

Trump, Tariffs And Tech: The Right To Repair In 2025

By **Jennifer Frank, Matthew Dunn and John Griem** (January 9, 2025)

The "right-to-repair" movement has been responsible for various states' laws aimed at making it easier for independent repair shops and individual consumers to repair digital devices, among other electronics and components, by requiring that manufacturers provide diagnostic and repair information, parts and tools to independent repair shops, third-party providers and consumers.

This concept came into its own during the Biden administration.[1] Now, with a new administration about to take power in Washington, the future of the right-to-repair movement is uncertain.

President-elect Donald Trump's complicated relationship with Big Tech, and his strong advocacy for increased tariffs, mean that manufacturers, independent repair shops and consumers are all faced with questions as to what may change about the right to repair.

The Right to Repair: Background

While there have been attempts to pass federal right-to-repair legislation, such efforts have not yet been successful. But right-to-repair laws have been passed by many states.

In 2020, Massachusetts voters supported expanding the existing state law concerning standard automotive right-to-repair measures to cover repair and maintenance data transmitted from a vehicle's telematics system, starting with model year 2022 vehicles.

Although there was some backlash from the automotive industry, the Massachusetts attorney general argued that federal regulations do not preempt a validly adopted ballot initiative.

In 2023, New York enacted a right-to-repair law for digital electronic devices, the Digital Fair Repair Act, which marked a milestone in the national right-to-repair legal landscape.

The act, however, specifically excludes certain providers that use embedded digital electronics as a significant part of their products, including: (1) motor vehicle manufacturers, (2) medical device manufacturers, (3) manufacturers and dealers of off-road equipment such as farming equipment, (4) manufacturers of commercial and industrial electronic equipment, and (5) electronic bicycle manufacturers.

Nearly half of all U.S. states followed suit in proposing bills establishing the right to repair items including digital electronic devices, automobiles, medical equipment and agricultural equipment.

Minnesota passed its own Digital Fair Repair Act to require that original equipment manufacturers make available to independent repair shops and individual consumers all replacement parts, tools and documentation for digital electronic devices that are already



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made available to authorized repair providers.

Then California passed its Right to Repair Act for digital electronic devices and appliances, which is much broader and contains fewer amendments and carveouts than New York's and Minnesota's laws.

The right to repair is extremely important to farmers, who want to be able to repair their expensive equipment themselves, instead of being locked into expensive long-term service contracts with manufacturers.

This was acknowledged in 2021 by President Joe Biden's Executive Order 14036, which encouraged the Federal Trade Commission to establish rules permitting farmers to repair their own equipment. The order aimed to achieve this, in part, by limiting original equipment manufacturers from barring self-repairs of products, and issuing rules against unfair competition.

While this would seem to be an issue of bipartisan agreement, during the 2024 election campaigns, a few candidates who ran campaigns vocally favoring the right to repair lost. For example, in Montana, incumbent Democratic Sen. Jon Tester lost to Republican challenger Tim Sheehy, notwithstanding Tester's strong support for the right to repair and his work in sponsoring an agricultural right-to-repair bill in Congress.

In the Nebraska Senate race, challenger Dan Osborn, a professional mechanic and political independent, advocated for the right to repair for agricultural and farming equipment. However, he lost the election to Republican incumbent Sen. Deb Fischer, who was not vocal on the right to repair, and had previously refused to co-sponsor agricultural right-to-repair legislation in Congress.

The results of these races are a cause for continued pessimism about the prospect of any federal right-to-repair legislation.

The Right to Repair Under Trump

While the first Trump administration did not address the right to repair head on, its approach to corporate regulation, and regulation in general, can generally be characterized as lax.

Executive Order 137711, issued in 2017, is illustrative of this. It outlined a general preference for minimizing regulations and reducing constraints on manufacturers, including in the electronics, technology and agriculture industries. Those are the very same industries that have generally opposed the state-level right-to-repair movement.

On the other hand, President Donald Trump's relationship with Big Tech — the movement's largest opponent — was more complicated. However, the right-to-repair movement has generally had bipartisan support, favoring the rights of ordinary consumers over technology companies.

The second Trump administration could either accelerate or hinder right-to-repair efforts at the state level, where right-to-repair laws have seen increasing support, and bills continue to be proposed.

The first Trump administration's skepticism toward Big Tech companies may be reignited in 2025. But many companies that make advanced technology — including Apple Inc., Google

LLC and Deere & Co. — will likely continue aggressively lobbying against right-to-repair measures.

Ultimately, the success of any right-to-repair legislation during the second Trump administration will depend on a balance of political interests — including the influence of corporate lobbying, the growing public demand for consumer control over personal electronic devices, and an escalating societal shift toward sustainable and repairable consumer goods.

Impact of Tariffs on Right-to-Repair Initiatives

While a regulatory vacuum with respect to the right to repair is likely to continue at the federal level during the second Trump administration, the earliest test for the right-to-repair movement is likely to come from the administration's approach to tariffs — and exemptions from tariffs — which are likely to have a material impact on independent repair efforts.

Trump has made no secret of the fact that he intends to increase tariffs on imports from China — one of the few policies that carried over from his first administration into the Biden White House. This is likely to drive up costs for repairs, independent or otherwise, as components for many devices are sourced from China.

A large company like Apple may be able to absorb these costs, or lobby for an exemption. But this is not an option for independent repair shops. Large increases in the cost of repair components and tools will make any financial advantage enjoyed by independent repair shops smaller or nonexistent.

On the other hand, it is possible that a stated goal of the tariff — stimulating domestic manufacturing — could extend to an expanded independent repair infrastructure. Tariffs on imports of digital electronic devices and expensive equipment will cause prices for replacement of such products to rise, potentially fueling the movement toward repair in lieu of replacement.

This could lead to more robust support for independent repair shops and state-level interest in expanding right-to-repair laws.

One thing is for sure: The imposition of large tariffs on countries that supply devices, components and tools will have significant effects. In which direction, however, is not clear, and may not be known for some time. In the meantime, companies with an interest in the impact of right-to-repair laws should watch developments closely.

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