

Hello, my name is Nuri Broestl and I'm 14 years old and I live in Louisville, Colorado. I am writing this testimony against the bill that aims to exempt critical infrastructure from the Colorado Right to repair bill that came into effect just this year. I volunteer for an organization called the Boulder U-Fix-It clinic. In these clinics, we aim to fix as many devices and electronics, (and just about anything else people bring in), as possible in a time frame of 1 hour per person. We get all kinds of electronics and even things that aren't electronic to fix, and we fix a good amount of them. And, with the electronics right-to-repair bill that just came into effect, fixing electronics has been even easier.

However, I have not ever encountered a repair that would be considered "critical infrastructure" and I do not believe that the organization that I volunteer for has either. Also, the amount of times that someone will bring in an obscure and not widely known device that none of us has heard of in the Boulder U-Fix-It clinics is amazingly frequent. This leads me to the conclusion that almost no one, in the repair community, is fixing devices that would be considered by this bill, "critical infrastructure". For example, no one is bringing a data server to our repair clinics in the hopes that it will be fixed.

This brings me to my second point which relates to the bill summary of the current Colorado Right-To-Repair bill. In that summary, it states "Does not require a manufacturer to distribute a product's source code or make available documentation, tools, or parts that would disable or override privacy or anti-theft security measures". The current bill already addresses concerns about privacy and security and thus it's not necessary to have a separate bill that addresses those concerns.

My third point relates to creating a gray area when you have two related pieces of legislation concerning the right to repair. Some will claim that it "doesn't hurt people trying to repair ordinary things", but indeed it does. Adding more restrictions on the right to repair, even if it does not immediately seem to hurt people that are attempting to repair non-critical infrastructure, will likely hurt the repairer. When they try to repair a router, the manufacturer may claim that it is "exempt" from the right to repair because it could possibly "affect critical infrastructure".

My fourth point relates to the possibility of manufacturers hiding how their product works, under the guise of maintaining the product's security. If you buy a product, you should be able to expect enough documentation to repair it.

Passing this bill would likely destroy the Right to Repair law in ways not immediately visible to someone simply reading the bill text. Therefore, because of this, I urge you not to support the bill as it would add more e-waste to a world where it is already a problem, and undue time and effort by people just trying to keep our planet a little bit less full of trash.

Thank you for your time!

Senate, State of Colorado  
200 E. Colfax Ave  
Denver, CO 80203  
Uploaded to [www.sites.coleg.gov/public-testimony](http://www.sites.coleg.gov/public-testimony)

**RE: SB26-090**  
*Exemptions from Consumer Repair Bill of Rights Act*

### **Background**

Senate Bill SB26-090 proposes:

- to define “critical infrastructure” by reference to 42 USC §5195c (e), and
- to exempt from the terms “digital electronic equipment” or from “digital equipment”
  - (i) agricultural equipment,
  - (ii) powered wheelchairs, and
  - (iii) information technology equipment that is intended for use in critical infrastructure.

### **My Position**

I am not in favor of these proposed limitations to the *Colorado Consumer Repair Bill of Rights* without there being changes (modifications, amendments or substitutions) to these proposed changes which

- clearly and narrowly circumscribe exclusions to that *Bill of Rights*, and
- place those proposed changes in the context of the well-reasoned and the clearly articulated needs to preserve the national security, economic prosperity, and/or public health, safety and welfare.

### **Definition of “Critical Infrastructure” under 42 USC §5195c (e)**

SB26-090 proposes that the definition of **critical infrastructure** be synonymous with that definition as propounded in 42 U.S.C. Sec. 5195(c)(e) [2001], namely

(e) Critical Infrastructure: Defined in this section, the term “critical infrastructure” means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.

### **Critique**

Colorado’s use of this definition is overly broad, materially non-descript, and non-contextual:

1. What is the meaning of the word "debilitating"?
2. How does one/measure any such debilitation?
3. Prior to the evidence of any "incapacity or destruction", how certain can one be that any action or refrainment will be a material or sole cause any measurable debilitation?
4. How reasonably likely and in what contexts is any "incapacity or destruction" likely to create a material concern?

### **Recommendation**

How reliant on a 25-year-old law can one reasonably be in defining "incapacity or debilitation" with regard to virtual systems or assets that did not exist 25 years ago? If Colorado is to limit the right of owners of equipment, systems or assets – physical or virtual - to repair the same, it needs to circumscribe such limitations within contexts that are **reasonably** likely to have a **materially negative** (not “debilitating”) impact on

- (i) “military/law-enforcement” security,
- (ii) ~~national~~ economic security

- (iii) ~~national~~ public health or safety, or
- (iv) any combination of those matters [superfluous wording]

If Colorado's legislature is determined to use the 42 U.S.C. 5195 definition of "critical infrastructure" (above), I submit that the above small changes in verbiage

1. give consumers – general population, farmers, computer users, other business entities, etc. – the financial opportunity to answer complaints in court (where there are notoriously high litigation expenses) by large business entities that, by their lawsuits, may be simply attempting to protect their control – frequently monopolistic – over the post-sale repair and maintenance of equipment, systems or assets , and
2. allow OEM manufacturing/supply businesses to open new channels of revenue as they
  - (i) continue to supply parts and repair labor in a competitive (and not monopolistic) market, that allows the "best" suppliers and repair personnel to compete on a relatively level playing field, and
  - (ii) license, for a price, their periodically updated, online operating and repair manuals and analytic software, and
  - (iii) continue to offer "OEM Repairs", but be constrained to offer those repairs (i) at a competitive price, and (ii) at levels of service that consumers expect or demand.

### **Conclusion**

Re-draft any changes (modifications, amendments or substitutions) with a view to

- determining in which narrow contexts the concerns of law-makers and industry regarding (i) military/law-enforcement security, (ii) economic security, and (iii) public health and safety are reasonable, material, and measurable, and
- circumscribing those concerns to reasonably protect the priorities of Colorado's citizens, without unreasonably restricting commerce.

Any but the narrowest contextual definitions of exclusions to the extant Right-to-Repair Law are likely to have a perceptible chilling effect on the existing and prospective business activities (e.g., independent repair companies, third-party parts suppliers, etc.) that are indirectly associated with a supply-chain (production, distribution, and original installation/sale) of equipment, systems, and assets.

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April 1, 2026

Senator Jessie Danielson, Chair  
Senator Nick Hinrichsen, Vice Chair  
Senate Business, Labor and Technology Committee  
Colorado General Assembly  
200 E. Colfax Avenue  
Denver, CO 80203

**Re: SB26 – 090 – Exempt Critical Infrastructure from Right to Repair - Support**

Dear Chair Danielson, Vice Chair Hinrichsen, and Members of the Senate Business, Labor, and Technology Committee:

On behalf of the Consumer Technology Association® (“CTA”)<sup>1</sup>, thank you for the opportunity to provide testimony on Senate Bill 26-090, (SB26-090), Exempt Critical Infrastructure from Right to Repair. CTA strongly supports this legislation to exempt information technology intended for use in critical infrastructure from Colorado’s right to repair law passed in 2024.<sup>2</sup>

CTA is the trade association representing the U.S. consumer technology industry. Our members are the world’s leading innovators – from startups to global brands to retailers – helping support more than 18 million American consumer technology jobs. Our members include manufacturers of digital electronic equipment subject to the provisions of the existing right to repair law for digital electronic equipment.<sup>3</sup>

Right to repair laws exist in eight states in the U.S. and Colorado is the only state to include critical infrastructure technology in the provisions of its law. All other states have recognized that information technology equipment intended for use in critical infrastructure (e.g. internet infrastructure, data centers, etc.) raises significant security risks if information / documentation on how to access those devices along with the parts and tools are provided to any entity – including entities that may want to cause harm to these systems. Enabling essentially universal access to critical infrastructure leaves these systems vulnerable to cybersecurity attacks and malicious intent. The inclusion of information technology equipment used in critical infrastructure in the right to repair provisions puts all Colorado residents and businesses at risk.

The exemption proposed in SB26-090 brings Colorado into alignment with the seven other state level repair laws. Critical infrastructure systems are the backbone of our water, transportation and communication infrastructure and these systems rely heavily on integrated information technology. The Legislature recognized in 2024 the need to exclude other infrastructure

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<sup>1</sup> As North America’s largest technology trade association, CTA® is the tech sector. CTA owns and produces CES®—the most powerful tech event in the world.

<sup>2</sup> Colo. Rev. Stat. §§ 6-1-1501 to 6-1-1505 (Consumer Right to Repair)

<sup>3</sup> Ibid

systems from the requirements of the Colorado repair law including safety communications equipment and certain energy infrastructure. Many of these systems are interconnected with other critical infrastructure systems – especially in the communications sector – meaning an impact (e.g. malicious firmware, manipulated systems, etc.) in the communication sector could have a cascading effect on safety communications or the energy grid. Given the interconnectedness of our critical infrastructure systems, the same rationale should be given to all critical infrastructure systems that rely on information technology equipment, not just a select few.

CTA respectfully requests your support to pass this important legislation and protect Colorado residents and businesses. If you have any questions, please do not hesitate to contact me at [kreilly@cta.tech](mailto:kreilly@cta.tech).

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Reilly', written in a cursive style.

Katie Reilly  
Vice President, Environmental Affairs and Industry Sustainability  
Consumer Technology Association

**Senate Business, Labor, & Technology**

**04/02/2026**

**SB26-090 Exempt Critical Infra from Right to Repair**

**Typed Text of Testimony Submitted**

<b>Name, Position, Representing</b>	<b>Typed Text of Testimony</b>
Dyani Dussault  Against  themselves	<p>As a Colorado native, I have watched with pride as our communities have fought for consumer rights over the years. These rights are not just good for people, but the right to repair laws are also good for the environment as consumers are given the chance to repair rather than throw away entire devices that would have otherwise been fixable and useable.</p> <p>I am against SB26-090 because it creates a gaping loophole for manufacturers to use to justify not complying with the new right to repair laws. Our protections should be on the consumers, not the producers. If merely allowing someone to view the specs of a product creates a security risk, that is a design flaw on the producer’s end. Manufacturers are capable of revamping their devices to tighten security, but they don’t want to do this. They’d rather take the easy and cheap road, which involves dumping the burden back on their users rather than taking responsibility.</p> <p>Colorado became an excellent advocate and protector for consumers with the right to repair bill. Please do not backpedal this amazing progress by siding with big manufacturers now.</p>



April 2, 2026

Senator Jessie Danielson, Chair  
Senate Business, Labor & Technology Committee  
Colorado State Capitol Building  
200 E. Colfax Ave.  
Denver, CO 80203

Re: Parts Pairing Compliance Concerns (**SB-90**)

Dear Chair Danielson & Members of the Senate Business, Labor & Technology Committee

Thank you for the opportunity to express Xerox's concerns about the digital electronic equipment right to repair legislation currently under consideration by the Committee as SB-90.

### **Right to Repair**

The R2R (Right to Repair) movement in the United States advocates for end-customer's ability to repair and modify their own devices and equipment. For the past thirty years, we have supported R2R for our devices. We have also built a robust circular economy with take back programs for our products. Colorado's existing Right to Repair Law (HB24-1121) applies a "Parts Pairing" prohibition to all digital equipment. This has created a compliance problem for print imaging devices. We cannot comply with the existing Colorado law due to Federal restrictions unique to Imaging devices.

### **Restrictions for Print Imaging Devices**

Xerox cannot comply with the existing law because **federal law MANDATES** Anti-Counterfeiting Deterrence (ACD) and Anti-Terrorism (AT) features imbedded within the devices as a system required under [US Code - 18 USC 474A](#) and regulated under confidential and undisclosed security agency directives, including the Department of Homeland Security and U.S. Treasury Department requiring traceability for law enforcement purposes.

The purpose of our testimony is to notify key legislators of these overriding restrictions on imaging devices and request a technical correction to Colorado's existing right to repair law via SB-90 to allow for compliance with Federal Law and mandates, similar to how other states are addressing the issue.

# FGRHUB

Some states, **Pennsylvania (SB-833)**, **Ohio (HB-301)** and **Maine (LD-1908)** have included specific language clarifying that nothing in their acts prohibit parts pairing of print imaging devices. Other states, such as Arizona (**HB-2121**), Wyoming (**HB-15**), & Vermont (**HB-161**) have addressed the mandate for traceability by including language clarifying their chapters do not apply if they violate Federal Law.

To harmonize Colorado's law with the other states, we propose a new subsection at **6-1-1503 Manufacturer obligations regarding services – exemption (7)(b)** as follows:

*(7)(b) Nothing in this part 15 prohibits....*

*(III) parts pairing of print imaging devices.*

This technical adjustment allows Xerox to comply with Federal mandates and preserve the strong consumer repair protections in the Colorado law while clarifying that print imaging devices remain outside the scope of the parts pairing ban. It ensures Colorado's law is comprehensive but also aligned with other state frameworks, reducing potential conflicts for national manufacturers, easing implementation and allowing for compliance with Federal law enforcement mandates.

Thank you for your consideration of Xerox's concerns.

Regards,

*Susan Tevnan*

Susan Tevnan