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INNOVATION ECONOMY



**Consumer
Technology
Association™**



VOTE NO HB 2698

Isolating Oregon Consumers.
Real Consumer Security & Safety Concerns.

HB 2698 poses **serious risks to the safety and security** of the growing network of connected electronic products. **Unfettered access** to anyone to diagnostic tools, source code, parts, tools, technical manuals, and software to a broad range of electronic products represents real exposure to the safe and genuine repair of consumers' everyday products. It presents troubling, unintended consequences including serious **cybersecurity, privacy and safety risks, mass copyright infringement, and hurdles to innovation.**

So called "Right to Repair" is a misnomer. Consumers already own the device and have a right to have it repaired at various independent repair shops or authorized service providers across Oregon.

Legislation Would Isolate Oregon Consumers

- No state has enacted legislation like HB 2698. Oregon should resist unwarranted intervention in the marketplace with one-size-fits-all mandates that compromise consumer safety and protection.
- There is a reason 26 states rejected similar legislation in 2020...because these government mandates allow unrestricted access to digital keys and proprietary information for thousands of internet-connected products including smart phones, televisions, fire alarms, Wi-fi routers, computers and more.

Security Concerns – Don't Mandate Giving Away the Digital Keys

- HB 2698 requires manufacturers to provide diagnostic tools, source code, and software, and permit access to tightly controlled supply chains to unaffiliated, unvetted third parties which may place consumer devices at risk by placing sensitive information in the hands of malicious hackers, creating a new set of cybersecurity vulnerabilities.
- Individuals keep a wealth of sensitive personal data on their devices. It is essential each repair person is properly trained in how to not only repair the device, but also establishes a relationship with the manufacturer in order to create an accountability link to protect consumers.

- If a consumer drops their electronic device off at a repair shop, they ought to be granted some level of security in the unfortunate circumstance that their data is compromised.
- Enabling untrained and unauthorized third parties to replace and repair device components can result in the disabling of key hardware security features and can impeded the update of firmware that is important to device security and system integrity.
- A security breach of one device can potentially compromise the security of a platform or other connected devices in a network. It is essential to protect consumers from the introduction of malware and potential cyber-security risks and tampering concerns that unauthorized repair can lead to.
- Allowing access to this information is greatly outweighed by the privacy and safety risks.

Safety Concerns

- Most consumer electronics use lithium ion batteries, which are small, powerful, and efficient. This enables the design of thinner and lighter portable electronics. Lithium ion batteries may pose serious safety risks if they are not designed, manufactured, and installed properly.
- Enabling untrained and unauthorized third parties to open devices to replace lithium ion batters, or other high-risk components, without adequate training, may result in serious and entirely avoidable injuries.

In addition...reuse & recycling of these products is already happening.

- There is also already an Oregon law to keep electronics out of the trash. The Oregon e-Cycles program already provides a 100% manufacturer-funded recycling program and the law [bans](#) disposal of all computers, monitors and TVs.
- New repair mandates will not decrease landfilling. Common consumer devices such as laptops and smart phones are already widely reused and recycled without any type of new repair mandate--and the latest data speaks to this.
- Mobile devices continue to have value even at end of life, and consumers frequently trade them in. According to CTA's biennial survey on how consumers handle their devices, only two percent of consumers report throwing their old mobile device in the trash while nearly 10 times as many reported either trading in their old mobile device, selling it, giving it away, or recycling it. As applied to Oregon, this means that every year more than 500,000 smart phones reused/recycled while only about 67,000 disposed in the trash. With the average smart phone weighing about half a pound, this means smart phones are only about 0.001% of the total amount landfilled (see 2016 DEQ Landfill Characterization Study).
- According to U.S. EPA [data](#), electronics are the fastest-declining product in of the municipal solid waste stream. Most recent EPA data show that e-waste generation declined 5% annually.

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