



Economic Matters Committee
Room 231 House Office Building
Annapolis MD 21401

February 20th, 2024

House Bill 701
Commercial Law - Consumer Protection - Sale and Resale of Tickets
Testimony of Michael O’Neill, Vivid Seats, Favorable with Amendments

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 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 of House Bill 701 to protect consumers, and commend the sponsor for examining the role played by both the initial ticket seller and the reseller. We look forward to continuing to work with her on this effort and, in particular, and 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.

We are concerned that the bill’s price cap requirement for dynamic pricing may have unintended consequences as written. Not every performer or team is as popular as Taylor Swift, not by a long shot. Many tickets sell on resale marketplaces for less than face value. On our marketplace today, for example, you can find Maryland sports tickets selling well below face value. We also have concerns with the data transfer portion, which would require companies to share their customer’s data. Further, we have concerns with a requiring a ticket to be license, as we believe it is the property of the purchaser. Finally, Vivid Seats agrees undisclosed speculative ticket is a problem, and would like to continue to be able to offer our popular service for customers called “Seat Saver” which saves time for fans who are not able to sit in front of a laptop for hours on end.

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. The revised version of this bill will protect consumers in this state because it requires that fans be able to transfer tickets on the platform of their choice if they choose to gift or resell a ticket rather than attend an event.

Vivid Seats has worked with lawmakers and regulators across the United States to ensure legislation reflects a desire for consumers to enjoy a healthy, competitive marketplace. We look forward to continue discussion on how we can support your continued efforts to craft legislation.

Thank you. I am happy to answer any questions that you may have.