

Alaska State Senate

Senator Forrest Dunbar

Session:

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Juneau, Alaska 99801
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Interim:

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Anchorage, Alaska 99503
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SECTIONAL ANALYSIS 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."

Section 1. Establishes the short title.

Section 2. Amends *AS 45.45 Trade Practices* by adding Article 12A. Digital Product Repair and the following sections:

Sec. 45.45.800 requires that digital product manufacturers:

- Make documentation, parts, and tools necessary for diagnosis, maintenance, or repair of digital products available to independent service providers or owners of their products.
- Include changes to documentation, parts and tools made through updates, improvements, or repairs.

Sec. 45.45.810 requires digital product manufacturers to make available documentation, tools, and parts needed to reset security-related features that may be disabled during the diagnosis, maintenance, or repair of the product.

Sec. 45.45.820 prohibits digital product manufacturers from pairing parts of a digital product to each other with software other to prevent repair or replacement.

Sec. 45.45.830 states that digital product manufacturers don't have to make parts available if they no longer have access to the parts.

Sec. 45.45.840 requires digital product manufacturers to make documentation, parts, and tools available to independent service providers or owners of the products at a reasonable price. Manufacturers cannot charge independent service providers or owners a price higher than what they charge authorized service providers for the same documentation, parts, or tools.

- Parts for powersports and farm equipment may be made available through an authorized service provider rather than directly by the manufacturer.

Sec. 45.45.850 describes who is considered an independent service provider for the purposes of this Act.

Sec. 45.45.860 describes who is considered an authorized service provider for the purposes of this Act.

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Sec. 45.45.870 states that digital product manufacturers don't have to disclose trade secrets to independent service providers or owners unless necessary to make documentation, parts, and tools available.

Sec. 45.45.880 states that:

- Agreements that waive, restrict, or limit obligations of digital product manufacturers are not enforceable.
- Digital product manufacturers cannot be held liable for injuries or damages that occur during diagnosis, maintenance, or repair of products by independent service providers or owners.

Sec. 45.45.890 states that information other than product documentation in a license or contract between digital product manufacturers and authorized service providers isn't required to be made available to independent service providers or owners.

Sec. 45.45.895 states that this Act does not apply to medical devices or to motor vehicles.

Sec. 45.45.899 provides definitions.

Section 3. Amends *AS 45.50.471(b)* by adding violations of Digital Right to Repair Act statutes *AS 45.45.800-45.45.899* to the list of unfair methods of competition and unfair or deceptive acts or practices declared to be unlawful.

Section 4. Amends the uncodified law of the State of Alaska by adding a section describing the applicability of this Act.

Section 5. Amends the uncodified law of the State of Alaska by adding a section stating the Act cannot change the terms of a license or contract that is in effect before the effective date of this Act.

Section 6. Provides the effective date of January 1, 2026.