

**From:** Natalie Higgins <nhiggins@equipmentdealer.org>  
**Sent:** Saturday, April 3, 2021 3:01 PM  
**To:** House Corporations Committee  
**Subject:** Oppose H. B. No. 6141 - Written Testimony on behalf of the Equipment Dealers Association  
**Attachments:** Coalition Opposed to Illegal Tampering, RI, H. 6141.pdf

**H.B. No. 6141 - OPPOSED**

Greetings Honorable Members of the Rhode Island House Committee on Corporations.

My name is Natalie Higgins. I am the Vice President of Government Relations for the Equipment Dealers Association (EDA). EDA and its regional partner, the Northeast Equipment Dealers Association (NEDA), are member(s) of the Coalition Opposed to Illegal Tampering. Our Coalition consists of thirty (30) stakeholder groups in various, off-road industries.

Together, we are unified in opposition to H.B. 6141, which would allow for unfettered access to the software that governs safety, security and, in the case of engine-powered products, emissions technology on many products manufactured and sold by coalition members. The proposed legislation serves special interests and does not meet the needs of the general public. Furthermore, if enacted, such legislation could pose serious safety, security and environmental risks.

Our industries and customers have a shared desire to minimize downtime and maximize productivity. That is part of the reason why our broad coalition has invested so much capital in cutting-edge proprietary innovations that incorporate the latest technology, training and support for end users. Proponents of so-called “Right to Repair” legislation are advocating unfettered access to the software that governs safety and emissions features incorporated into products sold by coalition members. Giving access to the source code will undermine manufacturers' innovation and intellectual property rights, increase the risk of unlawful tampering that run afoul of applicable safety, security and emission requirements, and pose potential corporate reputational risk due to damage from modifications by untrained service personnel. Modifications also create liability issues for original equipment manufacturers (OEMs), who may remain responsible for the safe and efficient operation of their products. In addition, the proposed legislation puts dealers who subsequently trade-in or refurbish modified equipment for resale, as well as subsequent owners--*who may not even know their equipment is modified*--at risk.

Our coalition members do not believe that proprietary software, developed specifically for the safe operation of equipment that meets strict government regulations, should be used to “legalize” tampering. In 2020, twenty-six (26) states rejected so called “Right to Repair” legislation because of these substantial concerns. **We ask you to vote NO to H.B. 6141.** Doing so will protect your constituents from risky equipment modifications that may circumvent safety and environmental regulations and create security risks. You can find more information on the website [www.illegaltampering.com](http://www.illegaltampering.com).

Very Truly Yours,  
Natalie J. Higgins  
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