



Statement of the New York Farm Bureau

**To the House Committee on Rules
Subcommittee on Legislative and Budget Process**

***“Right to Repair: Legislative and Budgetary Solutions to Unfair
Restrictions on Repair”***

**Presented by Lauren Williams
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Thank you to the Committee on Rules and to Subcommittee Chairman Joseph Morelle for inviting me to testify before you today on the right to repair. My name is Lauren Williams, and I am the Associate Director of National Affairs for New York Farm Bureau. New York Farm Bureau is the largest general farm organization in the state with over 15,000 members representing all farm commodities and all production methods across all parts of the state. We are a state affiliate of the American Farm Bureau Federation, which represents farmers all across the country. New York State is home to a wide diversity of agriculture production which utilizes critical farm equipment and technologies to plant, harvest, and move food and goods to consumers.

These critical pieces of equipment ensure that farms can operate smoothly and efficiently, however the timely repair and maintenance of this equipment is critical to ensure the farms do not face unnecessary downtimes due to breakdowns. A key component of this is the ability for farmers to get their equipment fixed and repaired in a timely manner, be it through on-farm repair, working with an equipment dealer, or an independent repair business. Equipment is a major financial investment for farmers, and they must have the freedom to choose where equipment is repaired. This equipment includes tractors, planters and harvesters, robotic milking systems, and produce handling facilities, just to name a few.

As Congress considers potential solutions to address right to repair, we believe it is critical to understand why the issue is so important to farmers across New York as well as across the country. When equipment breaks, farmers need to fix it as soon as possible and as a result, farmers rely on having access to critical repair measures through multiple avenues. Based on feedback that we've received from farmers, we have heard that a dealership may be a long distance away and to get a technician to repair the equipment can take hours, days, or weeks. This has only been exasperated by supply chain delays and availability of labor. In addition, farmers may already have the capabilities themselves to repair the equipment or can rely on independent repair shops to assist with repairs. This can also be more economically viable for farmers.

Addressing right to repair for farmers will ensure that when something breaks down on the farm, owners can repair their own equipment or go to an independent repair business without violating fine print agreements that restrict consumers from repairing their product, unless they are working directly with the manufacturer. When a consumer purchases a product, they should have the right to repair their equipment without having to ask for permission from the manufacturer. Farmers are more dependent on technology in equipment than ever before, and farmers should have access to documentation, parts, digital components, on-board diagnostic, and software tools needed to make repairs on equipment they've purchased.

As part of Farm Bureau's policy development process, our farmer members have developed specific priorities for inclusion in any right to repair solution, and we offer the following considerations for Congress:

Equipment owners, including farmers, and independent repair providers should be able to make arrangements to fairly purchase repair and diagnostic information as well as necessary repair tools and parts from manufacturers. This allows original equipment manufacturers (OEMs) to capture the value of their product while also ensuring equipment owners can have their equipment repaired in a timely manner. Our farmers have expressed the desire for any legislation or agreements to include all OEM equipment, regardless of age, model or years in use.

Another option would be to create a pathway for farmers and original equipment manufacturers to have negotiated agreements like a memorandum of understand (MOU) to have access to repair information without the need to go through a dealership. This could include creating a fair pricing structure for farmers and independent repair technicians, the ability to reset the operating system, and access to diagnostic and repair information in a timely manner. Some OEMs have committed to making more information available to farmers, and Farm Bureau is hopeful that this will continue to be part of the solution to addressing right to repair issues in addition to legislative avenues.

We are not advocating for any type of illegal modifications to safety features on equipment, modifications to emissions controls and machine integrity. It is also important that any solution stipulate that these modifications could affect the terms and conditions of the owner's warranty.

As states are beginning to pass their own right to repair legislation, it is critical for a commonsense federal approach that offers farmers and other consumers who are purchasing products the ability to repair their equipment and other goods.

Thank you again for the opportunity to share the farmer perspective on right to repair and the need to address the issue to ensure farmers can repair their equipment. I would be glad to take any questions you may have.

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