BEFORE THE TECHNOLOGY AND INNOVATION COMMITTEE
THE OHIO HOUSE OF REPRESENTATIVES
REPRESENTATIVE THADDEUS J. CLAGGETT, CHAIR

HOUSE BILL 301
TESTIMONY OF MATT KOPPITCH
THE OHIO MANUFACTURERS' ASSOCIATION

OCTOBER 21, 2025

Chair Claggett, Ranking Member Mohamed, and members of the House Technology and Innovation Committee, thank you for the opportunity to provide testimony on House Bill 301, the Digital Fair Repair Act.

My name is Matt Koppitch from the law firm Bricker Graydon, representing The Ohio Manufacturers' Association (OMA). Created in 1910 to advocate for Ohio's manufacturers, the OMA today has approximately 1,300 members statewide. Its mission is to protect and grow Ohio manufacturing.

As you may know, manufacturing is the largest of the state's 20 major industry sectors. As of Q3 2022, manufacturing contributed more than $130 billion annually to Ohio's economy, accounting for nearly one-fifth of Ohio's private industry GDP.

In 2023, OMA opposed SB 73, the predecessor to this measure, due to its scope, exposure of proprietary technology, and litigation risks. Those concerns remain with HB 301.

We appreciate refinements in HB 301, such as clarified exemptions and a liability shield, but the bill still overreaches, potentially undermines security and safety practices, and invites litigation without clear evidence these mandates are necessary in a marketplace where manufacturers already provide warranty service and repair options.

HB 301 requires original equipment manufacturers (OEMs) to provide documentation, tools, and parts to equipment owners and independent repair providers on "fair and reasonable" terms. It prohibits "parts pairing" and similar practices and creates a private right of action for violations.

Like SB 73, HB 301 defines "digital electronic equipment" broadly, covering products valued over $10. While certain sectors are excluded (motor vehicles, medical devices, some safety equipment), the bill still reaches many connected consumer products and some commercial/industrial devices not covered by the exclusions. That breadth remains a core concern.

We recognize HB 301's liability shield and clarified carve-outs as positive steps. However, these changes do not resolve fundamental problems that I will briefly outline:

- Even with carve-outs, HB 301's low value threshold and functional test could capture some industrial controls, sensors, and enterprise devices not covered by the exclusions. Misrepair of such systems could pose safety, environmental, and

operational risks, underscoring the need for tighter safeguards for calibration-critical equipment.

- HB 301 bans "parts pairing," but that could unintentionally sweep up some legitimate safety and quality controls. Many manufacturers use serialization and software pairing to make sure replacement parts are calibrated correctly and meet safety or emissions standards. Those checks help keep things like batteries, sensors, and wireless systems operating safely and securely. A broad ban might make it harder to maintain those safeguards.

- HB 301 requires OEM diagnostic tools to work without user authorization or internet gating, which conflicts with common cybersecurity controls (secure portals, access logs, role-based access). For connected equipment, removing those controls can expand the attack surface, even though the bill still allows secure systems for security-lock materials and doesn't require bypassing owner-activated protections.

- While HB 301 excludes "trade secrets," the line between repair-critical information and proprietary algorithms, calibration tables, and security keys is thin. Disclosure risks reverse-engineering safety systems and exposing cryptographic material, despite the bill's trade-secret language.

- HB 301 links violations to the Ohio Consumer Sales Practices Act, creating a private cause of action with the remedies in R.C. 1345.09 and AG enforcement. That enforcement model allows, in certain cases, class litigation and enhanced (including treble) damages, raising compliance and litigation risk without a clear showing of proportional consumer benefit.

Ohio manufacturers already operate authorized repair and training programs tailored to their products. A one-size-fits-all repair mandate could unintentionally weaken safety and quality controls, increase the risk of counterfeit or poorly calibrated parts, and widen the cybersecurity attack surface for connected devices, even with the bill's current carve-outs.

Ohio leads when it balances innovation, safety, and consumer choice. As written, HB 301 tips that balance, covering some categories of sensitive or industrial equipment, restricting certain legitimate safety and calibration controls, and creating new litigation exposure while mandating disclosure of proprietary diagnostic materials that could implicate trade-secret and cybersecurity protections. For these reasons, OMA respectfully asks this Committee to reject HB 301.