

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 487 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

Committee/Subcommittee hearing bill: Industries & Professional
Activities Subcommittee

Representative Eskamani offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Part XIV of chapter 559, Florida Statutes,
consisting of ss. 559.971-559.976, is created and entitled
"Repair of Mobility Devices."

Section 2. Section 559.971, Florida Statutes, is created
to read:

559.971 Short title.-This part may be cited as the "Right
to Repair Act for Mobility Devices."

Section 3. Section 559.972, Florida Statutes, is created
to read:

358023 - h0487-strike.docx

Published On: 12/8/2025 9:28:33 AM

Amendment No.

17 559.972 Definitions.-As used in this part, the term:

18 (1) "Authorized repair provider" means an individual or a
19 business that has an arrangement with the original equipment
20 manufacturer under which the original equipment manufacturer
21 grants to the individual or business a license to use a trade
22 name, service mark, or other proprietary identifier for the
23 purposes of servicing a mobility device under the name of the
24 original equipment manufacturer, or other arrangement with the
25 original equipment manufacturer to offer such services on behalf
26 of the original equipment manufacturer. An original equipment
27 manufacturer that services its own mobility device, and that
28 does not have an arrangement with an unaffiliated individual or
29 business, is an authorized repair provider with respect to
30 mobility devices.

31 (2) "Documentation" means a manual, diagram, reporting
32 output, service code description, schematic diagram, security
33 code, password, or any other guidance or information used in
34 servicing a mobility device.

35 (3) "Embedded software" means programmable instructions
36 provided on firmware delivered with an electronic component of a
37 mobility device or with any part for the purpose of restoring or
38 improving operation of the mobility device or part and includes
39 all relevant patches and fixes that the original equipment
40 manufacturer makes to a mobility device or to any part for the
41 purpose of restoring or improving the mobility device or part.

358023 - h0487-strike.docx

Published On: 12/8/2025 9:28:33 AM

Amendment No.

42 (4) "Fair and reasonable terms" means making available
43 documentation, tools, or parts as follows:

44 (a) Documentation must be made available by the original
45 equipment manufacturer at no charge, except that when a physical
46 copy is requested, a charge may be included for the reasonable
47 actual costs of preparing and sending the copy.

48 (b) Tools must be made available by the original equipment
49 manufacturer at no charge:

50 1. Without requiring authorization or Internet access for
51 use or operation.

52 2. Without imposing impediments to access or use.

53 3. In a manner that does not impair the efficient and
54 cost-effective performance of any such service and ensures that
55 full functionality of digital electronic equipment is enabled.

56
57 However, if a tool is requested in physical form, a charge may
58 be included for the reasonable, actual costs of preparing and
59 sending the tool.

60 (c) Parts must be made available by the original equipment
61 manufacturer, either directly or through an authorized repair
62 provider, to an independent repair provider or owner at costs
63 and terms that are equivalent to the most favorable costs and
64 terms under which an original equipment manufacturer offers the
65 parts to an authorized repair provider, and that:

66 1. Accounts for:

358023 - h0487-strike.docx

Published On: 12/8/2025 9:28:33 AM

Amendment No.

67 a. Any discount, rebate, delivery method, functionality,
68 rights of use, incentive, preference; or

69 b. Any additional cost or impediment the original
70 equipment manufacturer imposes on an authorized repair provider.

71 2. Does not condition or impose a substantial obligation
72 or restriction that is not reasonably necessary for enabling the
73 independent repair provider or owner to service a mobility
74 device.

75 3. Is not conditioned upon an arrangement with the
76 original equipment manufacturer.

77 (5) "Firmware" means a software program or set of
78 instructions programmed on a mobility device or a part to allow
79 a mobility device or a part to communicate with itself or with
80 other computer hardware.

81 (6) "Independent repair provider" means an individual or
82 business operating in this state engaged in servicing mobility
83 devices, which is unaffiliated with an original equipment
84 manufacturer.

85 (7) "Mobility device" means equipment designed for people
86 with a mobility disability, including power wheelchairs, manual
87 wheelchairs, mobility scooters, and power assist devices for
88 manual wheelchairs.

89 (8) "Original equipment manufacturer" means an individual
90 or business that is engaged in manufacturing, selling, leasing,
91 or supplying new mobility devices.

358023 - h0487-strike.docx

Published On: 12/8/2025 9:28:33 AM

Amendment No.

92 (9) "Owner" means an individual or business that owns or
93 leases a mobility device purchased or used in this state.

94 (10) "Part" means any replacement part, either new or
95 used, made available by an original equipment manufacturer to
96 service a mobility device manufactured by or on behalf of, sold,
97 or otherwise supplied by the original equipment manufacturer.

98 (11) "Service" , "services" , or "servicing" means any
99 activity related to the diagnosis, maintenance, or repair of a
100 mobility device or a part thereof.

101 (12) "Tool" means any software, hardware, or other
102 apparatus used for the service of a mobility device, including,
103 but not limited to, software or any other mechanism that
104 programs a new part, calibrates functionality, or performs any
105 other function required to return the mobility device to its
106 fully functional condition, which includes any updates.

107 (13) "Trade secret" has the same meaning as in s. 688.002.

108 **Section 4. Section 559.973, Florida Statutes, is created**
109 **to read:**

110 559.973 Requirements.—

111 (1) For the purpose of servicing mobility devices and
112 parts of mobility devices that are sold or used in this state,
113 an original equipment manufacturer must make available to any
114 independent repair provider or owner of the original equipment
115 manufacturer's mobility device, on fair and reasonable terms,
116 any documentation, embedded software, firmware, parts, and

358023 - h0487-strike.docx

Published On: 12/8/2025 9:28:33 AM

Amendment No.

tools, that are necessary to service such mobility devices and parts, including any updates to documentation, embedded software, firmware, parts, and tools. The documentation, embedded software, firmware, parts, and tools must be made available either directly by the original equipment manufacturer or by an authorized repair provider.

(2) For equipment that contains an electronic security lock or other security-related function, the original equipment manufacturer must make available to an independent repair provider or owner, on fair and reasonable terms, any special documentation, embedded software, firmware, tools, and parts required to access and reset the lock or function when disabled in the course of servicing the mobility device. The documentation, embedded software, firmware, parts, and tools may be made available through appropriate secure release systems.

Section 5. Section 559.974, Florida Statutes, is created to read:

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

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

559.975 Limitations.—

(1) This part does not require an original equipment manufacturer to divulge a trade secret to an independent service

Amendment No.

provider or an owner of the original equipment manufacturer's mobility device.

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

(3) An original equipment manufacturer and an authorized repair provider are not liable for any damage or injury caused by an independent repair provider or owner to a mobility device that occurs during the course of service of a mobility device.

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

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

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

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

Amendment No.

166 An act relating to repair of mobility devices;
167 providing a directive to the Division of Law Revision;
168 creating s. 559.971, F.S.; providing a short title;
169 creating s. 559.972, F.S.; providing definitions;
170 creating s. 559.973, F.S.; requiring original
171 equipment manufacturers to make available
172 documentation, embedded software, firmware, parts, and
173 tools required to service mobility devices and parts
174 of such devices; requiring original equipment
175 manufacturers of mobility devices with electronic
176 security locks to make available any special
177 documentation, embedded software, firmware, parts, and
178 tools required to access and reset the locks when
179 disabled in the course of service; creating s.
180 559.974, F.S.; providing that violation of the act is
181 an unlawful practice under the Florida Deceptive and
182 Unfair Trade Practices Act; creating s. 559.975, F.S.;
183 providing that original equipment manufacturers are
184 not required to divulge trade secrets; providing that
185 the act does not alter the terms of an arrangement
186 between an authorized repair provider and an original
187 equipment manufacturer; providing an exception;
188 limiting the liability of original equipment
189 manufacturers and authorized repair providers in

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 487 (2026)

Amendment No.

190 | certain circumstances; creating s. 559.976, F.S.;

191 | providing applicability; providing an effective date.