



Maryland Motor Truck Association

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HEARING DATE: January 20, 2021
BILL NO/TITLE: House Bill 82 – Constitutional Amendment – Environmental Rights
COMMITTEE: House Environment & Transportation Committee
POSITION: Oppose

Maryland Motor Truck Association appreciates the need to protect the state's natural resources and ensure that citizens have access to a clean and healthy environment. However, MMTA opposes this legislation as it places broad authority in the hands of a single individual by allowing any person to have legal standing and litigate against the state or a private entity for "infringing on those rights" without specifically identifying what is included in the definition of "infringe."

Granting such broad authority would set a dangerous precedent. It calls into question whether anyone that emits any substance into the air (whether harmful or not) could continue to operate in the state given the potential liability. As written, HB82 could result in litigation against home or commercial builders (for failure to preserve the "natural, scenic, historic and aesthetic values of the environment"), manufacturers, anyone operating a motor vehicle, and many others.

Freight movement is non-discretionary. Within the trucking industry, the passage of HB82 could paralyze our ability to deliver the products Marylander's need. It would result in tremendous liability exposure because of the private right of action that is created. For this reason, MMTA asks for an unfavorable report.

About Maryland Motor Truck Association: Maryland Motor Truck Association is a not-for-profit trade association representing the trucking industry since 1935. In service to its 1,000+ members, MMTA is committed to supporting and advocating for a safe, efficient, and profitable trucking industry across all sectors and industry types, regardless of size, domicile, or type of operation.

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