

Submitted Electronically

Written Testimony of the Truck and Engine Manufacturers Association

By

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RI HB 7476

House Committee on Corporations

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Chair Solomon, Vice-Chair Caldwell, Vice-Chair O'Brien and Honorable Members of the House Committee on Corporations:

The Truck and Engine Manufacturers Association (EMA) opposes RI HB 7476. A legislative solution is simply not needed and will create issues between owners, service providers and manufacturers and create new risks to public health and safety.

EMA represents the world's leading manufacturers of commercial vehicles as well as on- and off-road engines used in applications such as trucks; buses; construction and farm equipment; locomotives; marine vessels; landscaping equipment; and stationary generators.

While the proposed "Agriculture Equipment Right to Repair Act" might seem innocuous, in fact it would create significant adverse unintended consequences to the products manufactured by EMA's members, as such requirements would provide unfettered access to change the microprocessors on engines and equipment that control critical safety, emissions, and performance systems. Legislation enabling such access is potentially dangerous and simply is not needed. Manufacturers already provide access to diagnostic, maintenance and repair information which allows owners and independent repair providers the ability to perform the vast majority of diagnostics and repairs for this equipment. In addition, manufacturers have programs available in which daily, weekly, monthly and yearly information can be provided to independent repair facilities and owners. And, more recently, the United States Environmental Protection Agency issued Guidance on January 30th, 2026 clarifying the condition under which access to certain emissions control systems is authorized. Manufacturers are either already in compliance with or in the process of coming into compliance with this Guidance Document.

The major manufacturers of agricultural equipment entered a Memorandum of Understanding with the American Farm Bureau Federation in 2023 which documents the arrangement under which access will be provided and the obligations and responsibilities of the signatories. Importantly, there is a continuing commitment to meet on a regular basis to assess the MOU and update it based on operational concerns, technological advancements or changes to federal law/guidance. The parties to the MOU have met multiple times since its inception to review and update implementation details to provide the necessary and appropriate access. In addition, there is a public website on which ANY owner/operator may file a complaint and to date only a few

complaints have been filed and those have been quickly resolved. These are clear indications that the MOU is working to make legislation unnecessary.

Repairing large, complex, and specialized products manufactured by EMA members require highly trained and skilled personnel, who are qualified to properly use service and repair information. Allowing untrained individuals and the public to have unfettered access to service information is dangerous and unnecessary. Further, it will undermine the integrity of the overall performance of the equipment and allow for safety features on agricultural equipment – such as braking systems and electronic stability (anti-rollover) controls – to be altered and compromised. Unfettered access also will increase the likelihood that untrained personnel will intentionally or unintentionally, and illegally, alter or disable federally mandated emission control systems.

Further, proposed repair legislation consistently fails to contain meaningful safeguards or restrictions that would prevent or mitigate the risk of cybersecurity incidents. Widespread and unfettered access to service information increases the opportunity for hackers to improperly obtain or tamper with such information – creating enormous cybersecurity risks. Legislation to make those efforts easier is ill advised and unnecessary.

EMA and its members support and have worked with regulatory agencies to develop programs to expand the availability of service and repair information to qualified independent service repair personnel. Those programs and regulations include safeguards and restrictions needed to mitigate the risk of the unfettered release of safety and emissions control tools and other proprietary information. Such regulations also provide the same set of requirements across the country, in contrast to legislation that would mandate special state-based requirements that, if enacted, would actually hurt Rhode Island businesses.

For all these reasons, EMA has serious concerns with the proposed Agricultural Equipment Right to Repair Act. Such requirements otherwise will create enormous safety, environmental, and security risks and liability exposure for owners and the public and will limit the availability – and/or increase the costs – of products sold in Rhode Island, as those products will be forced to have unique characteristics.

If you have any questions or need additional information, please do not hesitate to contact me at: phanz@emamail.org, (312) 929-1979.

cc: Representative Shallcross-Smith