ASSOCIATED INDUSTRIES OF MASSACHUSETTS

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September 26, 2017

STATEMENT OF ASSOCIATED INDUSTRIES OF MASSACHUSETTS BEFORE HOUSE CHAIR TACKEY CHAN, SENATE CHAIR BARBARA A. L'ITALIEN, AND MEMBERS OF THE JOINT COMMITTEE ON CONSUMER PROTECTION AND PROFESSIONAL LICENSURE AGAINST H.143 AND S.96, AN ACT RELATIVE TO DIGITAL RIGHT TO REPAIR.

Good Afternoon, for the record my name is Bradley A. MacDougall, Vice President for Government Affairs at Associated Industries of Massachusetts (AIM). **AIM opposes H.143 and S.96, An Act relative to digital right to repair "so called".**

The issues that come before this committee are both complex and foundationally important to Massachusetts' ability to create an environment where Massachusetts is the ideal location for a company to operate, retain jobs and when possible invest and grow jobs.

AIM believes that Massachusetts public policy should protect our innovation economy and the businesses that are driving our digital revolution. H.143 and S.96 raise significant intellectual property and liability issues for Massachusetts employers including manufacturers. Of note, H.143 and S.96 also raises serious data security concerns in addition to undermining many federal laws that were developed to ensure product safety for consumers and end users.

In particular, AIM is concerned about the impact to:

- **Companies that produce software, microchips, consumer electronics and develop or utilize the internet of things and robotics** - H.143 and S.96, would violate the investments and intellectual property that companies have developed and in instances the Federal Laws that govern those industries.

- **Industrial manufacturers** - Manufacturers that develop displays, tools or parts are also covered by service agreements that include warranties and federal requirements.

- **Medical devices –** Manufacturers that develop, maintain and address issues related to adverse events of medical devices is strictly regulated by the Federal Food and Drug Administration (FDA)[1] and companies that provide repairs are registered with the FDA. The broad medical device industry has very specific protocols that require timely scheduled maintenance as well as document and track unscheduled maintenance.

AIM appreciates the committee's consideration of this testimony and urges this committee to provide H.143 and S.96 with an unfavorable report.

Should you have any questions, please contact me directly at 617-262-1180

[1] http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?CFRPart=820