



State of Maryland
House Economic Matters Committee
Senate Bill 539
Written Testimony of Michael O'Neil, Vivid Seats

Good afternoon Chair Wilson and members of the Economic Matters Committee.

For the record, my name is Michael O'Neil, and I serve on the Public Policy team for Vivid Seats, a ticket resale marketplace which aims to connect fans with memory-making live events. We have signed in as "favorable with amendments" and would note serious concern with the bill if not amended. We very much appreciate the opportunity to provide our perspective on how best to protect ticket purchasers in Maryland.

Vivid Seats offers award-winning customer service and accompanies that with the leading loyalty program in the industry that rewards every purchase. We provide fans with a secure, safe, and convenient place to buy and sell tickets to a wide variety of events. When fans buy tickets on our platform, they do so with peace of mind. Every ticket sold on Vivid Seats is backed by our 100% Buyer Guarantee - a promise that the fan will receive valid tickets, delivered on time and as described - or else the fan gets their money back.

We support the intent behind Senate Bill 539 to protect consumers and we look forward to continuing to work with the sponsor on this effort. To that end, we have provided our suggested amendments to the bill to ensure competition between live event marketplaces continues to thrive for Maryland consumers.

We support the concept of clear pricing disclosures and have worked in other states to pass similar legislation. We do have concerns with other aspects of the bill.

For example, defining a ticket as a "license" could allow the dominant primary ticket seller to revoke tickets from consumers for arbitrary reasons, including objection to resale. Now that over 90% of tickets are digital and can be revoked remotely, there are numerous recent examples where this has happened. Fans are hurt when the primary seller restricts the transferability of tickets. As is the case with most property, a ticket belongs to the fan who holds it, and that fan should be able to transfer the ticket on a platform of her choice if she does not use the ticket herself.

Similarly, disclosing the specific seat number in a ticket listing harms competition and consumers. Resale marketplaces can't disclose exact seat numbers because some venues confiscate seats that they see on resale sites. Again, given that over 90% of tickets are digital and can be revoked remotely, this poses a risk to consumers. In order to make these disclosures, we would need strong non-discrimination language in the bill to protect tickets from being cancelled by venues.



Finally, we are not opposed to the concept of conducting a study of the event ticket market in Maryland. However, we believe that the current bill language is heavily skewed to focus on purported issues in the resale marketplace, while leaving out the primary marketplace. We would propose a balanced study that also explores opportunities to improve the customer experience during the initial sale of a ticket. By examining the entire ticket ecosystem, Maryland can take a holistic approach to reaching conclusions that are in the best interest of Maryland consumers.

The Maryland Legislature can use this opportunity to benefit consumers by protecting competition across our industry. Competition provides consumers with greater choice and flexibility in purchasing tickets for live events and it creates better pricing. We look forward to continuing discussion on how we can support your continued efforts to craft legislation.

Thank you.