



2025 WRITTEN TESTIMONY SB681/HB926

Civil Actions – Maryland Transit Administration – Limitation of Tort Liability

SB743 – UNFAVORABLE

The Maryland Association for Justice respectfully requests an unfavorable report on SB 743. SB743 seeks to provide special tort protections for negligence committed by the Maryland Transit Administration (“MTA”). Granting this special protection to the MTA will only serve to limit access to justice of Marylanders who suffer injury or death as a result of the MTA’s negligence.

SB 743 seeks to limit the damages that are available to Maryland citizens when they are injured by the negligence of the MTA and its agents, servants, and employees to only \$400,000. SB 743 would impose this limit regardless of the severity of the injury caused by the MTA, up to and including disfigurement and death.

Various versions of this bill have been introduced in previous sessions. *See, e.g.*, HB 1130 (2007); SB 0832 (2019); SB 0032 (2021). In 2021, MTA Administrator, Kevin B. Quinn Jr. submitted a letter in support of SB 0032 which sought to limit recoveries of injured victims to \$800,000 (double the limit proposed in SB 743). Mr. Quinn acknowledged that the MTA **“operates modes of transportation that can pose a risk of severe personal injuries.”** https://mgaleg.maryland.gov/cmte_testimony/2021/jpr/528_01142021_91615-459.pdf (emphasis added).

Mr. Quinn went on to state that MTA is “self-insure[d] for up to \$10 million per bus accident occurrence and \$5 million per other types of tort occurrences.” *Id.* The fiscal note for SB 0032 provides that MTA also carries “excess liability coverage totaling \$295 million for bus accidents and \$500 million for rail accidents.” Clearly, therefore, the MTA has ample access to insurance markets, and has not complained that liability insurance or excess insurance has ever been unavailable or unaffordable.

The MTA provides transportation for millions of Marylanders every week.¹ Limiting the liability of the MTA for negligent conduct will not benefit those Marylanders. Rather, SB 743 will simply deprive injured people of their right to full and fair compensation under the law.

The Maryland Association for Justice urges a UNFAVORABLE Report on SB743

About Maryland Association for Justice

The Maryland Association for Justice (MAJ) represents over 1,250 trial attorneys throughout the state of Maryland. MAJ advocates for the preservation of the civil justice system, the protection of the rights of consumers and the education and professional development of its members.

10440 Little Patuxent Parkway, Suite 250
Columbia, MD 21044

(410) 872-0990 | FAX (410) 872-0993
info@mdforjustice.com

mdforjustice.com

¹ See Ridership Report Third Quarter 2024, American Public Transportation Association, available at <https://www.apta.com/wp-content/uploads/2024-Q3-Ridership-APTA.pdf>.