

Right-to-repair absolutists miss the point on farm equipment agreement

By Jamie Johansson

An all-or-nothing approach to right-to-repair legislation has so far yielded ... nothing. After 20 attempts in different state legislatures, nothing has been fixed.

So what happened when organizations representing farmers and farm-equipment retailers came together for the first time to sign a memorandum of understanding, based on a recognition that there's a problem when it comes to on-farm repairs? The all-or-nothing crowd [came unglued](#).

Not long ago, in my role as president of the California Farm Bureau Federation, I signed an MOU seeking to [streamline repair](#) of high tech farm equipment by allowing farmers access to certain manufacturers' information.

Through discussions with our partners in the agricultural equipment business, we were able to achieve wider access for farmers to service manuals, product guides, on-board diagnostics and other information.

We were also clear about what wasn't included in the agreement: Source code for proprietary software won't be accessible, nor will data that could affect compliance with safety or emissions regulations.

Farm Bureau couldn't sign an agreement that would jeopardize the safety of farmers or employees in operating equipment—and the state of California wouldn't allow an agreement that might permit people to avoid our state's strict air-quality rules. How did that work out for a [German automobile manufacturer](#) in California?

It's the intellectual-property question that becomes the sticking point.

Farmers and ranchers have benefited from the development of ever-more-precise and efficient machinery that helps us produce more food while making the most effective use of the land, water, people and other resources needed. As that equipment has grown increasingly complex, it has become increasingly difficult for farmers to make repairs themselves—in part because manufacturers want to guard the software and code that allows the machines to operate.

Because of that, they had also restricted access to other information that would be helpful—such as the on-board diagnostics and product guides. Our MOU is a first-of-its-kind agreement that took a set of working principals and committed them to paper, signed by organizations seeking to lift those restrictions and expand that access for farmers.

Real farmers have told us they benefit from this access.

“Before, I'd have to call service, wait for a tech to come out and tell me why the light is on,” one farmer told our [Ag Alert®](#) newspaper. “Sometimes, it's a day or more before you get the problem

fixed. Now, I can hook the computer up myself to see. If it's a big problem, I still have them come out and fix it. But if it's something that I can fix, I can do it myself.”

That’s what farmers want—the ability to fix things themselves—and the agreement seeks to help them do that.

It doesn’t do everything the right-to-repair absolutists want. But, as they themselves acknowledge, sweeping right-to-repair bills have gone nowhere in state legislatures.

[Such a bill](#) failed to advance in the California Legislature earlier this year—but the author of that bill was sitting right next to me when I signed the farm-equipment agreement, and [said she hoped](#) it would encourage similar agreements elsewhere. And, as a side note, she comes from a farming family.

With one exception—a writer for a tech website who made a half-hearted attempt to contact us before ripping Farm Bureau in his [online piece](#)—the other tech bloggers who have felt so free to criticize the agreement haven’t had the courtesy or the courage to ask us about it directly. Not an email, a tweet, a letter, a fax, nothing.

It’s easy to snipe from the sidelines, especially when unencumbered by full information, but the Monday morning quarterbacks miss the key points:

The right-to-repair absolutists have achieved exactly zero in this regard. The agreement between the California Farm Bureau and equipment retailers is a starting point. It’s not the end of the discussion. It seeks to help farmers and ranchers move their equipment back into service more quickly, which helps those of us who farm as well as those of us who eat.

On the farm, we can’t afford to have our equipment sit idly as another piece of legislation gets punted out of a statehouse. As the largest general agricultural organization in California, Farm Bureau is always proud to try to fix things ourselves.

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