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MARYLAND ASPHALT ASSOCIATION



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March 5th, 2024

Senator Pam Beidle, Chair
Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, MD 21401

RE: SB 750 – UNFAVORABLE – Labor and Employment – Workers’ Compensation – Exception to Exclusivity of Liability

Dear Chair Beidle and Members of the Committee:

The Maryland Asphalt Association (MAA) is comprised of 19 producer members representing more than 48 production facilities, 25 contractor members, 25 consulting engineer firms, and 41 other associate members. MAA works proactively with regulatory agencies to represent the interests of the asphalt industry both in the writing and interpretation of state and federal regulations that may affect our members. We also advocate for adequate state and federal funding for Maryland’s multimodal transportation system.

Senate Bill 750 would amend exceptions to the exclusivity of an employer’s liability under workers’ compensation law for covered employees who are injured or killed as the result of the deliberate intent of the employer to insure or kill the covered employee or for an employee who is killed by another employee.

MAA opposes this legislation because the proposed changes to workers’ compensation law could have detrimental effects on both employers and employees in the transportation industry. The bill’s expansion of liability exceptions for intentional harm could create ambiguity and increase legal risks for businesses. This could subject employers to costly lawsuits, even in cases where intent was not present. The provision allowing families of employees killed by another employee to sue the employer for damages introduces a significant burden, particularly in industries where accidents are more common. We urge the reconsideration of these provisions and to work towards solutions that balance the interests of both workers and employers.

We appreciate you taking the time to consider our request for an **UNFAVORABLE** report on Senate Bill 750.

Sincerely,

Tim Smith, P.E.
President
Maryland Asphalt Association