



WMDA/CAR Service Station and Automotive Repair Association

Chair: Luke Clippinger, Vice Chair Sandy Bartlett, and Members of Judiciary Committee

RE:HB922 State Government – Public Welfare Actions – Determination and Settlement

Position: Oppose

My name is Kirk McCauley, my employer is WMDA/CAR, we represent service stations , convenience stores and repair facilities across the state as a non- profit trade group.

The bill is full of language that endangers every business in the state, every farm in the state, even individuals who are performing their responsibilities at a place of business.

This bill is so broad and encompassing and gives the Attorney General's Office carte blanche to assign a claim to a factfinder. This factfinder designated by A.G. office will appraise the facts and assign percentage responsibilities to a claim. A public welfare action is a claim for consumer protection, or the alleged or threatened injuries to the health, safety, environment, or welfare of residents of Maryland, brought by A.G. Office.

SB680 could be applied to almost any manufacture of products that can be abused, from sugar to alcohol, or to the extreme, oil refiner, transportation company, business that sold refined product to public and yes, the individual that bought the product knowing that by driving a fossil fuel car he/she was a contributor.

I am not saying the A.G. office would bring litigation for the examples above but SB680 would give them the power to do so. This bill has the potential to bring litigation against Maryland residents that did nothing wrong while performing their work, running their businesses, and letting one individual decide what could be coming out of their wallet or your wallet.

Please give HB922 an unfavorable report.

Any questions can be addressed to Kirk McCauley, 301-775-0221 or kmccauley@wmda.net