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HB 2963 Position Statement

The North America Equipment Dealers Association is an international trade association representing approximately 4,500 farm, industrial and outdoor power equipment dealers in North America. In Texas, NAEDA represents 223 dealer locations. Through the sale of equipment, parts, and service, our dealer members work in partnership with farmers and ranchers across Texas to make them the most productive and competitive producers in the world.

Our industry is a leading example of one that supports customer self-repair. Equipment manufacturers and dealers are committed to providing access and widespread availability of parts, tools, documentation, and diagnostic capabilities. The reality of the repair landscape demonstrates this commitment. A third-party survey of our industry showed that nearly 60 percent of all parts sold are installed by someone other than the dealership.

In addition to the support provided directly to owners and independent repair shops, the major stakeholders on this issue have agreed to a memorandum of understanding. The MOU between John Deere, CNHI and the American Farm Bureau Federation is a private sector solution that formalizes the commitment to supporting customer repair and makes legislation unnecessary.

While the legislation provides cursory exemption language for farm equipment manufacturers, it falls far short of providing coverage for all our dealer members and their products. This is very problematic considering this legislation prohibits dealers from making a profit on the sale of parts to customers, an absurd proposition that would destroy the business model of our members.

Several states passing Right to Repair laws have incorporated template off-road industry exemption language. This language is also supported by a coalition of 28 regional and national associations in a logo letter that has been submitted as well.

“Nothing in this act shall apply to:

Manufacturers, distributors, importers or dealers of all off-road (non-road) equipment, including without limitation, farm and utility tractors, farm implements, farm machinery, forestry equipment, industrial equipment, utility equipment, construction equipment, compact construction equipment, road-building equipment, mining equipment, turf, yard and garden equipment, outdoor power equipment, portable generators, marine, all-terrain sports and recreational vehicles (including racing vehicles), stand-alone or integrated stationary or mobile internal combustion engines, other power sources, (including without limitation, generator sets, electric/battery and fuel cell power), power tools, and any tools, technology, attachments, accessories, components and repair parts for any of the foregoing.”