

131st MAINE LEGISLATURE

FIRST SPECIAL SESSION-2023

Legislative DocumentNo. 1716

H.P. 1105

House of Representatives, April 18, 2023

An Act to Establish a Repairability Index for Consumer Electronic Products

Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

R(+ B. Hunt

ROBERT B. HUNT Clerk

Presented by Representative CRAFTS of Newcastle.

Cosponsored by Representatives: COPELAND of Saco, DAVIS of East Machias, KUHN of Falmouth, LEE of Auburn, MURPHY of Scarborough, PLUECKER of Warren, SMITH of Palermo, ZEIGLER of Montville.

Be it enacted by the People of the State of Maine as follows:
Sec. 1. 10 MRSA c. 235 is enacted to read:
CHAPTER 235
REPAIRABILITY INDEX FOR CONSUMER ELECTRONIC PRODUCTS
§1500-R. Definitions
As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.
1. Consumer electronic product. "Consumer electronic product" means a cellular telephone, laptop computer, television monitor, electric lawnmower, top-loading washing machine, vacuum cleaner or high-pressure washer designed and intended for residential use by a consumer.
2. Department. "Department" means the Department of Economic and Community Development.
3. Producer. "Producer" means a person that:
A. Has legal ownership of the brand of a consumer electronic product sold or offered for sale in the State; or
B. Imports into the State for sale a consumer electronic product that is branded by a person that meets the requirements of paragraph A and has no physical presence in the United States.
<u>§1500-S. Repairability index for consumer electronic products</u>
In accordance with the provisions of this section and rules adopted by the department pursuant to subsection 6, the department shall solicit from producers and make publicly available a repairability index for consumer electronic products sold or offered for sale in the State.
1. Indexing criteria. The department shall solicit from producers a repairability index for each consumer electronic product sold or offered for sale in the State based on the following 5 criteria:
A. The commitment by the producer of the product to make technical documents regarding the product available free of charge to repairers and consumers;
B. The ease of disassembly of the product, the types of tools required for disassembly and characteristics of the product's fasteners that must be removed or otherwise manipulated to allow for disassembly;
C. The availability of spare parts for the product, taking into consideration both the duration during which spare parts will be sold by or otherwise made available through the producer and the anticipated delivery time of spare parts from the producer to the repairer or consumer;

1 2 3	D. The price of spare parts for the product, taking into consideration the producer's suggested retail price for the product compared to the price of the spare parts for the product; and
4 5	E. Other criteria specific to the category of the product as determined by the department by rule.
6 7 8	2. Publication of repairability index scores; producer and seller notifications. In accordance with rules adopted by the department and based on information available to the department, after reviewing each of the criteria listed in subsection 1 for each consumer
9	electronic product, the department shall make available on its publicly accessible website
10 11	each of the repairability index scores calculated for consumer electronic products. The
11	department shall provide a copy of the repairability index score to the producer of the product, if known to the department, and to any person that, to the department's knowledge,
13	sells the product at retail in the State. The department shall periodically update repairability
14	index scores for consumer electronic products when the department determines that, based
15	on additional information available to the department, a published repairability index score
16	for a product may no longer be accurate.
17 18	3. Retail sales notice. A person that sells a consumer electronic product at retail in the State that receives a notification from the department recording the products
18 19	the State that receives a notification from the department regarding the product's repairability index score shall ensure that, within 90 days of receipt of the notification:
20 21	<u>A.</u> The product's repairability index score is prominently displayed on the product or near the pricing information for the product within the retail location; and
22	B. Information regarding the calculation and meaning of the repairability index score
23 24	for the product is made available to a potential purchaser of the product within the store
24 25	or upon request. The department shall develop and make such information available to persons selling consumer electronic products at retail in the State.
26	4. Producer publication. A producer of a consumer electronic product that receives
27	a notification from the department regarding the product's repairability index score shall
28	ensure that, within 90 days of receipt of the notification, the producer makes available to
29	consumers on a publicly accessible website or upon request the product's repairability index
30	score and information regarding the calculation and meaning of the repairability index
31 32	score for the product. The department shall develop and make such information available to producers of consumer electronic products sold or offered for sale in the State.
33	
33 34	5. Producer and retailer outreach; technical assistance. The department shall conduct outreach to producers of consumer electronic products sold or offered for sale in
35	the State and to persons selling such products at retail in the State regarding the provisions
36	and requirements of this chapter and shall provide technical assistance to such producers
37	and persons in complying with the requirements of this chapter.
38	6. Rules. The department shall adopt rules necessary for the implementation and
39	administration of this chapter. Rules adopted pursuant to this subsection are routine
40	technical rules as defined in Title 5, chapter 375, subchapter 2-A.
41	SUMMARY
42	This bill directs the Department of Economic and Community Development to solicit
43	from producers of consumer electronic products a repairability index for the following

types of consumer electronic products: cellular telephones, laptop computers, television
monitors, electric lawnmowers, top-loading washing machines, vacuum cleaners or high pressure washers designed and intended for residential use by consumers.

4 The department is required to make available on its publicly accessible website each 5 of the repairability index scores calculated for consumer electronic products and provide a 6 copy of the repairability index score to the product's producer and to any person that sells 7 the product at retail in the State. The product's producer and persons selling the product at 8 retail are required to provide information regarding the product's repairability index score to consumers and potential purchasers of the product within 90 days of receipt of the 9 notification from the department. The department is directed to adopt routine technical 10 rules relating to the repairability indexing of consumer electronic products. 11