



## OPPOSE H.F. 1156

### We Support “Right to Repair”...Not the Right to Modify!!

Years ago, special interest activists began to promote legislation in the Ag sector that is commonly misrepresented as “Right to Repair.” Activists state they simply want the resources necessary to perform repairs of products such as combines and tractors. The truth, however, is they are actually after more than simply repair resources! “Right to Repair” legislation is usually an attempt to **gain access to parts at wholesale prices** and otherwise inaccessible machine software that would allow for the illegal and/or unsafe modification of equipment.

#### HF 1156 Mandates the Following:

1. **Manufacturers must provide** any manual, diagram, reporting output, service code description, schematic diagram, or similar information...including any relevant updates all **“free of charge”** to independent repair providers (IRPs) and owners of products. It is not reasonable for the government to require private businesses to provide goods or services “free of charge” to the public. (2.4-2.6, 2.17-2.19)
2. **Manufacturers must provide all** digital electronic equipment and **service/repair parts** to equipment owners and IRPs **at wholesale prices or dealer cost!** This concept would not only effectively erode the viability of the manufacturers’ distribution system, it would also essentially strip dealers of their ability to make any meaningful profit on electronic equipment and service/repair parts. (2.1-2.3, 2.11-2.16, 3.22-3.24, 3.26-3.31)

#### Why this Legislation is Completely Unnecessary:

1. **Owners and IRPs absolutely have the “right to repair” equipment.** Not only do they have the “right,” we strongly agree with and support their ability to perform repairs themselves. However, neither our dealers nor anyone else should be allowed to modify embedded code.
2. Several years ago, our industry was informed that farmers wanted more access to repair resources...and we responded! Contrary to what has been promoted in the public sector; farmers and IRPs currently have access to the repair resources they need to perform the vast majority of equipment repairs. In fact, many dealerships currently provide all of these resources to the general public! For example, see [www.deerequipment.com/do-it-yourself-repairs/](http://www.deerequipment.com/do-it-yourself-repairs/)
3. **Almost all of the repair resources farmers and IRPs need to conduct repairs are currently available.** Thus, this legislation is wholly unnecessary for farm equipment **IF** the goal is simply to gain access to the information and tools necessary to repair equipment.
4. This bill would allow anyone who claims to be involved in service and repair to have access to embedded code. This unfettered access may create new and unnecessary risks – **including cybersecurity!**

(see reverse)

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**“Proponents state they simply want the resources necessary to perform repairs of products such as combines and tractors. The truth, however, is they are actually after more than simply repair resources!”** Matthew Larsgaard, President, Pioneer EDA

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## What exactly do the Right to Repair advocates want?

### They have publicly admitted their intent to:

1. **“Legalize unlocking, adapting, and modifying any part of the machine, including software.”**<sup>^</sup>
2. **“Allow owners and independent service providers access to machine code.”**<sup>^^</sup>

## HOUSE FILE 1156....NOT GOOD FOR MINNESOTA:

1. **The Right to Repair is not a Right to Modify!** Proponents of Right to Repair have advocated for overly-broad laws that allow unfettered access to the software that controls technology on equipment. Giving access to embedded code: 1) creates a very real threat to public safety and cybersecurity risks; and 2) allows for illegal modifications in violation of EPA emissions requirements and harm to our natural environment.
2. **Modifying Equipment Can be Dangerous to the Public!** Most new tractors and combines have some level of autonomous capability; some can drive themselves with no human interaction. Providing access to the embedded code risks both intentional harm and accidental harm.
3. **Modifying Equipment Jeopardizes Safety.** Many dealers spend hundreds of thousands of dollars every year to train and develop highly qualified technicians capable of repairing the rapidly-evolving technologies inherent in today’s agriculture equipment. These technicians are trained to handle major repairs safely and efficiently while ensuring the safety of equipment operators and the public. Persons who attempt to repair equipment without this high level of training may not “know what they don’t know” and cause major injury or death with faulty repairs.
4. **Modifying Equipment Can Result in Costly Repair Bills for Unsuspecting Farmers.** When equipment is illegally modified, the warranty is void. Worse yet, a farmer could unknowingly purchase modified equipment and not be aware the warranty is void. If the engine “blows up,” that innocent farmer would then be stuck with paying for a new engine that could cost up to \$70,000!
5. **Modifying Equipment Will Create Legal Liability.** Illegally modifying equipment can lead to significant safety and emissions enforcement penalties for the individuals modifying the code, dealers who subsequently trade-in modified equipment for resale, and subsequent owners of modified equipment.



Manufacturers and dealers currently make available almost all of the repair resources farmers and independent repair shops need to conduct repairs. An equipment dealer’s success is tied directly to both the manufacturer’s and the customer’s success. The unintended consequences of this bill will negatively affect manufacturers, dealers, farmers, and the public at-large.

<sup>^</sup> <https://repair.org/policy/11/04/20>  
<sup>^^</sup> <http://repair.org/policy/1/27/19>

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