

1 **2021 Fall Seminar**
2 **Standing Committee on Agriculture & Rural Affairs**
3 **Resolution #2**

4 **Resolution in Support of the Right to Repair**

5 **WHEREAS**, the presence of technology parts in modern equipment and devices has
6 enabled manufacturers like Apple, General Motors, Toyota, and John Deere to reduce
7 access to repair by proclaiming that repair might violate their proprietary rights; and

8 **WHEREAS**, this creates a monopoly on repair services by requiring consumers to pay
9 for these services exclusively through the manufacturer’s repair division or
10 manufacturer-authorized repair providers; and

11 **WHEREAS**, limited authorized repair channels have result in inflated, high prices;
12 poor service or non-existent service in rural areas; unnecessarily high turnover rates for
13 electronic products; and a significant amount of electronic waste; and

14 **WHEREAS**, this is an acute problem for the agricultural industry, as equipment
15 manufacturers often stop supporting old software when they introduce a new version,
16 making it nearly impossible for farmers to repair existing equipment; and

17 **WHEREAS**, the lack of a “right to repair” not only forces current farmers to invest in
18 costly new equipment or repairs to continue their work but also acts as a barrier for
19 young farmers who lack access to capital to acquire these technologies when starting
20 their farms; and

21 **WHEREAS**, on July 6, 2021, the U.S. Department of Agriculture acknowledged this as
22 a significant problem when it announced that it will engage in a series of rulemakings to
23 increase competition in agricultural industries with the goal of boosting farmers’ and
24 ranchers’ earnings, fighting back against abuses of power by giant agribusiness
25 corporations, and giving farmers the right to repair their own equipment how they like;
26 and

27 **WHEREAS**, lawmakers in more than 35 states have introduced right-to-repair bills,
28 including Delaware, New Jersey, Pennsylvania and Massachusetts, and states like
29 Arkansas, Kansas and Vermont are considering right-to-repair laws specifically for
30 agricultural equipment; and

31 **WHEREAS**, on June 10, 2021, the New York Senate passed the Digital Fair Repair Act
32 (A.7006 (Fahy)/S.4104 (Breslin)) by a 51-12 vote, making it the first legislative body in
33 the nation to pass a bill that would require original equipment manufacturers (OEM) to
34 make diagnostic information, spare parts, schematics, special tools, and firmware
35 available to independent repair providers; and

36 **WHEREAS**, on June 11, 2021, Representative Joe Morelle introduced the federal Fair
37 Repair Act (H.R. 2006) to guarantee consumers and small businesses a right to repair

1 their own products by requiring manufacturers to make diagnostic repair information,
2 parts, and tools readily available.

3 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of
4 Counties (NYSAC) calls upon the Assembly to pass and the Governor to sign the Digital
5 Fair Repair Act (A.7006/S.4104); and

6 **BE IT FURTHER RESOLVED**, that NYSAC calls upon the House of Representatives to
7 pass the Fair Repair Act (H.R. 2006); and

8 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties of
9 New York State encouraging member counties to enact similar resolutions; and

10 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to
11 Governor Kathy Hochul, the New York State Legislature, the New York State
12 Congressional Delegation, the Commissioner of Agriculture and Markets, USPIRG, and
13 all others deemed necessary and proper.