



February 27, 2023

Re: Opposition to Digital Fair Repair (HF 1337/SF 1598)

Dear Legislators:

I am writing on behalf of the Minnesota Technology Association (MnTech) to voice our opposition to the Digital Fair Repair Act (HF 1337/SF 1598). MnTech is a coalition of nearly 170 member companies united in building a stronger tech ecosystem and innovation economy in Minnesota. Our member companies work the spectrum of technology, from IT, advanced manufacturing, life sciences, fintech, agtech, cleantech, and edutech, and range from long-established corporations to small and growing startups.

Our member companies take seriously the responsibility to provide safe and reliable electronic equipment and parts to Minnesotans, and take numerous steps to safeguard the products from bad actors. This is why they work with networks of authorized providers to ensure that repairs made to their products are meeting safety and quality standards. HF 1337 and SF 1598 would take away numerous existing protections for consumers and provide free access to companies' trade secrets with no penalty for the use of these secrets, and no penalty for malicious actions by third parties. Worse yet, this legislation could create incentives for increased theft of electronic equipment as existing security features would be severely compromised by this legislation.

This legislation is problematic as it requires the release of trade secrets for the purposes of product repair. Numerous scenarios can be considered that would make a company divulge trade secrets to third parties for the purposes of repair, but nothing in this bill considers what could be done with this intellectual property or provide any form of penalty for malicious use of such trade secrets. The legislation lacks any consumer protections regarding safety standards for independent repair providers, meaning products containing dangerous items like lithium ion batteries could come back to a consumer in a fragile or dangerous state, at no penalty to the independent repair provider. Further, the security lock related provisions provide no option for the original equipment manufacturer to refuse to comply with an independent repair provider's request for documentation to reset a lock or security function in the event of suspected theft or mal intent of use of the consumer's product. This does not keep Minnesotans safer, if anything it provides more incentives for an increase in theft of electronics as original equipment manufacturers would be required to provide security lock jailbreaks regardless of concerns over safety or privacy.



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MnTech welcomes the opportunity to discuss these concerns in greater detail and urges the Committee to take time to consider the serious implications of this legislation before moving forward with the bill as drafted.

Thank you for your consideration.

Katie McClelland

Katie McClelland
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Minnesota Technology Association