries, and other connected electronic products as well as companies that rely on the secure operation of these devices such as entertainment and software publishers. Our members develop products and services for a wide range of commercial, government, and consumer users that would be regulated under the legislation that the task force is examining. We look forward to engaging the task force as impacted stakeholders and providing information on topics raised in the underlying legislation, H. 9, as well as other issues not specifically referenced but relevant to the broader discussion regarding “right to repair” policy in Vermont.

Our organizations were concerned with the original legislation, S. 180, considered during the regular session. While we are pleased that the Legislature acknowledged that more study of the issues presented was necessary before moving forward with legislation that would mandate that manufacturers provide unfettered access to parts, software, source code, tools, and information sought by the bill's proponents, we wish to express at the onset of this process that we strongly disagree with many of the legislative findings included in H. 9. While we did not

have an opportunity to provide testimony during the special session on the bill, we encourage the task force to reconsider the validity of these statements in their final report.

We look forward to participating in the discussion about electronic product and equipment repair in future meetings of the task force. As was highlighted during the first meeting, we believe it is imperative to have a robust discussion on a broad range of topics as this is a very complex set of issues that extend far beyond the stated intent. These topics should include, but not be limited to, a discussion on current opportunities for Vermonters to have their products repaired or recycled in a reliable, safe, and compliant way; the legislation's potential to weaken the security and privacy features of various electronic products; intellectual property and trade secrets concerns; potential conflict with federal copyright and related content protection laws; and product safety and liability matters. We are pleased to provide further comments on these and other pertinent issues.

We appreciate the opportunity for ongoing participation in the meetings of the task force and look forward to assisting the task force in its charge of studying this issue.

Sincerely,

Air Conditioning, Heating and Refrigeration Institute (AHRI)
Association of Home Appliance Manufacturers (AHAM)
Computing Technology Industry Association (CompTIA)
Consumer Technology Association (CTA)
CTIA – The Wireless Association
Information Technology Industry Council (ITI)
Internet Coalition
Lake Champlain Regional Chamber of Commerce
National Electrical Manufacturers Association (NEMA)
NetChoice
PRBA – The Rechargeable Battery Association
Security Industry Association (SIA)
State Privacy and Security Coalition, Inc.
TechNet
Telecommunications Industry Association (TIA)
The Toy Association

cc: Chris Curtis, Chief, Public Protection Division, Office of the Attorney General
Nick Grimley, Director of Entrepreneurship & Tech Commercialization, Agency of
Commerce and Community Development
Shawn Potter, IT Manager, Agency of Digital Services