

1 A bill to be entitled
2 An act relating to repair of mobility devices;
3 providing a directive to the Division of Law Revision;
4 creating s. 559.971, F.S.; providing a short title;
5 creating s. 559.972, F.S.; providing definitions;
6 creating s. 559.973, F.S.; requiring original
7 equipment manufacturers to make available
8 documentation, parts, and tools required for the
9 diagnosis, maintenance, or repair of mobility devices
10 and parts for such devices; requiring original
11 equipment manufacturers of mobility devices with
12 electronic security locks to make available any
13 special documentation, parts, and tools required to
14 access and reset the locks when disabled in the course
15 of diagnosis, maintenance, or repair; creating s.
16 559.974, F.S.; providing that violation of the act is
17 an unlawful practice under the Florida Deceptive and
18 Unfair Trade Practices Act; creating s. 559.975, F.S.;
19 providing that original equipment manufacturers are
20 not required to divulge trade secrets; providing that
21 the act does not alter the terms of an arrangement
22 between an authorized repair provider and an original
23 equipment manufacturer; providing an exception;
24 limiting the liability of original equipment
25 manufacturers and authorized repair providers in

26 certain circumstances; creating s. 559.976, F.S.;

27 providing applicability; providing an effective date.

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29 Be It Enacted by the Legislature of the State of Florida:

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31 **Section 1.** Part XIV of chapter 559, Florida Statutes,

32 consisting of ss. 559.971-559.976, is created and entitled

33 "Repair of Mobility Devices."

34 **Section 2. Section 559.971, Florida Statutes, is created**

35 **to read:**

36 559.971 Short title.-This part may be cited as the "Right

37 to Repair Act for Mobility Devices."

38 **Section 3. Section 559.972, Florida Statutes, is created**

39 **to read:**

40 559.972 Definitions.-As used in this part, the term:

41 (1) "Authorized repair provider" means an individual or a

42 business that has an arrangement with the original equipment

43 manufacturer under which the original equipment manufacturer

44 grants to the individual or business a license to use a trade

45 name, service mark, or other proprietary identifier for the

46 purposes of offering the services of diagnosis, maintenance, or

47 repair of a mobility device under the name of the original

48 equipment manufacturer, or other arrangement with the original

49 equipment manufacturer to offer such services on behalf of the

50 original equipment manufacturer. An original equipment

51 manufacturer that offers the services of diagnosis, maintenance,
52 or repair of its own mobility device, and that does not have an
53 arrangement with an unaffiliated individual or business, must be
54 considered an authorized repair provider with respect to
55 mobility devices.

56 (2) "Documentation" means a manual, diagram, reporting
57 output, service code description, schematic diagram, security
58 code, password, or any other guidance or information used in
59 effecting the services of diagnosis, maintenance, or repair of a
60 mobility device.

61 (3) "Fair and reasonable terms" means making available
62 documentation, tools, or parts as follows:

63 (a) Documentation made available by the original equipment
64 manufacturer at no charge, except that when a physical copy is
65 requested, a charge may be included for the reasonable actual
66 costs of preparing and sending the copy.

67 (b) Tools made available by the original equipment
68 manufacturer at no charge:

69 1. Without requiring authorization or Internet access for
70 use or operation of the tools.

71 2. Without imposing impediments to access or use the tools
72 to diagnose, maintain, or repair and enable full functionality
73 of digital electronic equipment.

74 3. In a manner that does not impair the efficient and
75 cost-effective performance of any such diagnosis, maintenance,

76 or repair.

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78 However, if a tool is requested in physical form, a charge may
79 be included for the reasonable, actual costs of preparing and
80 sending the tool.

81 (c) Parts made available by the original equipment
82 manufacturer, either directly or through an authorized repair
83 provider, to independent repair providers and owners at costs
84 and terms that are equivalent to the most favorable costs and
85 terms under which an original equipment manufacturer offers the
86 parts to an authorized repair provider, and that:

87 1. Accounts for a discount, rebate, convenient and timely
88 means of delivery, means of enabling fully restored and updated
89 functionality, rights of use, or:

90 a. Any other incentive or preference the original
91 manufacturer offers to an authorized repair provider; or

92 b. Any additional cost or impediment the original
93 equipment manufacturer imposes on an owner or independent repair
94 provider.

95 2. Is not conditioned upon or does not impose a
96 substantial obligation or restriction that is not reasonably
97 necessary for enabling the owner or independent repair provider
98 to engage in the diagnosis, maintenance, or repair of equipment
99 made by or on behalf of the original equipment manufacturer.

100 3. Is not conditioned upon an arrangement with the

101 original equipment manufacturer.

102 (4) "Independent repair provider" means an individual or
103 business operating in this state which is unaffiliated with an
104 original equipment manufacturer that is engaged in the services
105 of diagnosis, maintenance, or repair of mobility devices.

106 (5) "Original equipment manufacturer" means a business
107 engaged in selling, leasing, or supplying new mobility devices
108 designed for individuals with physical disabilities including,
109 but not limited to, power wheelchairs, manual wheelchairs,
110 mobility scooters, and power assist devices for manual
111 wheelchairs, manufactured by, or on behalf of, the business to
112 an individual or business.

113 (6) "Owner" means an individual or business that owns or
114 leases a mobility device purchased or used in this state.

115 (7) "Part" means any replacement part, either new or used,
116 made available by an original equipment manufacturer for
117 purposes of effecting the services of maintenance or repair of a
118 mobility device manufactured by or on behalf of, sold, or
119 otherwise supplied by the original equipment manufacturer.

120 (8) "Tool" means any software, hardware, or other
121 apparatus used for the diagnosis, maintenance, or repair of a
122 mobility device, including, but not limited to, software or any
123 other mechanism that programs a new part, calibrates
124 functionality, or performs any other function required to return
125 the mobility device to its fully functional condition, which

126 includes any updates.

127 (9) "Trade secret" has the same meaning as in s. 688.002.

128 **Section 4. Section 559.973, Florida Statutes, is created**
129 **to read:**

130 559.973 Requirements.-

131 (1) For mobility devices and parts for mobility devices
132 that are sold or used in this state, an original equipment
133 manufacturer must make available to any independent repair
134 provider and owner by, on behalf of, or sold by such original
135 equipment manufacturer, on fair and reasonable terms, any
136 documentation, parts, and tools, required for the diagnosis,
137 maintenance, or repair of such devices and parts, which includes
138 any updates. The documentation, parts, and tools must be made
139 available either directly by the original equipment manufacturer
140 or by an authorized repair provider.

141 (2) For equipment that contains an electronic security
142 lock or other security-related function, the original equipment
143 manufacturer must make available to an owner and independent
144 repair provider, on fair and reasonable terms, any special
145 documentation, tools, and parts required to access and reset the
146 lock or function when disabled in the course of diagnosis,
147 maintenance, or repair of the mobility device. The
148 documentation, parts, and tools may be made available through
149 appropriate secure release systems.

150 **Section 5. Section 559.974, Florida Statutes, is created**

151 **to read:**

152 559.974 Enforcement.—A violation of this part is
 153 punishable under the Florida Deceptive and Unfair Trade
 154 Practices Act.

155 **Section 6. Section 559.975, Florida Statutes, is created**
 156 **to read:**

157 559.975 Limitations.—

158 (1) This part does not require an original equipment
 159 manufacturer to divulge a trade secret to an owner or
 160 independent service provider.

161 (2) This part does not alter the terms of an arrangement
 162 between an authorized repair provider and an original equipment
 163 manufacturer, including, but not limited to, the performance or
 164 provision of warranty or recall repair work by an authorized
 165 repair provider on behalf of an original equipment manufacturer
 166 and pursuant to such arrangement. However, any terms that waive,
 167 avoid, restrict, or limit the original equipment manufacturer's
 168 obligation to comply with this part are void.

169 (3) An original equipment manufacturer and an authorized
 170 repair provider are not liable for any damage or injury caused
 171 by an independent repair provider or owner to a mobility device
 172 that occurs during the course of repair, diagnosis, or
 173 maintenance.

174 **Section 7. Section 559.976, Florida Statutes, is created**
 175 **to read:**

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176 | 559.976 Applicability.—This part applies with respect to
177 | mobility devices sold or in use on or after July 1, 2026.

178 | **Section 8.** This act shall take effect July 1, 2026.