

# New York Passes First “Right to Repair” Bill for Electronics



**Focused on repair over replacement, the new bill forces OEMs in the electronics sector to provide diagnostic repair and information to repair providers other than just their own partners or stores.**

**A** new law that was just passed in New York requires original equipment manufacturers (OEMs) operating in the electronics sector to make certain equipment available to independent repair providers under fair and reasonable terms.

The first of its kind in the U.S., [New York Senate Bill S4104A](#) (aka, the digital “fair repair act”) relates specifically to the sale of digital electronic equipment. It requires OEMs to provide diagnostic and repair information to repair shops *beyond* just their own partners or stores.

The act amends New York’s general business law as it relates to the sale of digital electronic equipment and the availability of diagnostic and repair information. “The end result is that electronics and appliance manufacturers will no longer have a monopoly on who gets to repair their products on behalf of owners,” [PCWorld](#) reports.

[The Verge](#) says enactment of the new law was driven by sustained federal pressure to enforce consumers’ rights to repair and refurbish their purchased goods. “Last year, President Joe Biden issued an executive order calling on the Federal Trade Commission (FTC) to enforce repair rights,” the publication points out, “a move that was applauded by the incoming majority commissioners.”

## What is the Right to Repair?

[Android Headlines](#) says the “right to repair” refers to the concept of allowing users to freely repair the product(s) in case of any type of issue. It says these four requirements are of particular importance:

- The device should be constructed and designed in a manner that allows repairs to be made easily.
- End-users and independent repair providers should be able to access original spare parts and tools (software as well as physical tools) needed to repair the device at fair market conditions.
- Repairs should by design be possible and not hindered by software programming.
- The reparability of a device should be clearly communicated by the manufacturer.

The right to repair has roots in the automotive industry but has since “expanded to basically every industry,” [Android Headlines](#) reports. One reason the right to repair is important is because it favors repair over replacement.

“A big part of this is due to the tech industry. Especially smartphones. Those screens shatter, but that doesn’t mean the rest of the phone needs to be tossed out, creating e-waste,” it points out. “But getting that screen replaced can cost a few hundred dollars, unless you do it yourself. And that’s where the [right to repair] lives.”

### **Targeting the Electronics Sector**

New York isn't the first state to pass a right to repair bill. A previous Massachusetts law (from 2012) focused on automobile data and *The Verge* reports that earlier this year Colorado passed a bill ensuring repair rights for powered wheelchairs. It notes that the New York bill's language includes exceptions for home appliances, medical devices and agricultural equipment.

The law may have an impact beyond the borders of New York state. "Now that manufacturers selling goods in New York are required to make repair manuals available, it's likely those manuals will quickly become available around the world," *The Verge* predicts. "More invasive software measures will also become impractical, which could lead to broad changes in how electronics are designed and maintained."

The bill was passed by New York's legislature and is currently awaiting signature by Governor Kathy Hochul, who is expected to support the measure, according to *The Verge*. The measure will take effect one year after it passes into law.