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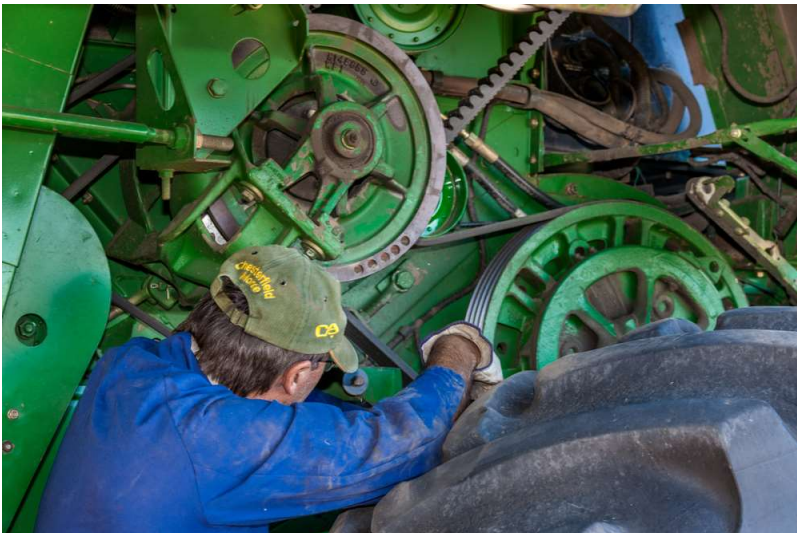
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Colorado Becomes First State with Right-to-Repair Law

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When it comes to agricultural equipment, the Centennial State has become the DIY State.



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Last week, Colorado governor Jared Polis signed the aptly named Consumer Right to Repair Agricultural Equipment bill into



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state law. Starting January 1, 2024, manufacturers of agricultural equipment will be legally required to provide consumers with anything they need in order to make their own repairs. This can include equipment, tools, software, manuals, parts and more.

The bill is a long time coming, not just in Colorado, but across the country. Farmers have long been asking for the ability to repair their own equipment, as time without crucial machinery such as tractors can cause huge losses. Right now, farmers either have to go to designated repair centers and take time hauling equipment back and forth or they have to risk hacking past system locks that manufacturers increasingly install.

Equipment manufacturers generally oppose right-to-repair legislation, and they say they have multiple concerns. Allowing farmers to repair their own tractors gives them the ability to bypass things such as emission controls and horsepower regulations, which manufacturers argue is unsafe. They have also argued that making these documents widely accessible could lead to exposing trade secrets.

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In fact, in a 2015 letter to the US Copyright Office, John Deere argued that when someone buys a tractor, they don't actually own that tractor. They are simply buying the "implied license for the life of the vehicle," because Deere's proprietary computer code is woven throughout the machine. In 2018, after public pressure, manufacturers such as John Deere, along with other ag equipment makers, promised that all the necessary tools and diagnostics would be available to farmers by 2021. That didn't happen. But in January of this year, John Deere and the American Farm Bureau Federation did sign a memorandum of understanding, again committing to the right to repair for farmers—with the coda that the AFBF and John Deere can exit from the commitment if any state or federal right-to-repair legislation passes.

In 2021, President Biden issued an Executive Order on the right to repair in an effort to increase competition in the farming sector. The order, which came down in July of that year, took aim at the "excessive concentration of industry, the abuses of market power, and the harmful effects of monopoly...especially as these issues arise in labor markets (and) agricultural markets."

Since that order, 11 states, including Maryland, Florida, New Jersey and Texas—as well as Colorado—have put forward right-to-repair legislation for consideration. After signing Colorado's bill, Gov. Polis said in a statement that the "common-sense

bipartisan bill [will] help people avoid unnecessary delays from equipment repairs. Farmers and ranchers can lose precious weeks and months when equipment repairs are stalled due to long turnaround times by manufacturers and dealers. This bill will change that.”

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