

General Law Committee JOINT FAVORABLE REPORT

Bill No.: SB-3

Title: AN ACT CONCERNING CONSUMER PROTECTION.

Vote Date: 3/12/2024

Vote Action: Joint Favorable Substitute

PH Date: 2/29/2024

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

General Law Committee

Co-Sponsors:

[Sen. Martin M. Looney, 11th Dist.](#)

[Sen. Bob Duff, 25th Dist.](#)

[Sen. Saud Anwar, 3rd Dist.](#)

[Sen. Jorge Cabrera, 17th Dist.](#)

[Sen. Christine Cohen, 12th Dist.](#)

[Sen. Mae Flexer, 29th Dist.](#)

[Sen. Herron Gaston, 23rd Dist.](#)

[Sen. Jan Hochadel, 13th Dist.](#)

[Sen. Julie Kushner, 24th Dist.](#)

[Sen. Matthew L. Lesser, 9th Dist.](#)

[Sen. Ceci Maher, 26th Dist.](#)

[Sen. James J. Maroney, 14th Dist.](#)

[Sen. Martha Marx, 20th Dist.](#)

[Sen. Douglas McCrory, 2nd Dist.](#)

[Sen. Patricia Billie Miller, 27th Dist.](#)

[Sen. Marilyn V. Moore, 22nd Dist.](#)

[Sen. Norman Needleman, 33rd Dist.](#)

[Sen. Catherine A. Osten, 19th Dist.](#)

[Sen. MD Rahman, 4th Dist.](#)

[Sen. Derek Slap, 5th Dist.](#)

[Sen. Gary A. Winfield, 10th Dist.](#)

[Rep. Hubert D. Delany, 144th Dist.](#)

[Rep. Anthony L. Nolan, 39th Dist.](#)

REASONS FOR BILL:

SB3 establishes a policy to ensure equitable access to broadband Internet service, while also requiring providers to offer affordable options. Additionally, it protects consumers by mandating fee disclosures, prohibiting deceptive practices, and regulating streaming service billing. Furthermore, SB3 addresses concerns about small unmanned aircraft systems and imposes requirements concerning connected devices. The bill also upholds net neutrality principles and promotes sustainability through repairability measures for electronic products.

SUBSTITUTE LANGUAGE:

The substitute language prohibits a business from imposing fees, charges, or costs for goods not listed on advertisements, displays, or offered prices. The language also prohibits these fees on motor vehicle rentals and hotel, or motel stays. The final piece of the substitute language removes agricultural equipment and powered wheelchairs from the list of "Electronic or appliance products".

RESPONSE FROM ADMINISTRATION/AGENCY:**Bryan Cafferelli, Commissioner, Department of Consumer Protection**

Commissioner Cafferelli supports this bill; however, it is important to note that additional resources will be needed to administer the new requirements on the internet service industry. DCP does not currently have the staff with the expertise required to effectively regulate the broadband internet market as required on this bill. As the primary regulator under the bill, DCP would be required to develop procedures for which we are presently unequipped.

Katie Dykes, Commissioner, Connecticut Department of Energy & Environmental Protection

DEEP generally supports this bill. They support the concepts that address internet access, as they dovetail with the work that DEEP's Office of Telecommunications and Broadband is performing to deploy federal funding from the American Rescue Plan and the Bipartisan Infrastructure Bill's Broadband Equity, Access and Deployment grant program. DEEP and the US Departments of Treasury and Commerce have been working closely to reach the state's current statutory goal of universal access to broadband with download speeds of one gigabit per second and upload speeds of one hundred megabits per second. Net neutrality promotes an open, equal internet, regardless of device, application or platform used or content consumed by the user. DEEP can assist the Committee with investigating the differences between the current proposal before the Committee and that of the federal government and other states, if needed.

Mark Raymond, Chief Information Officer, DAS, Chair of The Connecticut Commission for Education Technology and Doug Casey, Executive Director of the Connecticut Commission for Educational Technology

The Commission supports the steps described in the drafted legislation to increase affordable broadband service, aligning with the State's definition of digital equality. Over the past year, the Commission has engaged with 7,000 residents, agency and community partners and conducted research to identify the barriers to technology across Connecticut. Connecticut is well connected; however, affordability and awareness continue to be a barrier to broadband adoption. This bill addresses these issues. Given the state's definition of "digital equity" which is derived from federal standards, residents need access to affordable devices, training, support, and digital services to ensure they can use online tools. The most

marginalized citizens are at the most risk for disconnection. According to the research, the ability of residents to utilize technology effectively and safely remains low, especially with those living at or below poverty level, members of racial and ethnic minorities, veterans, people with language barriers and those living with disabilities. Removing cost and awareness barriers to broadband access remains essential in achieving digital equity. The commission asks that the committee consider reducing the cost from \$40.00 to \$30.00, to align with the federal guide listed in the Affordable Connectivity Program to households that qualify. They also recommend the minimum speed for the affordable programs be 100 megabits-per-second. Section 6 on net neutrality and Section 7 on streaming fees are both supported by the commission. DAS and the Commission thank the committee for raising these bills.

NATURE AND SOURCES OF SUPPORT:

Senate Democrats, Connecticut General Assembly

Senate Democrats support this bill. Two of the seven sections provide protection to internet consumers. Access to high-quality internet is no longer a luxury but a necessity. Net neutrality standards, affordable internet, regulating the ability of electronic devices to eavesdrop on consumers and then use the information for advertisement purposes are all addressed in this bill. Also, this bill requires streaming service providers, like Netflix, to prorate a consumer's final bill- the same way that other companies prorate. Consumers should not have to pay for a service they have no intention of using. Making repairs more affordable and thus creating a more sustainable economy and reduce electron waste, this bill creates a statutory right to repair by requiring electronics and appliance manufacturers, including agricultural equipment manufacturers and powered wheelchair manufactures, to make available documentation, parts and tools needed to maintain, modify or repair such manufacturers devices to owners and independent repair service providers of such devices in the state. Finally, to address national and security issues this bill prohibits public entities, including the state, municipalities and state contractors who are doing work for the state to use drones made in specifically China and Russia-with an exception for necessity. This is important legislation to pass for the Connecticut consumers.

Senator Bob Duff, Majority Leader, Connecticut General Assembly

Senator Duff supports this bill. This bill is important legislation to further protect the consumers in the State of Connecticut. There are important issues that this bill addresses. Affordable internet and reliable internet services are no longer a luxury. This protects consumers from what are called junk fees. Fees that include hidden mandatory fees that obscure a products full price, surprise fees that consumers learn about after the purchase. Regulating the ability of electronic devices to eavesdrop on consumers and then use or sell the information learned for advertising purposes. Companies use microphones and cameras on smartphones, smart TV's and other devices to actively monitor users, but they openly brag about spying on the consumers. Senate Bill 3 will protect Connecticut consumers from this invasion of privacy. Video service providers will also be required to prorate a customer's final bill, this will include providers such as Netflix. It also mandates that consumers have a right to repair. Allowing for affordable repair and reducing the need of replacing fixable products. Finally, this bill addresses an important issue of national and state security, by protecting our infrastructure by not having drones manufactured in China. Currently, many municipalities

and state contractors are using drones manufactured in China. It is imperative that this changes.

John Erlingheuser, Senior Director of Advocacy, AARP Connecticut

Mr. Erlingheuser supports this bill. AARP strongly supports SB3. SB3 sets forth excellent public policy statements regarding high-speed internet access, while keeping it affordable. This bill also sets forth requirements for clear and transparent information about fees and charges for goods and services and includes an enforcement mechanism. AARP did make suggestions/recommendations to improve the bill.

Pua Ford, Media Issues Specialist, League of Women Voters of Connecticut

Ms. Ford supports this bill. The League of Women Voters supports this bill as it touches on several important issues that they have had their attention on for more than a decade. They appreciate the inclusion of affordable broadband internet. The LWVC has long been a supporter of Net Neutrality.

Susan Huizenga, Executive Director, WPAA-TV Community Media Center

Ms. Huizenga supports this bill. SB3 represents the potential for substantial progress toward achieving digital equity. This bill seems to align with the FCC Rule Making issued November 2023.

Claire Coleman, Consumer Counsel, Office of Consumer Counsel

Ms. Coleman supports this bill. The OCC is very supportive of this bill as it relates to broadband internet access service. They commend Section 2 as affordability is a major barrier to universal adoption, according to 47% of the Connecticut members of the covered populations set forth in the Digital Equity Act. OCC does have some recommendations on who would be eligible. Section 3 should be clarified. Section 6 OCC has been deeply involved in the currently pending FCC WC 23-320 concerning the revised and updated Open Internet Rules. They feel that the FCC should continue to "keep the state cops on the beat with respect to these and other rules. The FCC rules may be challenged in court. There is no harm in proactively protecting consumers and passing this section into law, just as California and Vermont have done. They are fully supportive of Section 7.

Mag Morelli, President, LeadingAge, Connecticut

Mr. Morelli supports this bill but has concerns with Section 5 and its broad nature and quite narrow per statute cited. Access to internet connectivity is very important to LeadingAge Connecticut. It seems that Section 2 of this bill would extend broadband access rights to congregate care facilities as well as congregate housing sites, they support this inclusion.

Don Shubert, President, Connecticut Construction Industries Association, Inc. (CCIA)

Mr. Shubert supports this bill with an amendment. CCIA realizes that Section 8 of this bill is not intended to include construction equipment. There are, however, construction equipment of various makes and models that could easily be interpreted to be included in the classification under Section 8. This construction equipment if included in this bill may foster unsafe operation of equipment that could put many at risk for serious injury or death. Construction equipment is very sophisticated. By including the construction equipment, it would allow independent repair providers and owners of this equipment to tamper with and alter the functions of this equipment. Safety is a priority in construction. We request that

Section 8 of SB 3 be amended to read with similar language as recent legislation in New York and Minnesota.

NATURE AND SOURCES OF OPPOSITION:

Kristina Baldwin, Vice President, American Property Casualty Insurance Association

Ms. Baldwin opposes this bill. APCIA has concerns regarding this bill and fee disclosures. Overall, the APCIA supports the overall consumer protection goal, they must oppose this bill as it pertains to insurance. Insurance is regulated by the Insurance Department and the Insurance Department regulates premiums and fees charged by insurers. It would be largely impossible for insurance companies to comply with this section. The applicable premium of an insurance policy varies by the information given and is then verified to underwrite and determine the premium that will be charged to the applicant. The individual risk characteristics of the insured is not always known at the time of initial advertisement. APCIA urges the bill be amended to provide either a regulated industries exemption or specifically delineate a carve out for insurers, insurance producers, insurance entities regulated by the Insurance Department.

Connecticut Police Chiefs Association

CPCA opposes section 4 of this bill. While the bill is well intended in terms of not having foreign manufacturers of drones being used in the public sector, law enforcement has made large investments into drone equipment manufactured overseas. This will force many agencies to abandon their drone program. Section 4 puts law enforcement agencies in a difficult situation which would result in the loss of the drone programs. The purchase of foreign made drones comes down to supply chain and availability of replacement parts. Foreign manufacturers are ahead of their United States competitors. The banning of foreign manufactured drones would be catastrophic to law enforcement agencies.

Shane Clary, Vice President, Automatic Fire Alarm Association

Mr. Clary supports this bill. The Automatic Fire Alarm Association (AFAA) does not oppose the Right to Repair for equipment, appliances, wheelchair and other mobility devices as well as farm equipment. They are concerned who may be allowed to work on equipment components that make up fire alarms, life safety systems, fire protection releasing systems, smoke alarms, CO alarms and intrusion alarms. People depend on these systems to work safely, in buildings, hotels and even homes. AFAA requests SB3 be amended to exempt fire systems and life safety systems be excluded from the text, people should be able to depend on the fact they have purchased an alarm system that can be relied on. Several state's have Right to Repair bills going through and have either passed into law or have language within the proposed bills with this exemption.

Paul Coco, Chairmen, Committee on Unmanned Aerial Vehicles

Mr. Coco opposes this bill. This bill requires careful consideration. The primary concern is that the Chinese government could potentially access these records, posing a threat to national security. Perhaps on a federal level there should be restrictions, however the threat may not be applicable at the state level. It is crucial to acknowledge that every UAV manufacturer currently on the market sources electronics from China. As the chairman of the committee on the use of unmanned aerial vehicles for critical infrastructure inspection through American Society of Mechanical Engineers, specialized inspection platforms do not

offer comparable ease of use, pricing, availability and overall stability. Their reliable operation in public safety situations without exposing the public to greater risk concerning aircraft stability and use of control. This bill would hinder the ability of first responders to provide aerial support in critical situations.

Brett Johnson, Captain, Torrington Police Department

Kyle Johnson, Sergeant, Torrington Police Department

Capt. Johnson and Sgt. Johnson oppose this bill. Torrington Police Dept. have operated a drone program since 2021 and have used drones as a force multiplier within the agency as staffing continuously declines. Using drones in public safety is multi-faceted. Using Chinese drones is done primarily because they are reliable and the technology, they provide are unparalleled to anything out on the market. Much research went into the decision to purchase DJI drones. DJI drones provided more "bang for your buck" providing superior technology for a fraction of the cost of other drones. Banning the use of DJI drones would disband the use of drones throughout the state when you consider the substantial investments many departments have already made into their programs. Torrington PD would not reinvest in drones where they cost would increase and the product would be of lesser quality. By supporting this bill, the positive outcomes delivered by different public safety entities throughout the state are being ignored. Tens of thousands of drones being flown within Connecticut by private citizens who are capturing the same data, and then disseminating that data any way they please.

Matt Beckwith, Vice President, Guardian Agriculture

Mr. Beckwith opposes this bill. Based in Massachusetts, they are pioneers in agricultural unmanned aircraft systems (UAS) for agricultural spraying. They oppose the Right to Repair Farm Equipment legislation due to concerns about regulatory confusion and significant safety risks to operators, repair people and the public at large. The FAA and not individual states should be the arbitrator of aircraft repair standards. Safe aircraft repair and maintenance require not just parts and tools, but training and expertise. All the repairs in Section 8 currently require specialized training and would be a right under this Section. As we navigate the intersection of technology and agriculture, it is imperative to prioritize safety, regulatory clarity, and operational integrity, Section 8 while aiming to empower individuals, has the unintended consequences of putting owners, repair people and the public at a large risk of physical danger.

Mike Blank, CTIA

Mr. Blank opposes this bill. CTIA urges Connecticut to recognize the dynamics within the competitive wireless marketplace and refrain from imposing a new state law on the industry that would be unnecessary, duplicative and not in the consumer interest given existing regulations. If Connecticut ultimately enacts a law regarding unfair and deceptive fees, SB15 should be looked at, this bill provides the certainty needed to avoid duplicative state laws by focusing on sectors of the economy that don't face the same robust regulation by the federal government.

Matthew Brill, Partner, Latham & Watkins, LLP, NCTA

Mr. Brill opposes this bill. This bill addresses a broad array of issues, and several provisions present significant concerns from NCTA's standpoint. This testimony will focus on Sections 2 & 6, which impose mandates relating to affordable broadband service and net neutrality.

Section 2 is proposing a requirement for Internet service providers to offer broadband plans with a state-mandated speeds for \$40.00 or less per month. This is unnecessary. The NCTA is concerned about the State's proposed foray into rate regulation, this preempts federal law. New York adopted a similar mandate in 2021 which was invalidated in the U.S. District Court for the Eastern District of New York on multiple grounds. Currently is under appeal in the Court of Appeals for the Second Circuit, at a bare minimum the State should await the outcome of that proceeding before considering this mandate. Section 6 which imposes mandates on net neutrality. Maintaining the open Internet is a core aspect of how his clients operate and consumers will tolerate nothing less. The FCC has proposed comprehensive net neutrality requirements and is poised to adopt a final order within the next few months. Connecticut is considering new neutrality mandates based on the risk that a federal court might invalidate the FCC's forthcoming rules, any state rules would be on shaky ground. There is no need to take such legally questionable action.

Nate Brown, President and Government Relations Director, International Union of Operating Engineers, Local 478

Mr. Brown opposes this bill. We would like to see this bill amended to clarify that heavy construction equipment is not intended to be included in this bill. It also applies to all electronic devices is defined as a part or machine containing a microprocessor originally manufactured for distribution and sale in the United States. The Original Equipment Manufacturer who creates bulldozers, motor graders, the backhoes and cranes that they operate could easily be interpreted to fall under this and other classifications as this bill is drafted. These large pieces of equipment require refined operations and service. Tampering or otherwise altering these systems could be catastrophic to the safety of the operator and to those around them.

Christopher Davis, Vice President of Public Policy, CBIA

Mr. Davis opposes this bill. CBIA is concerned about the bill as drafted. Though the intention of providing transparency so the consumer can make informed commercial decisions. The broad, all-encompassing language does not consider many existing or upcoming regulations, both at the state and federal level. The FCC will be releasing regulations later this year regarding net neutrality principles. CBIA respectfully asks the committee to refrain from passing Connecticut framework until the federal regulations are presented. They ask that the committee continue to work with the industry associations and trade groups that have concerns regarding the language of this bill.

Chris Felosky, President, Monroe Tractor and Implement

Mr. Felosky opposes this bill. He opposes the inclusion of the non-road industry, including but limited to farm equipment in SB3, Section 8. This section would undermine the industry's efforts to ensure that equipment owners have consistent access to self-repaid offerings on a nationwide basis, it could jeopardize his business operations and cost customers time and money when performing their own repairs. It also could enable illegal tampering of safety and emissions features. Monroe Tractor supports "right to repair" and work to educate their customers about cost effective diagnostic repair options that they can take advantage. If forced to compete with OEM's for part sales at the same price that we purchase them they would not make a profit. The incentive to stock OEM parts would be eliminated. We request the General Law Committee have an unfavorable report on SB3, Section 8. If it does

proceed, they ask that all reference to agricultural equipment be removed and explicitly exempt the industry using the non-road amendment as states of New York, Minnesota and California have done.

Shannon Few, Executive Director, Connecticut Alarm & Systems Integrators

Association

Mr. Few opposes this bill. Connecticut Alarm & Systems Integrators Association (CASIA) has concerns regarding SB3, Section 8 the "right to repair". Applying this legislation to products used in electronic security and life safety industry is fraught with potential peril, liability, unintended consequences and would not serve their customers. CASIA requests the language be clarified in this bill to state, "Nothing in this bill applies to security or life safety systems and devices, or to manufacturers of security of life systems and devices. This would ensure the integrity of life systems in our state.

David B. Fisher, Senior Vice President, Associated Equipment Distributors

Mr. Fisher opposes this bill. Though "right to repair" is a simple slogan the proposal in this bill could have significant consequences. A substantial number of AED members' parts sales are to customers who repair their own equipment. Many customers can repair their own equipment, however with technological developments making the equipment more efficient and productive, it has become necessary to put restrictions in access to source code and software that ensures key operational functions are not modified or disabled. This bill would put countless small businesses at risk. New York and Minnesota have utilized language with regards to similar proposals.

Lynn Follansbee, Vice President, US Telecom – The Broadband Association

Ms. Follansbee opposes this bill. US Telecom members work everyday to invest in new technology and networks throughout the state to deliver faster speeds at competitive prices. With this impressive record, Connecticut should not adopt provisions in SB3 that hinder their members to continue delivering affordable high-speed connectivity to consumers and conflict with federal law. The rate requirement in SB3 amounts to unfair market interference and is preempted by federal law. The requirements for net neutrality create regulatory uncertainty and could harm consumers. Disclosure requirements in the proposed bill could potentially conflict with existing and proposed federal regulations.

Jim Funk, General Manager, Michael Souza, Business Development Manager, F&W Equipment Corporation

Doug Hansen, President, The W I Clark Company

Daniel Huff, Big Boys Toys, LLC

Joshua Joseph, Vice President of Customer Support, United Ag & Turf and United Construction and Forestry

Tim Ruwet, Vice President, Ruwet-Sibley Equipment Corporation

Tyler Brooke, III, President, Tyler Equipment Corporation

Jeff Synderman, CFO, JESCO

The above opposes this bill. He opposes the inclusion of the non-industry including but not limited to farm equipment. The definition in Section 8 defines "Agricultural Equipment" in a way that will reach far beyond tractors, combines and sprayers. State mandates are not needed to a customer's right to repair. F&W fully supports their customers in that right. This bill would threaten local businesses and local access to replacement OEM parts needed for

self-repair. If forced to compete with OEMs for parts sales at the same price that they purchase F&W would make no profit on parts. There would also be possibility of illegal tampering of safety and emissions systems, putting users, bystanders and the environment at risk. F&W Equipment Corp. requests the committee have an unfavorable committee report on SB3, Section 8. If the bill moves forward New York, Minnesota and California recently enacted bills with language that should be reviewed by the legislature.

Mark Gentile, Deputy Chief, Rocky Hill Fire Department

John Marenholz, Detective, Southington Police Department

Michael Shabenas, Chief, Dayville Fire Company

Peter Swanson, UAS Coordinator, East Hartford Fire Department

Christopher Vanghele, Chief of Police, Plainville Police Department

Donald Janelle, Manchester Emergency Management

The above members of Connecticut municipalities Fire Departments and Police Department's oppose this bill. The banning of DJI drones would be detrimental to the drone programs in the state's municipalities. As First Responders, it would have been preferable to purchase American-made products, but those products must provide the solutions required to do the job effectively. Until the US market can produce a drone that can compete, we must oppose SB3. This bill does not protect consumers, but places people at risk. These drones are an integral part of police and fire department work, they keep the communities and members of the departments safe. Municipalities have invested a significant amount of revenue on their drone programs. By banning the Chinese drones, it would be of great concern for all departments in the state.

Eric George, President, IAC, Jill Rickard, Regional Vice President, State Relations,

ACLI, Sarah E. Wood, Director, State Policy & Regulatory Affairs, IRI

The above oppose this bill. The Connecticut Unfair Insurance Practices (CUIPA) address the parts of SB8 that this bill seeks to regulate. Regulations are already in place under CUIPA and the Department of Insurance for all aspects of insurance businesses, including sales, advertising, marketing and pricing.

Kara Gundel, Senior Director of Public Policy, Engine Technology Forum (ETF)

Ms. Gundel opposes this bill. ETF is a not-for-profit educational association headquartered in Frederick, MD. We all benefit from the technology innovations in the form of cleaner air. Section 8 of this bill would enable illegal tampering of safety and emissions systems, putting users, bystanders and the environment at risk. Not everyone is tampering with malicious intent, but inadvertently alter an engine or emissions control systems. In its current form SB3 is a vote against protecting air quality.

Patricia Hanz, Truck & Engine Manufacturers Association

Ms. Hanz opposes this bill. The "fair repair requirements" in Section 8 of this bill harmless it could create unintended consequences to the products manufactured by EMA members. It would provide unrestricted access to change the microprocessors on engines and equipment that control critical safety, emissions, and performance systems. The proposed repair legislation fails to provide meaningful safeguards or restrictions that would prevent cybersecurity risks. As written the requirements of this bill would create safety, environmental and security risks, as well as liability exposure for owners and the public. Their industry has been excluded from similar digital right to repair bills enacted in Minnesota, New York and California using their language is encouraged to be included in this bill.

Scott Hillson, Search and Rescue Volunteer

Mr. Hillson opposes this bill. Discriminating against other technology manufacturers and other countries should not be the way we bolster our domestic manufacturers. Stop the needless effort to ban DJI drones as they do not pose a risk to our communities when used by first responders.

Barry Houldsworth

Mr. Houldsworth opposes this bill. As a member of the UAV community, he has concern regarding the possible consequences of this bill on first responders and the broader implications of UAV nationwide. DJI drones play an important role in public safety. These drones have unparalleled capabilities. This bill is an unnecessary hindrance and would impose on first responders during critical situations.

Kyle R. Innes, Managing Director & Associate General Counsel, SIFMA

Mr. Innes opposes this bill. Certain portions of SB3 would prohibit the advertisement, display or offer of a good or service that excludes any charge or fee, these bills would require a total price in advertisement. Financial firms are already subject to regulations governing cost disclosure to their clients. It is requested that the language be amended to exclude broker-dealers, broker-dealer agents, investment advisors, investment adviser representatives and other similarly situated financial services entities.

Christina Kennedy, Government Relations Manager, New England, DoorDash

Ms. Kennedy opposes this bill. Though we support the policy goals of SB3, but it unnecessarily targets delivery platform. We are in a very competitive market and rely on customers to return again and again. They believe in consumer fee transparency. DoorDash is upfront with their pricing. The FTC announced a notice of proposed rulemaking on pricing and fees that overlap this legislation. They count on return customers and thrive on the return of customers. SB3 stifles innovation. Concern over the language to regulate pricing practices, implicating significant economic questions and impacts that have not yet been studied. This bill will impact participants of our platform, including merchant partners, delivery drivers, and the consumer. Fees covered under this bill are a separate entity and it would be confusing and less transparent to consumers if such fees were combined in the item.

Roxy Kozyckyj, Director, State Government and Regional Affairs, AdvaMed

Clayton Hall, EVP, Government Affairs, MDMA

The above oppose this bill. Their membership includes the full spectrum of health technology innovators and manufacturers, working every day to deliver high quality healthcare for patients worldwide. The safety of patients is their top priority, and they propose language to exempt medical technology from this bill. Medical technology used in healthcare could inadvertently be impacted if not specifically exempted. OEMs are subject to strict regulations through the FDA. These are complex issues are accounted for in federal legislation. Exemptions like the one requested are provided in bills introduced in Minnesota, Washington and signed legislation in New York.

David Lamendola, Senior Director, Government Affairs, New York and Connecticut, Verizon

Mr. Lamendola opposes this bill. There are several problematic provisions in this bill. A path to making broadband affordable should include efforts by the legislature to do everything it can to preserve the federal affordability program at the federal level that is about to expire. FCC has reported that 95.6% of Americans can access 25 Mbps connections through at least one provider. Verizon's 5G Home Internet service, which is being expanded across the country including in Connecticut, provides the service for \$50.00 per month reduced by 50%. Should lawmakers want to address afford broadband, working with Connecticut's delegation to extend funding for ACP. Verizon also would like to remind lawmakers federal law pre-empts stat regulation of broadband services regardless of method of delivery. They encourage lawmakers to reject Section 2 of this bill.

Kipp McGuire, Director of Government Affairs, North American Equipment Dealers Association (NAEDA)

Mr. McGuire opposes this bill. Mandating that OEM's sell parts and tools on the same terms and conditions that they sell to dealers would have a negative impact. The provision in this bill would turn the supplier of parts would make them competitors. Without the safeguards preventing access to things like emissions and safety, it will be impossible for dealers to know if a piece of equipment was modified and reset before being turned in. SB3 presents several practical, safety and environmental and constitutional issues. They request legislators not create additional challenges for farmers and ranchers with unwarranted legislative mandates.

William Meehan

Mr. Meehan opposes this bill. The ban on DJI and other Chinese drones will impact search and rescue, fire monitoring, crime scene investigations and traffic management. These drones are essential. This would force municipalities to replace existing drones with alternative products that are either inferior in quality, performance and reliability. There is no evidence that these drones pose any threat to national security or privacy.

Daniel Mustico, Senior Vice President, Government & Market Affairs, Outdoor Power Equipment Institute (OPEI)

Mr. Mustico opposes this bill. This bill will create undue risks. Current legislation is overly broad and could have unintended consequences for consumers of outdoor power equipment. The OPE industry is committed to the consumer's right to repair where it does not risk modifications to products which compromise consumer safety, product performance, and environmental protection. This legislation risks impairment of product safety controls and creates potential for unsafe products. There is also risk to the environment due to impairment of product emissions controls and would be in violation of federal law.

Tim Phelan, President, Connecticut Retail Network

Mr. Phelan opposes this bill. The Connecticut Retail Network is concerned over Section 3 of this bill. They are award that the FTC announced a notice of proposed rulemaking on pricing and fees, which significantly overlaps, and in places would conflict, with the proposed legislation. Considering the overlapping of federal law and state law it would not be prudent for the legislation to pass. This legislation could inadvertently, harm merchants and drivers that depend on these platforms for additional revenue and earning opportunities. Unclear standards or confusing standards and requirements could complicate consumer decisions and not achieve the goals of this legislation. The Connecticut Retail Network hopes that this legislation be reconsidered.

Tiffany Galarza, Co-Chair Sascha Kylau, Co-Chair, The Alarm Industry Communications Committee (AICC)

Ms. Galarza and Ms. Kylau oppose this bill. The AICC respectfully asks that Section 8 of this bill the "right to repair" be clarified to exclude electronic security and life safety systems. The right to repair provisions in this legislation seemed to be aimed at "major home appliances", it is vague enough that it could be argued alarm systems fall under the scope of the Act, especially surveillance equipment. Several states, New York, California, Michigan and Hawaii recognized this and included exemptions for electronic security and life safety systems. They request that Connecticut does the same.

Karmen Rajamani VP, Government Affairs WIA – The Wireless Infrastructure Association

Mr. Rajamani opposes this bill. The federal government is best in implementing principles of net neutrality. Rules that govern nationwide versus state by state would avoid possible confusion. Communities, businesses and residents across the US and Connecticut have done well, and the broadband community has flourished. Imposing utility-style regulations to the broadband industry will deter investment and innovation while hindering service providers ability to bring valuable and critical services that Connecticut communities demand while creating confusion.

Annisa Reed, Director-State and Local Affairs, CTIA

Ms. Reed opposes this bill. The FCC is ready to adopt net neutrality regulations, which makes SB3 unnecessary. The FCC's net neutrality proceeding did not reveal no evidence of harms to internet openness making it unnecessary for Connecticut to take state-specific action. Under the current regulations, wireless providers have made historic investments in their wireless networks. When the COVID-19 pandemic hit, of the ten countries with the highest populations, only the United States did not experience any download speed degradation. Having regulations state by state is untenable. If Connecticut enacts a state net neutrality law, it will subject a mobile broadband user who commutes between states to multiple different legal regimes. Connecticut should not muddy the waters further and sow further confusion by passing this bill.

Michael Robbins, AUVSI, Chief Advocacy Officer

Mr. Robbins opposes this bill. AUVSI houses the Partnership for Drone Competitiveness, which is an alliance of U.S. drone and drone component manufacturers and enterprise users who are committed to advancing the US drone industry. This legislation would prohibit the procurement of all sUAS from covered foreign entities immediately, and the operation of all sUAS from covered foreign entities after October 2025. The transition of 18 months depending on when the bill is passed, does not take into consideration the life cycle of a sUAS and public safety agencies would not have the proper amount of time to properly transition their fleet. depending on when the bill is passed. Based on feedback we have received from the public safety community, we encourage the Committee to consider a longer transition period of 3-4 years, extending the cutoff on the operation of these drones to at least October 2027.

Monica Scheer, Search and rescue volunteer

Ms. Scheer opposes this bill. The DJI drones are a manufactured by a Chinese company, but they help us with the work we do. There are currently no alternatives to the DJI drone in the way of quality of price point. Currently agencies like mine use these drones to help find

people who are lost and injured in the wilderness. Public safety relies on these international drones, such as DJI.

Damon Stewart, Attorney, Law Office of Orrick, Herrington, Sutcliffe, LLP, dish DIRECTV

Mr. Stewart opposes this bill. Dish and DIRECTV offer monthly subscriptions, allowing easy access to services prior to their next billing date. They do not offer a daily rate as some service industries across the country. When a consumer cancels their subscriptions, they have access to their subscription for the remainder of the month. Allowing for daily rate would ultimately drive up the cost of streaming services to cover the cost of the programming. For example, many people would sign up for one day like the Super Bowl or short-term events like the Olympics. They could sign up for one day and cancel the next driving up the cost. This bill would change the way streaming video services operates and make streaming services more expensive.

Tim Wentz, Field Director, Northeast Equipment Dealers Association (NEDA)

Mr. Wentz opposes this bill. The NEDA and our member dealers fully support a customer's or independent repair provider's ability to repair equipment. They cannot support the right to modify. Modified equipment can easily cause injury or death. Off-road equipment is not subjected to inspections by a licensed third party which might discover emission system defeat devices, chipping and/or tuning devices or disabled safety systems. NEDA does support customer or independent shop, the right to repair, which is already standard practice, but the off-the-road equipment should be exempt from this legislation.

Anna P. Lucey, Executive Vice President, Legislative and External Affairs, NECTA

Ms. Lucey opposes this bill. NECTA agrees that public and private programs offering affordable broadband to low-income houses. SB 3 takes the approach that would mandate how internet service providers carry and offer low-cost broadband services. NECTA members are in a highly competitive market which already have existing regulatory structures at the federal and state level; the pending federal rulemaking at the FTC and the FCC would expand such requirements. NECTA has a long-standing commitment to net neutrality principles ensuring open Internet and continue to call on Congress to codify these protections ant the national level under a clear, modern, and enduring law.

Chris Williams, Owner, Cloud City Drones

Mr. Williams opposes this bill. This bill would restrict Connecticut state agencies, including law enforcement to select the drone platform they feel is best. Currently domestic companies lack the manufacturing capabilities, this makes it harder, longer and more expensive to replace and repair the drone. Many drones that could be banned have the option of being used offline with no internet connection required.

Jennifer Yoxall, Co-Chair- CT Municipal UAV Task Force

Ms. Yoxall opposes this bill. Though the security concerns are understandable, we must weight the benefits against the risks. First responders use these drones for many emergencies, such as someone being lost in the woods, drones can drop off emergency supplies to those cut off by road due to a natural disaster, and many other emergencies that impact public safety as well as helping law enforcement stay safe. Most drones being used

in US are Chinese made. How would the legislature feel if there was a need for a drone and they were not available due to this bill? This bill would tie first responder's hands.

Reported by: Bonnie Gray

Date: March 25, 2024