



March 8, 2021

The Honorable Robert Starr, Chair  
The Honorable Christopher Pearson, Vice Chair  
Vermont Senate Committee on Agriculture  
115 State Street  
Montpelier, VT 05633

Re: S. 67, Agricultural Repair—SUPPORT

Dear Chair Starr and Vice Chair Pearson,

Consumer Reports<sup>1</sup> appreciates your committee holding a hearing on S. 67. This important legislation will better ensure that farmers have the choice to fix their own electronics-enabled farm equipment, if they can, or to have it fixed by a repair servicer of their choosing, including servicers independent of the manufacturer. Our organization has long supported this “right to repair,” including by developing a model act to help guide state legislators such as yourself.<sup>2</sup> And we have also incorporated this principle into the Digital Standard, a set of best practices that we use to evaluate the privacy and security of software, digital platforms and services, and internet-connected products, as well as to help influence the design of these products.<sup>3</sup> It is important to safeguard and maintain farmers’ ability to exercise their full rights of ownership over the farm equipment they purchase, including the right to repair it, and the right to resell it, even as technology evolves.<sup>4</sup>

Unfortunately, it’s often difficult for farmers to make simple repairs on their expensive farm equipment.<sup>5</sup> Not only is this machinery frequently being designed in a way to intentionally prevent easy repair, but manufacturers are clamping down on access to the diagnostic information, and repair tools, and replacement parts needed to fix it. Some manufacturers even put digital locks on equipment to block third-party repair. These tactics force farmers to rely on the manufacturer, or the manufacturer’s chosen servicer, to fix their equipment. The manufacturer is then free to charge whatever it wishes. This can be particularly challenging for farmers, who may live far from

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<sup>1</sup> Consumer Reports is an independent, nonprofit member organization that works side by side with consumers for truth, transparency, and fairness in the marketplace. We use our rigorous research, consumer insights, journalism, and policy expertise to inform purchase decisions, improve the products and services that businesses deliver, and drive regulatory and fair competitive practices.

<sup>2</sup> *Right to Repair Model State Law*, CONSUMER REPORTS (updated December 2, 2020), <https://advocacy.consumerreports.org/research/right-to-repair-model-state-law/>.

<sup>3</sup> The Digital Standard, <https://www.thedigitalstandard.org/>.

<sup>4</sup> E.g., Comments of Consumers Union to U.S. Copyright Office, Software-Enabled Consumer Products Study (March 18, 2016), <http://consumersunion.org/research/comments-to-the-u-s-copyright-office-regarding-software-enabled-consumer-products/>.

<sup>5</sup> Bree Fowler, *iPhone Slowing Down? It Might be Time to Replace Your Battery*, CONSUMER REPORTS (Dec. 28, 2017), <https://www.consumerreports.org/smartphones/iPhone-slowing-down-it-might-be-time-to-replace-your-battery/>; Becky Worley and Sarah Messer, *Cracked iPhone Screen Help Guide: How 5 Repair Options Stack Up*, ABCNews.com (May 1, 2017), <http://abcnews.com/Business/cracked-iphone-screen-guide-repair-options-stack/story?id=47089610>.

authorized repairers.

We hope your committee will advance this important consumer legislation. We look forward to working with you and others to secure an effective right to repair for farmers.

Sincerely,

Maureen Mahoney  
Senior Policy Analyst

George Slover  
Senior Policy Counsel

cc: Members, Senate Committee on Agriculture