

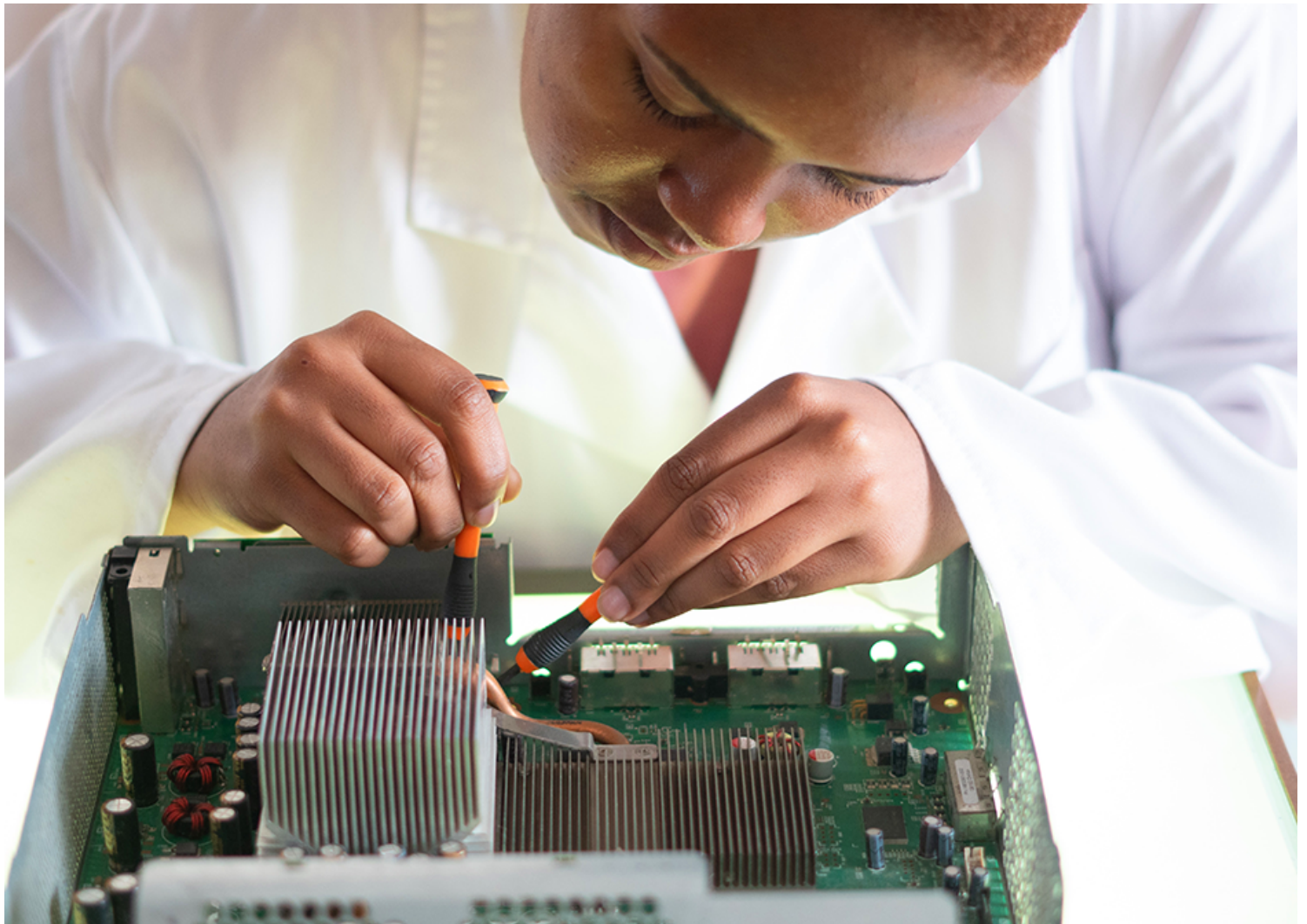
Opinion **Community Voices**

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# State lawmakers should beware right-to-repair bill's unintended consequences

The laws are not a panacea and can lead to a host of problems.

By Brian Albrecht



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The state Senate Commerce Committee recently passed SF 1598, the Digital Fair Repair Bill.

The bill from Sen. Rob Kupec (DFL-Moorhead) would require manufacturers to provide independent repair companies access to relevant repair information.

Should consumers have the right to repair and maintain the devices they buy? In some cases, yes, particularly where they have good reason to expect they already have that right. But policymakers should be cautious to ensure that laws like Kupec's take account of the practical limitations that device makers face, as well as the potential for consumer harms that can come with mandating broad access.

There has been a growing movement to introduce various "right-to-repair" laws across the United States in recent years. The goal is to give consumers greater control over the repair and maintenance of their personal devices. Like others that have been introduced, Minnesota's Digital Fair Repair Bill would mandate that device manufacturers provide technical repair information and tools to consumers and unaffiliated service shops. The bill also prohibits manufacturers from interfering with unaffiliated service shops' ability to procure the tools necessary for repairs, and forbids them from voiding warranties if a device has been serviced by an independent shop.

Advocates of the legislation believe that consumers need better access to low-cost repair services. Having to go through the original manufacturers to procure these services can be costly and so, the thinking goes, right-to-repair bills can lower consumers' repair bills. There is also an assumption that these laws will lead to less device waste, which in turn will benefit the environment.

But the laws are not a panacea and can lead to a host of problems. Unscrupulous repair shops with full access to a device's software and hardware can perform substandard repairs that end up negatively

affecting the manufacturer's brand. Independent shops also may not be able to secure their customers' privacy and data.

More broadly, these laws can negatively impact manufacturers' ability to protect sensitive proprietary information about how their devices work. If a bill goes too far in this regard, it can have a widespread chilling effect on innovation and investments in such products. In the long run, this could harm consumers by restricting the market for electronic devices.

Stepping back, it's also important to examine the context in which these bills operate. Obviously, consumers care about lower prices, but price is only one factor in consumer preferences. Consumers also value convenience and ease-of-use. A right-to-repair bill might lower repair bills in the short run, but it could just as easily drive up prices in the long run by forcing manufacturers to complicate their production output to incorporate these mandates. Moreover, to the extent that the devices' appeal to consumers relies on tight integration and slick design, these bills can render them less easy to use overall.

While self-appointed "consumer advocate" groups almost certainly believe what they are saying, they represent only one set of values. The typical consumer, who may not care much at all about the repair industry, also may not greet the outcome of this legislation with nearly as much enthusiasm.

Given this context, Minnesota lawmakers need to proceed judiciously when contemplating the Digital Fair Repair Bill. There are definitely gains to be had, but these can easily be swamped by unintended consequences.

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