



Maryland Grain Producers Association
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House Bill 84

Consumer Protection – Right to Repair

Committee: Economic Matters

MGPA Position: **SUPPORT with Amendment**

The Maryland Grain Producers Association serves as the voice of grain farmers growing corn, wheat, barley and sorghum across the state. On an annual basis, nearly a million acres of these crops are grown in Maryland.

House Bill 84 requires that the original equipment manufacturer make available any documentation, parts, tools, or updates to information or embedded software necessary for the owner or independent repair provider to repair the equipment.

At the point of sale, farm equipment such as tractors, combines, implements, etc become the property of the purchaser. Unfortunately, our growers have found that ownership does not entitle them to the tools necessary to make repairs to said equipment. Even a simple issue not related to the safe functioning of a tractor can turn in to an expensive repair. For example, a farmer member had a turn signal that would not stop blinking. After a \$500 service call, it was found to be a computer issue. The farmer purchased and replaced to necessary part but the technician had to come back again to update the computer in order to get the signal to stop blinking. So, what he could have fixed with a \$200 part turned in to a \$1,200 endeavor.

Equipment manufacturer will argue that they cannot grant access to farmers and private repair due to safety concerns and potential hacking, override of emissions, etc. Farmers are not looking to reprogram, override or change source; none of that has value from a repair perspective.

Therefore, MGPA would like to submit the following amendment to clarify intent: Page 4, add (D)

(D) This subtitle does not authorize the owner or independent repair provider to:

- (1) Reset an immobilizer system or security-related electronic modules unless necessary for repair;
- (2) Reprogram any electronic processing units or engine control units unless necessary for repair;
- (3) Change any equipment or engine settings negatively affecting emissions or safety compliance;
- (4) Download or access the source code of any proprietary embedded software or code;

Farmers are simply requesting the legal authority and necessary information to economically repair their own equipment that they have already purchased. Reprogramming, illegal modifications, and safety are not REPAIR.

MGPA respectfully submits our support with amendment position on HB84.