

Testimony in opposition of “Right to Repair” legislation
House Committee on Corporations
April 5, 2021, 4:00 p.m.

- My name is Daniel Carson and I represent Schmidt Equipment, Inc. Our dealership represents John Deere, Hitachi and Wirtgen construction equipment serving Rhode Island and Massachusetts. We strive to bring our customers value in all we do. To do so, Schmidt Equipment invests significant capital each and every year to ensure our technicians have the latest safety and technology training.

- **Deere supports the customer’s right to repair** and has built advanced diagnostic capabilities into equipment that are available to the owner, dealers, or others. And for those customers who require even greater diagnostic capabilities, John Deere provides subscription access to “Customer Service Advisor” – a specialized diagnostic tool similar to the tools we use to support our customers.

- Customers should be able to expect the same level of information across manufacturing brands. It is an appropriate solution that makes so-called "Right to Repair" legislation unnecessary.

- End users have access to on-board diagnostics tools via in-cab display or wireless interface, electronic diagnostic service tools and training on how to use both. Manufacturers and dealers also make available manuals, product guides, and product service information.

- John Deere **recommends against unauthorized modification of the embedded software code.** Providing access to the source code would not only undermine manufacturers' innovation and intellectual property rights, it would risk data privacy and allow unauthorized and illegal tampering of safety and emissions requirements for the equipment. Modifications also create unknown liability issues for the individuals modifying the code, dealers who subsequently trade-in modified equipment for resale, as well as subsequent owners of modified equipment.
- Right to Repair is a complicated, yet important, issue. We believe the market place will provide the best solution to this issue. The best solutions are not likely to come via legislative mandates. For these reasons, we oppose “Right to Repair” legislation.