



February 23, 2021

Hon. Andrew M. Cuomo
Governor, New York
Executive Chamber
State Capitol
Albany, New York 12224

Dear Governor Cuomo:

The COVID-19 pandemic has created a steep budget deficit in the state of New York. While you and the legislature are currently looking at several options to overcome this deficit, there are some ways that the state could cut costs without having to raise taxes or even cut services.

Legislation pending in the legislature called the Digital Fair Repair Act (S.4104-Breslin) would require Original Equipment Manufacturers (OEMs) to provide genuine parts, tools, and manuals to third-party repairers that currently can't access them. This legislation will benefit consumers by giving them more choices for repairing their electronic equipment, which will lead to lower repair costs and greater convenience. It would similarly benefit the state as records show there are multi-million-dollar state contracts with companies who currently don't allow anyone outside of the company do repairs on these devices.

Companies that manufacture and sell common office equipment such as printers, copiers, routers, and desktops, have an artificial repair monopoly in place by withholding information from capable, qualified third-party repairers. This allows the companies to charge more for their repairs because there are no options. The state has dozens of contracts with companies who withhold crucial repair information to ensure that there is no competition. This not only costs the state a great deal of money, but also increases the amount of ewaste in the state.

There are repair monopolies outside of office equipment that are costing the state money due to lack of repair options. Highway roadside equipment and heavy-duty vehicles are notoriously difficult to repair outside of the OEMs. The tractors, mowers, and snow blowers that our highway departments and general services departments use to keep our roadways and walkways safe need to be repaired and maintained regularly and often can't be done in-house or by local shops. This is all by design, to ensure that the OEMs can continue to make money off their sales in perpetuity.

There are hundreds of small business repair shops who would be fully capable of doing the work for a much lower price than the OEMs. The Digital Fair Repair Act could save the state millions in repair costs while also supporting small businesses right here in New York. We urge you to consider this cost saving measure as you continue to negotiate the state budget.

Sincerely,

Gay Gordon-Byrne
Executive Director
The Repair Association

Christine Datz-Romero
Executive Director
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CC:

Hon. Thomas DiNapoli, NYS Comptroller
Hon. Andrea Stewart-Cousins, Senate Majority Leader
Hon. Carl Heastie, Speaker of the Assembly
Robert Mujica, Director of the Division of Budget