



Mid-Atlantic Petroleum Distributors Association
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TO: House Judiciary Committee

FROM: Mid-Atlantic Petroleum Distributors Association

DATE: February 20, 2024

RE: **HOUSE BILL 922** – State Government – Public Welfare Actions – Determinations and Settlements

On behalf of Maryland’s convenience stores and energy distributors, MAPDA urges the committee to issue an unfavorable report on HB922.

This legislation would allow the finder of fact in a “public welfare action” to assign comparative responsibility to all parties joined in the action. It also allows the State and its special counsel to discuss “total liability” for any “public welfare action” and then allows them to seek “total damages” from any defendant they name in a statewide case.

This bill has serious and broad implications that will likely lead to businesses – perhaps entire industries – getting ensnared in costly lawsuits.

Particularly concerning is some of the language used in 6-106.2 (B). Lines 30-31: “If equity requires, determine the liability of a group of related persons on a collective basis.” Does this mean every service station, wholesaler, or distributor could be held responsible for an accidental tank discharge?

The term “comparative responsibility” is not defined in the bill. It is included in the term “proportionate share of liability” but that is only used for “settling parties” and not “responsible persons.”

Again, the bill as introduced creates a lot of confusion. For these reasons, MAPDA urges the committee to issue an unfavorable report on HB922.

Feeding and fueling the economy through gas, coffee, food, heating oil and propane.

MAPDA is an association of convenience stores and energy distributors in Maryland, Delaware & the District of Columbia.