

Alaska State Senate
Senator Forrest Dunbar

Session:

Alaska State Capitol
Juneau, Alaska 99801
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Interim:

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Anchorage, Alaska 99503
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EXPLANATION OF CHANGES - VERSION N TO VERSION I

SB 111: DIGITAL PRODUCT REPAIR

"An Act relating to the diagnosis, maintenance, and repair of products that use digital electronics to operate; adding an unlawful act to the Alaska Unfair Trade Practices and Consumer Protection Act; and providing for an effective date."

Senator Dunbar introduced three amendments to SB 111 in the Senate Community & Regional Affairs Committee. All three were adopted and version I of the bill incorporates these amendments.

* **Section 1:** No changes

* **Section 2:**

Sec. 45.45.800: No changes.

Sec. 45.45.810: No changes.

Sec. 45.45.820: New section. Renumbered following sections accordingly.

Parts Pairing Prohibited: Parts pairing is the practice of linking components of a digital device together with software at the serial number level. This means that a device will only function properly with the original part and will not function properly even with an identical OEM replacement part. Manufacturers use this practice to monopolize repair, charge consumers exorbitant prices, and push them to buy a new device instead. This change explicitly bans this practice.

Sec. 45.45.830: No changes.

Sec. 45.45.840: Added "or powersports equipment" on line 23. This change accounts for the business model of the powersports industry. Powersports equipment manufacturers do not sell their products directly; they operate through dealerships. Alaska dealers expressed concerns that SB 111 would require them to bear the costs of stocking parts without being able to earn revenue from this service. This change allows manufacturers and dealers of powersports equipment to provide parts on terms and at costs that are reasonable.

Sec. 45.45.850: No changes.

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Sec. 45.45.860: No changes.

Sec. 45.45.870: No changes.

Sec. 45.45.880: Removed exemption from this section. See *Sec. 45.45.895*.

Sec. 45.45.890: No changes

Sec. 45.45.895: New section. Includes an exemption for motor vehicles which was previously part of *Sec. 45.45.880*. Added a new paragraph (a) (1) exempting medical devices and a new subsection (b) providing a meaning of “medical device.”

Medical Devices Exemption: These devices are tightly regulated by the United States Food and Drug Administration and there is very little demand for owner or independent repair. On the other hand, there are legitimate concerns that a malfunction due to improper repair or maintenance may not be noticeable until serious harm is done to the user.

Sec. 45.45.899: Added a paragraph (10) to define “powersports equipment.” See *Sec. 45.45.840*. Renumbered following paragraph accordingly.

- * **Section 3:** Conforming change to reflect renumbering in AS 45.45.
- * **Section 4:** Conforming change to reflect renumbering in AS 45.45.
- * **Section 5:** No changes.
- * **Section 6:** No changes.