

# Right to Repair



## Background

Software tools necessary to repair modern farm equipment, such as tractors and combines, contain a multitude of computers and sensors. All of the major equipment manufacturers, including John Deere, refuse to make those tools fully available to farmers and independent mechanics, leaving farmers no choice but to take their broken equipment to a licensed dealership. This leads to lack of competition in the repair market, inflated service prices, and long delays during tight planting or harvest windows that can cost farmers their crop.

There are not many alternatives for farmers who want to buy equipment they can fix themselves. Some farmers have resorted to buying older tractors that don't require software to complete repair. This has led to inflated prices for older equipment and is not a long-term solution—being forced to choose between the ability to independently fix your tractor or reap the benefits of modern equipment's efficiencies disadvantages small and medium-sized farms.

Lawmakers are taking note of this problem. Federal legislation, like the Right to Repair Act introduced by Sen. Jon Tester (D-MT), would ensure that farm equipment owners

and independent mechanics have access to all of the documentation, parts, and software tools required to diagnose, repair, and maintain modern equipment. On the state level, Right to Repair bills have been considered in more than a dozen legislatures across the country.

At the agency level, the Federal Trade Commission (FTC) unanimously adopted a policy in 2021 to ramp up law enforcement against illegal repair restrictions. In 2022, NFU and allies filed a complaint with the FTC against John Deere for restricting repair options. While these efforts have gained momentum, none have yet been enacted.



**FAIRNESS FOR FARMERS**

*A Farmers Union Project*



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## Recent John Deere – Farm Bureau Deal

In January 2023, the American Farm Bureau Federation (AFBF) and John Deere announced a memorandum of understanding (MOU) about Right to Repair. The agreement states that AFBF and its state organizations will back off their support for state and federal Right to Repair legislation in exchange for provisions that we are not confident will give farmers the ability to independently fix 100% of their equipment.

The AFBF-John Deere MOU is a non-binding agreement between only one group and one equipment manufacturer, and that manufacturer has a history of preventing farmers from being able to affordably fixing their equipment.

While the deal states that farmers will be able to access the same repair materials as dealership technicians, it is riddled with potential loopholes that the manufacturer could use to deny farmers repair access. It requires independent mechanics to jump through hoops to acquire these repair materials.

John Deere can also walk away from the MOU with 30 days' notice, which doesn't provide any assurance that the deal will be honored.

The MOU falls far short of the protections to farmers that would be achieved with legislation or regulations that apply to all equipment manufacturers.

The industry has failed to meet the terms of similar, though less significant agreements in the past. An investigation by the Public Interest Research Group and VICE News in 2018 found that manufacturers failed to meet the self-assigned deadline ascribed to a deal between California Farm Bureau and equipment dealers, which had significant shortcomings to begin with. In addition to our concerns with the MOU language, the industry's track record leads us to doubt that this announcement will truly grant farmers their right to repair.

Farmers Union will continue to advocate for legislation that will give farmers full control over fixing their own equipment until the problem is fully solved.

***Right to repair still isn't fixed.  
We need Fairness for Farmers.***