

February 01, 2022

Chair Zack Stephenson
Commerce Finance and Policy Committee
Minnesota House of Representatives
509 Rev. Dr. Martin Luther King Jr. Blvd
St Paul, MN 55155

Re: HF 1156 Handberg's Marine Oppose Digital Fair Repair Act

Dear Chair Stephenson and Members of the Committee:

My name is Lori K Sanborn and I am an owner at Handberg's Marine located in Crane Lake, Minnesota. We are a full-service Marina serving Crane Lake offering a new and used boat sales, service, fuel dock, and even a general store! We have been serving the Crane Lake area for over **96 years** and pride ourselves on building an inclusive community on the lake and creating lasting memories for generations of families and new visitors as well.

I am writing today in opposition to HF 1156 due to the safety, emissions, and liability implications it will have for boaters as well as my business. To my understanding, HF 1156 would give consumers the ability to override important safety and emission features by opening access to source code and other programmable features of marine engines.

Marine engines are made with specific safety features to protect consumers, like the inability to start a boat in gear or alarms and automatic shut-off procedures to avoid the engine from overheating or operating after a collision. They are also programmed to comply with specific EPA emissions regulations and this is done through electronic controls. This bill would give consumers access to the very source code and programming that assures emissions compliance and the ability to both override emissions compliance and safety features.

Not only would these changes possibly make operation of these modified vessels dangerous for the consumers and other folks on the water, they also present a significant liability concern for Handberg's, as we buy and sell pre-owned vessels. Our concern is that we sell a pre-owned vessel that was subject to these illegal modifications and these are not disclosed. Then we sell that vessel to the new owner, there is an accident as a result of these changes that unfortunately results in the harm, or worse death, of the operator or folks nearby. Handberg's could then be found liable for this, which could ultimately result in an expensive and lengthy lawsuit or settlement, and that would likely be enough to shudder our small business.

The possibility does exist with the passage of HF 1156, and for that reason and to assure the safety of Minnesota boaters and small businesses who help get them on the water we ask that you oppose HF 1156.

Thank you for understanding the concerns of Handberg's and other marine retailers in Minnesota.

Sincerely,

Lori K. Sanborn
Owner
Handberg's Marine
7123 Handberg Rd,
Crane Lake, MN 55725

