

1 A bill to be entitled
2 An act relating to repair of mobility devices;
3 creating part XIV of ch. 559, F.S., entitled "Repair
4 of Mobility Devices"; creating s. 559.971, F.S.;
5 providing a short title; creating s. 559.972, F.S.;
6 providing definitions; creating s. 559.973, F.S.;
7 requiring original equipment manufacturers to make
8 available documentation, embedded software, firmware,
9 parts, and tools required to service mobility devices
10 and parts of such devices; requiring original
11 equipment manufacturers of mobility devices with
12 electronic security locks to make available any
13 special documentation, embedded software, firmware,
14 parts, and tools required to access and reset the
15 locks when disabled in the course of service; creating
16 s. 559.974, F.S.; providing that violation of the act
17 is an unlawful practice under the Florida Deceptive
18 and Unfair Trade Practices Act; creating s. 559.975,
19 F.S.; providing that original equipment manufacturers
20 are not required to divulge trade secrets; providing
21 that the act does not alter the terms of an
22 arrangement between an authorized repair provider and
23 an original equipment manufacturer; providing an
24 exception; limiting the liability of original
25 equipment manufacturers and authorized repair

26 providers in certain circumstances; creating s.
 27 559.976, F.S.; providing applicability; providing an
 28 effective date.

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

31
 32 **Section 1.** Part XIV of chapter 559, Florida Statutes,
 33 consisting of ss. 559.971-559.976, Florida Statutes, is created
 34 and entitled "Repair of Mobility Devices."

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

37 559.971 Short title.-This part may be cited as the "Right
 38 to Repair Act for Mobility Devices."

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

41 559.972 Definitions.-As used in this part, the term:

42 (1) "Authorized repair provider" means an individual or a
 43 business that has an arrangement with the original equipment
 44 manufacturer under which the original equipment manufacturer
 45 grants to the individual or business a license to use a trade
 46 name, service mark, or other proprietary identifier for the
 47 purposes of servicing a mobility device under the name of the
 48 original equipment manufacturer, or other arrangement with the
 49 original equipment manufacturer to offer such services on behalf
 50 of the original equipment manufacturer. An original equipment

51 manufacturer that services its own mobility device, and that
52 does not have an arrangement with an unaffiliated individual or
53 business, is an authorized repair provider with respect to
54 mobility devices.

55 (2) "Documentation" means a manual, diagram, reporting
56 output, service code description, schematic diagram, security
57 code, password, or any other guidance or information used in
58 servicing a mobility device.

59 (3) "Embedded software" means programmable instructions
60 provided on firmware delivered with an electronic component of a
61 mobility device or with any part for the purpose of restoring or
62 improving operation of the mobility device or part and includes
63 all relevant patches and fixes that the original equipment
64 manufacturer makes to a mobility device or to any part for the
65 purpose of restoring or improving the mobility device or part.

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

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

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

74 1. Without requiring authorization or Internet access for
75 use or operation.

76 2. Without imposing impediments to access or use.

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

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

84 (c) Parts must be made available by the original equipment
85 manufacturer, either directly or through an authorized repair
86 provider, to an independent repair provider or owner at costs
87 and terms that are equivalent to the most favorable costs and
88 terms under which an original equipment manufacturer offers the
89 parts to an authorized repair provider, and that:

90 1. Accounts for:

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

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

95 2. Does not condition or impose a substantial obligation
96 or restriction that is not reasonably necessary for enabling the
97 independent repair provider or owner to service a mobility
98 device.

99 3. Is not conditioned upon an arrangement with the
100 original equipment manufacturer.

101 (5) "Firmware" means a software program or set of
102 instructions programmed on a mobility device or a part to allow
103 a mobility device or a part to communicate with itself or with
104 other computer hardware.

105 (6) "Independent repair provider" means an individual or
106 business operating in this state engaged in servicing mobility
107 devices, which is unaffiliated with an original equipment
108 manufacturer.

109 (7) "Mobility device" means equipment designed for people
110 with a mobility disability, including power wheelchairs, manual
111 wheelchairs, mobility scooters, and power assist devices for
112 manual wheelchairs.

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

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

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

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

125 (12) "Tool" means any software, hardware, or other

126 apparatus used for the service of a mobility device, including,
127 but not limited to, software or any other mechanism that
128 programs a new part, calibrates functionality, or performs any
129 other function required to return the mobility device to its
130 fully functional condition, which includes any updates.

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

132 **Section 4. Section 559.973, Florida Statutes, is created**
133 **to read:**

134 559.973 Requirements.—

135 (1) For the purpose of servicing mobility devices and
136 parts of mobility devices that are sold or used in this state,
137 an original equipment manufacturer must make available to any
138 independent repair provider or owner of the original equipment
139 manufacturer's mobility device, on fair and reasonable terms,
140 any documentation, embedded software, firmware, parts, and tools
141 that are necessary to service such mobility devices and parts,
142 including any updates to documentation, embedded software,
143 firmware, parts, and tools. The documentation, embedded
144 software, firmware, parts, and tools must be made available
145 either directly by the original equipment manufacturer or by an
146 authorized repair provider.

147 (2) For equipment that contains an electronic security
148 lock or other security-related function, the original equipment
149 manufacturer must make available to an independent repair
150 provider or owner, on fair and reasonable terms, any special

151 documentation, embedded software, firmware, tools, and parts
152 required to access and reset the lock or function when disabled
153 in the course of servicing the mobility device. The
154 documentation, embedded software, firmware, parts, and tools may
155 be made available through appropriate secure release systems.

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

158 559.974 Enforcement.—A violation of this part is
159 punishable under the Florida Deceptive and Unfair Trade
160 Practices Act.

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

163 559.975 Limitations.—

164 (1) This part does not require an original equipment
165 manufacturer to divulge a trade secret to an independent service
166 provider or an owner of the original equipment manufacturer's
167 mobility device.

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

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

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

182 559.976 Applicability.—This part applies with respect to
183 mobility devices sold or in use on or after July 1, 2026.

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