

WHY TEXAS NEEDS A RIGHT TO REPAIR LAW

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OVERVIEW

The right to repair is centered on the fundamental tension between consumer's property rights and manufacturer-imposed repair restrictions. As research demonstrates, manufacturers of electronics, agricultural equipment, and household appliances (among other industries) have increasingly leveraged intellectual property laws, digital locks, and restrictive service agreements to limit who can repair their products. These restrictions not only increase costs for consumers but also undermine the broader principles of ownership. The question at the heart of this conversation asks whether a person who buys a product has the right to fix it. Historically, property rights have favored the owner, yet in today's technology-driven marketplace, manufacturers retain control long after the initial sale, often through embedded software protections and contractual restrictions.

This shift represents a significant departure from traditional notions of ownership and has sparked a nationwide movement advocating for legislative action to restore consumers' ability to repair their own goods. In the 89th legislative session, the Texas Legislature has a unique opportunity to craft policy that reflects the needs of Texans—whether they are farmers struggling with tractor software restrictions, small business owners fighting for fair competition, or everyday consumers burdened by costly repairs. By enacting a right to repair law, Texas can ensure that its residents have the freedom to maintain and repair their property without undue interference and restrictions.

RESTRICTIONS ON REPAIR

Modern repair restrictions take many forms, ranging from software locks that prevent independent repairs to the withholding of diagnostic tools and replacement parts. In the consumer electronics sector, manufacturers have implemented measures that make third-party repairs difficult, often citing concerns over intellectual property protection and cybersecurity. Similarly, agricultural equipment manufacturers have placed software-based limitations on tractor repairs, forcing farmers to seek expensive manufacturer-approved services or risk violating warranties. This issue is particularly pressing in Texas, where agriculture plays a crucial role in the state's economy. Additionally, manufacturers of household appliances have adopted similar strategies, embedding proprietary software and hardware restrictions that prevent consumers and independent repair technicians from making simple fixes, further contributing to waste and financial strain on families.

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HOW WOULD A RIGHT TO REPAIR LAW BENEFIT TEXANS?

Addressing these barriers through a right to repair law would have multiple advantages.

- **First**, it would lead to lower repair costs by fostering competition in the repair market, reducing consumer dependence on manufacturer-authorized services.
- **Second**, expanding repair access would help sustain independent repair businesses, allowing local entrepreneurs to offer more affordable alternatives.
- **Third**, increasing repair access would reduce electronic waste and extend the lifetime and usability of products already owned.
- **Fourth**, a right to repair law in Texas would create a legal framework that would provide a fairer, more competitive marketplace that prioritizes consumer choice over corporate monopolization.
- **Fifth**, it will restore the ability for young, fledgling engineers to tinker and experiment on electronic devices and other products, promoting a new era of curious innovators.

OPPOSITION

On the other hand, the right to repair faces opposition from manufacturers who argue that unrestricted repair access poses security risks, undermines intellectual property protections, and could result in substandard repairs. Our research highlights how manufacturers use legal arguments, including the Digital Millennium Copyright Act (DMCA) and software licensing agreements, to maintain control over post-sale repairs. While concerns over cybersecurity and product integrity are valid, proponents of the right to repair argue that these risks can be mitigated without entirely barring independent repairs. Legislative efforts in other states and countries have demonstrated that a balanced approach—where manufacturers provide access to essential repair tools while maintaining reasonable safety standards—can work without stifling innovation or compromising security.

CONCLUSION

A right to repair law seeks to fully restore individual property rights. It presents a tremendous opportunity for Texas to empower its consumers, support local businesses, and restore a culture of tinkering and thrift. The ability to repair and modify one's own property has long been a cornerstone of American ingenuity and self-reliance, and a right to repair law would help revive this tradition. By ensuring that individuals can maintain and extend the life of their products, Texas can reestablish an era where fixing things was a common and valued practice rather than an inconvenience. With growing momentum across the country, Texas has the chance to take a leadership role in ensuring that repair rights are protected, fostering a future where craftsmanship, practicality, and resourcefulness are once again integral parts of daily life. ■

