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## Right to Repair (HB 2698)

**OSPIRG** | Oregon State Public  
Interest Research Group



### *What is Right to Repair?*

Companies use their power in the marketplace to make things harder to repair. Some companies design products to be impossible to repair -- such as gluing the battery in a smartphone so it cannot be replaced -- or making repair proprietary so that only the manufacturing company can do the repairs. Most companies won't make the tools, schematics or replacement parts available for sale, so even if repairs can be done by the user or an independent repair business, it's more challenging and done with suboptimal products.

Right to Repair laws require manufacturing companies to make the diagnostic tools, schematics, replacement parts and tools available to the user or a third party available at a fair price.

### *Why We Need Reforms to Help Us Fix Our Stuff*

Companies have grown more aggressive in their tactics to control repair. For example, in an attempt to prolong battery life, Apple has used a software update to [throttle processors](#)<sup>1</sup> in their older phones which causes noticeable slow-downs for the users. In response to public blowback, they have offered a discounted \$29 battery replacement, but these replacements now have large [waitlists](#),<sup>2</sup> and most people don't live close to an Apple store to have their phone repaired. Right to Repair would increase options for repair by letting people replace their own batteries or let independent replace batteries with the higher-quality original parts.

<sup>1</sup><https://www.forbes.com/sites/davealtavilla/2017/12/30/apple-iphone-throttlegate-debacle-underscores-critical-right-to-repair-legislation/#3fa3c6c12468>

<sup>2</sup>[https://www.washingtonpost.com/news/the-switch/wp/2018/01/04/run-dont-walk-to-replace-your-iphone-battery-for-29/?utm\\_term=.acf6da06b125](https://www.washingtonpost.com/news/the-switch/wp/2018/01/04/run-dont-walk-to-replace-your-iphone-battery-for-29/?utm_term=.acf6da06b125)

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Many older, post-warranty products are unfixable even with small problems, thanks to how companies manage their products. This often leads products with small issues to become trash, and forces people to purchase new devices. For example, companies post what had been printed manuals, service documentation and schematic diagrams on a website, and then restrict access to that information. It is also common to limit access to defect fixes only to those customers under warranty, and refuse to provide access to owners of older models.

### *Repair Reduces Environmental Damage*

We generate too much waste, and eWaste is a growing concern. Take phones for example: The EPA Office of Solid Waste and Emergency Response estimated that, in 2009, Americans threw away 141 million phones, approximately 350,000 per day.<sup>3</sup>

Overall, electronic waste or e-waste is difficult to recycle, and this is particularly true of mobile phones. That same EPA estimate puts the percentage of discarded phones that are recycled at 8 percent, as opposed to desktop computers, of which 38 percent are recycled. Because cell phones contain toxic metals, that waste can pose dangers to public health if it is buried in a landfill or incinerated. It's estimated that 40% of the heavy metals in U.S. landfills come from discarded electronics, according to EPEAT, a green electronic rating system.<sup>4</sup>

### *Repair increases affordable access to technology*

Access to the internet is essential to participate in our society, but some low-income Oregonians don't have access to devices necessary to connect to the internet. Estimates in May show that more than 75,000 computers were needed by students across Oregon to support distance learning during the pandemic. Creating a stronger secondary market for electronics by removing barriers to repair would help get technology in the hands of people who need it.

### *Other reasons to support Right to Repair:*

- Right to Repair empowers people to reduce waste by fixing their own stuff, keeping devices working longer and off the scrap heap.
- Right to Repair helps people learn STEM skills and can foster a lifetime of interest and love of electronics and technology.
- Right to Repair improves cyber security. While industry opposition argues the opposite, the experts at Harvard's Berkman Klein Center for Internet & Society testified that Right to Repair would improve cyber security -- especially in older devices which lack manufacturer support.
- Right to Repair creates local economic opportunity and supports local business.
- Right to Repair prevents price-gouging from manufacturers for replacement parts.
- Right to Repair gives consumers more options, and fosters a more competitive marketplace for high-tech goods.

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<sup>3</sup> <https://www.epa.gov/sites/production/files/2015-09/documents/20130621-13-p-0298.pdf>

<sup>4</sup> <http://www.stateelectronicschallenge.net/Webinars/How-to-Navigate-the-EPEAT-Registry.pdf>