

Without 'right to repair,' businesses lose time and money

August 10 2021, by Mae Anderson



This photo provided by Sarah Rachor shows Rachor in her hop yard, April 4, 2021 near Sidney, Mont. Rachor has a tractor from 1998, mainly because it was before new technology was installed in farm equipment, along with an older 1987 combine for backup. The 1998 tractor has a manual with codes that she uses to manually reset it when something goes wrong. That's not possible with newer machines, she said. Credit: Sarah Rachor via AP

As software and other technologies get infused in more and more products, manufacturers are increasingly making those products difficult to repair, potentially costing business owners time and money.

Makers of products ranging from smartphones to farm equipment can withhold repair tools and create software-based locks that prevent even simple updates, unless they're done by a repair shop authorized by the company.

That can cost independent repair shops valuable business and countless labor hours sourcing high quality parts from other vendors. Farmers can lose thousands waiting for authorized dealers to fix malfunctioning equipment. And consumers end up paying more for repairs—or replacing items altogether that could have been fixed.

"If we don't address these problems, and let manufacturers dictate terms of what they allow for repairs, we really are in danger of losing access to the repair infrastructure that exists," said Nathan Proctor, senior director for the Right to Repair campaign at U.S. PIRG, a consumer advocacy group.

While it's difficult to put a dollar sign on how much the restrictions cost small businesses, the U.S. PIRG estimates it costs consumers \$40 billion a year. That averages out to \$330 per U.S. family, who end up replacing broken phones, laptops, refrigerators, and other electronics instead of having them repaired.

Jessa Jones owns iPad Rehab in Honeoye Falls, New York, which specializes in microsoldering, which means repairing electronics on a microscopic level .

She recalls a potential customer who drove an hour and a half to her repair shop because his home button stopped working on his iPhone 7.

Jones says the iPhone had a tiny nick on the home button cable.

"I have a brand new iPhone home button, I could cure the problem if I was allowed," she said.

What stymied Jones is Apple's software that calibrates different parts of a phone like the screen and battery. While Jones herself is certified by Apple to fix phones, iPad Rehab isn't an authorized Apple repair shop, so she couldn't access the software or official part and repair the iPhone 7. Many independent repair shops opt not to get authorized because the terms can hamstring their business in other ways.

"Counterintuitively, Apple Authorization would force me to decline 90% of the jobs that we do or lose the authorization," Jones says.

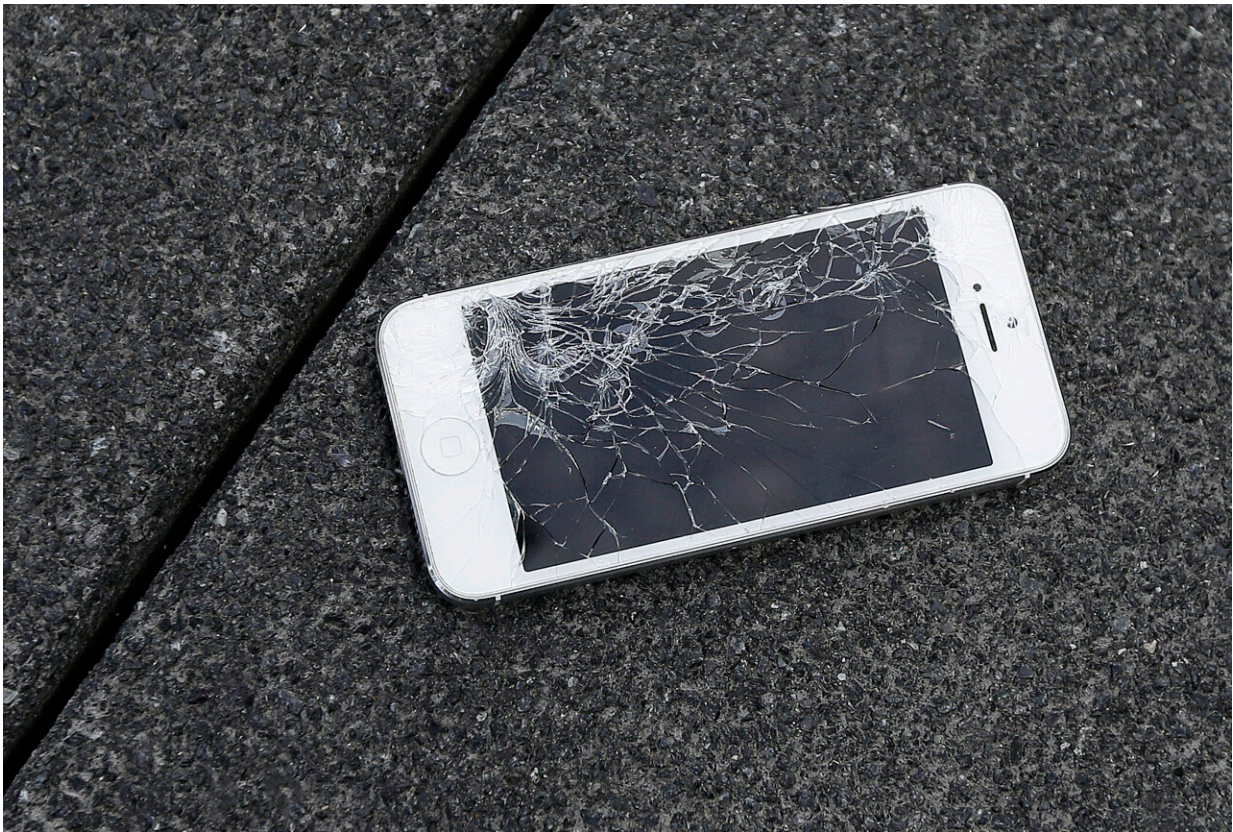
The customer left without a repair, and Jones missed out on a fee for what would have been an "easy fix." iPad Rehab's data recovery and repair services can cost anywhere from \$35 to \$600. She said in the past three years, her business has been forced to pivot from half repairs and half data recovery to 90% data recovery and only 10% repairs.

The Federal Trade Commission recently signaled things might be starting to change when it adopted a policy statement supporting the "right to repair" that pledges beefed-up enforcement of current antitrust and consumer protection laws and could open the way to new regulations

For its part, Apple says its restrictions are in place for quality and safety concerns. They authorize technicians who pass a software and hardware exam annually. They also started an independent repair provider

program in 2019 and say the latest iPhone 12 "allows for more repairs to be performed at more repair locations than ever before."

While Apple has been the most publicly in the crosshairs about the right-to-repair issue, all smartphone makers have similar policies. The issue spans other industries too. Farmers and farm equipment repair technicians complain they can't fix what should be fixable problems on tractors and combines due to the software installed by manufacturers.



This Aug. 26, 2015 photo shows an Apple iPhone with a cracked screen after a drop test from the DropBot, a robot used to measure the sustainability of a phone to dropping, at the offices of SquareTrade in San Francisco. As software and technology gets infused in more and more products, manufacturers are increasingly making those products difficult to repair, potentially costing business owners time and money. Makers of products ranging from smartphones

to farm equipment can withhold repair tools and create software-based locks that prevent even simple updates, unless they're done by a repair shop authorized by the company. Credit: AP Photo/Ben Margot, File

Sarah Rachor is a fourth-generation farmer, who runs a farm with 600 acres in Eastern Montana with her father that grows sugar beets, wheat, soybeans and corn.

She has a tractor from 1998, mainly because it was before new technology was installed in farm equipment, along with an older 1987 combine for backup. The 1998 tractor has a manual with codes that she uses to manually reset it when something goes wrong. That's not possible with newer machines, she said.

"Anything newer than that, I'd have to call certified repair places," she said .

The wheat harvest lasts just a few weeks, and any breakdown that takes days to fix could be a disaster, she added.

"A weeklong break down can easily cost thousands of dollars, on top of the repairs needed," she said. "If I know how to do something, I shouldn't have to wait and call a technician for something simple, or even to diagnose the problem," she said. "I love technology, but it is making simple things harder."

John Deere says it "supports a customer's right to safely maintain, diagnose and repair their equipment," but "does not support the right to modify embedded software due to risks associated with the safe operation of the equipment, emissions compliance and engine performance."

Justin Maus has owned RNH Equipment in Mount Hope, Kansas, since 2019. He repairs agricultural equipment like tractors and combines.

"We run into situations where a moisture meter on a combine needs to be replaced," he said. "We can replace it in 20 minutes, but it will not operate. We have to have a dealer come out and put software on it to make it work." The wait for the dealer can sometimes be a day or more.

During harvest time, when agricultural equipment like combines are running at full throttle for several weeks, it's common for mechanical problems to arise. In June alone, the moisture meter problem came up three or four times with customers, Maus said.

One customer drove four hours to get a controller from a dealership. But he still had to wait another day for the dealer to have time in his schedule to install it.

The restrictions cost not only lost revenue, but growth opportunities, he said.

Without them, "not only would we be able to repair just about anything with the equipment we work on, making us more attractive to new and bigger customers, but we would also be more attractive to young new techs coming into the workforce," he said.

Kyle Wiens, CEO and co-founder of electronics repair company iFixit, in San Luis Obispo, California, which sells repair parts for electronics and gadgets online to consumers and small businesses, says without regulators stepping in, the problem will just get worse.

He said the FTC's involvement is a good start, but more is needed. In addition to the FTC, the "right to repair" movement is making progress with state legislation. There are right-to-repair bills of some form in 27

states, Wiens said.

"A policy is good, but we're going to need a rule they enforce," he said.
"We want to get back to a fair playing field."

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