



**Testimony of
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**Before the
Pennsylvania House Commerce Committee**

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On behalf of CTIA®, the trade association for the wireless communications industry, I submit this testimony to provide information as Pennsylvania considers placing mandates on original equipment manufacturers regarding diagnostic and repair information for certain digital electronic equipment. CTIA respectfully does not support the Commonwealth taking action at this time.

Robust Actions Already Taken by the Private Sector

The marketplace already provides a wide range of consumer choices for repairs with varying levels of quality, price, and convenience without the mandates imposed by legislation. The marketplace continues to evolve, and manufacturers continue to make changes to address consumer demand while offering consumers safe and reliable repair options. For example, manufacturers have relationships with authorized repair providers. These providers – which include small businesses in Pennsylvania – have received the appropriate training from manufacturers and have the qualifications to help ensure that repairs are done properly and safely.

In addition to authorized repair providers, manufacturers may offer walk-in repair options at retail stores as well as mail-in services. Insurance providers may also offer repair options, including authorized third-party remote technicians that will travel to the consumer to perform repairs.



Moreover, consumers can currently avail themselves of numerous independent repair alternatives although manufacturers cannot guarantee the quality assurance of independent repair providers.

Additionally, many manufacturers have expanded repair options for consumers, from growing the number of authorized repair providers, to increasing access to tools, parts, and manuals directly to consumers. It is important that with more repair options available to consumers, consumers continue to have access to professional repair providers with demonstrable competence to provide a safe and reliable repair.

To further address the repair marketplace, CTIA launched two programs related to repair, the Wireless Industry Service Excellence (WISE) Technician Certification Program and the WISE Authorized Service Provider (ASP) Certification Program. The WISE technician program educates and tests wireless device repair technicians on industry-recognized standards, certifying those that meet the highest standards for service quality and technical skill. The first certification of its kind, WISE-certified device repair technicians provide consumers with a predictable, high-quality repair experience.¹

The WISE ASP program creates a network of certified retail locations, helping consumers identify qualified providers that meet the highest standards for service quality and wireless device repair.² Both programs were created by CTIA's Reverse Logistics and Service Quality Working Groups, which convene members representing the entire reverse logistics community to address the wireless industry's challenges and develop requirements for industry-recognized standards in repair and refurbishment of wireless devices. CTIA also recently introduced the first ever postsecondary

¹ <https://www.ctia.org/news/ctia-launches-technician-certification-program>

² <https://www.ctia.org/news/ctia-launches-retail-certification-program-for-wireless-device-repair>



education mobile device repair certification program to provide an academic avenue for credentialing and certifying more device repairers.³

Wireless companies, individually, and through industry associations have taken proactive steps to provide consumers with more device repair options, while accounting for the need to maintain device integrity and security and to protect intellectual property rights. These include the expansion of CTIA's WISE program to include over 19,000 certified technicians nationally, continued growth of manufacturers' authorized repair networks, and the availability of access to tools, parts, and manuals directly to consumers.

Current Legislation in Pennsylvania

CTIA is also concerned that any new law by Pennsylvania, as considered in SB 744, would have the unintended consequence of negatively impacting consumers of digital equipment by eliminating the need for repairers to demonstrate to consumers that they have the technical competence to perform safe, secure, and reliable repairs. Manufacturers want to make certain the repair providers they work with understand the numerous components of the electronic products being repaired. Their authorization to perform repairs ensures that the changes made to the devices are compatible with current technology and the networks on which they operate.

Further, CTIA is concerned that legislation like SB 744 has the potential to weaken the safety, privacy, and security features of electronic products. The security of user information is of the utmost importance to consumers. The potential weakening of privacy and safety protections will increase

³ CTIA, *MCC to Launch First Mobile Device Repair Certification Program in Postsecondary Education* (Jan. 17, 2023), <https://www.ctia.org/news/mcc-to-launch-first-mobile-device-repair-certification-program-in-postsecondary-education>.



risks to consumers. With broad and unchecked access to technical information, security protections could be easily circumvented. In an era of sophisticated cyberattacks, we should not make it easier to hack devices and networks.

In addition, there is legislation introduced in Pennsylvania, HB 427, that considers establishing an index related to the “repairability” of digital electronic equipment. Setting a state-specific regulation on products that are used across the country and throughout the world is untenable. There will be a significant burden placed on both government and industry as this undertaking will have a broad scope, high cost, and significant complexity. Such a complex issue with wide ranging implications cannot be adequately addressed at the state level. Standards in such an area need to be developed more broadly to provide clarity for manufacturers and not create consumer confusion. The requirements in this bill are simply unworkable.

The development of standards of this scope requires great expense and expertise in many areas to implement and require continued evaluation as updated and new technologies are brought to the marketplace. If the state moves forward without a robust program, including sufficient oversight and long-term funding, then it risks imposing unnecessary market complexities and creating consumer confusion.

It is also important to note that repairability is not the only factor that needs to be taken into consideration regarding products. For example, longevity and durability of products are also important. A consumer could be unhappy with a product that is easily repaired but does not have characteristics that make it durable, helping it to remain intact when dropped or maintain resistance against water damage. All factors must be taken into consideration when developing any standards, and this is not something that should be done on a state-by-state basis.



Additionally, it is important to note that devices have value even when a consumer no longer wants to use a particular device. Many manufacturers and wireless service providers offer programs in which a consumer can trade in or donate a device. This provides a way to recycle old, unused devices, eliminating household clutter and protecting the environment.

Conclusion

Pennsylvania enacting a new law on digital repair would be an unnecessary intervention in the marketplace, and its mandates could cause safety, privacy, and security risks that compromise consumer safety and protection. CTIA would respectfully request that the Legislature allow the marketplace to continue to address this issue before enacting prescriptive legislation.