

February 11, 2025

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis MD 21401

***RE: Letter of Information – Senate Bill 584 – Civil Actions - Noneconomic Damages -
Personal Injury and Wrongful Death***

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on Senate Bill 584 but offers the following information for the Committee's consideration.

SB 584 removes the cap on noneconomic damages in civil actions for personal injury and wrongful death.

Unlike other State agencies, the Maryland Transit Administration's (MTA) tort liability is governed by the Transportation Article, not the Maryland Tort Claims Act. The Transportation Article does not include a limit on liability. Current law provides a cap on noneconomic damages, which provides plaintiffs with significant levels of recovery while protecting MTA from unlimited exposure to noneconomic damages.

Removal of the noneconomic damages cap will likely lead to significantly greater awards and settlements against MTA and could result in a lack of predictability in litigating and settling MTA cases. Senate Bill 584 may also affect MTA's access to excess insurance or deductible amounts.

The Maryland Department of Transportation requests that the Committee consider this information during its deliberations on Senate Bill 584.

Respectfully submitted,

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