



2026 WRITTEN TESTIMONY

VEHICLE LAWS - FULLY AUTONOMOUS VEHICLES

SB909/HB1295 - FAVORABLE WITH AMENDMENTS

The Maryland Association for Justice (MAJ) supports the concept of this legislation, but would like to discuss the matter in further detail to make sure the rights of consumers and injured Marylanders are protected. Virginia recently enacted similar legislation with collaboration between all stakeholders. MAJ would encourage a similar approach to make certain legislation of this magnitude is appropriately crafted.

Our concerns include the following:

- Clarity is not provided regarding the “driver” or “operator” of the autonomous vehicle. While responsibility falls upon the Automated Driving System, under the bill, further detail must be provided regarding what entity is responsible for the ADS safe operation – perhaps a certificate holder or the manufacturer, all of which must demonstrate the financial ability to respond to a judgment or judgments for damages arising from the operation on Maryland roads. A court must be able to determine jurisdiction and other disputes when a claim is filed subsequent to vehicle law violations. Further, a certificate holder and manufacturer must submit to the jurisdiction in Maryland prior to the operation on Maryland roads, otherwise foreign companies operating vehicles in Maryland would be able to avoid the jurisdiction of the Maryland courts.
- Regarding “Automated Driving System”:
 - The definition must also account for the reasonable expectations of the user so that the onus remains on the manufacturers and third-party retailers to provide accurate information to users on what a system can and cannot perform; and
 - The bill should make clear that a violation of Maryland Vehicle Law or Regulation regarding motor vehicle operations by the Automated Driving System that causes harm to another person is negligence per se.
- The Registration and permitting process for autonomous vehicles must make clear that no presumption is created in the process as to the safety of the vehicle or its equipment.

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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



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- The removal of Autonomous Vehicles from the Maryland Vehicle Laws which apply to “human drivers” is dangerous and, at a minimum, needs to be studied to provide to for alternative language – not removal from application.
- Fully autonomous vehicles are most akin to for-hire vehicles and commercial vehicles and therefore,
 - the appropriate level of insurance to provide for financial responsibility for liability is \$5,000,000, such coverage shall be primary and also apply to uninsured motorist benefits; and
 - the terms of use should not force consumers into binding arbitration, for example Virginia law provides: No manufacturer, vehicle owner, autonomous operation certificate holder, remote operator, on-demand autonomous vehicle network, or other person subject to the provisions of this chapter shall enter into, enforce, or offer to enter into mandatory dispute arbitration agreements or forum selection clauses with any passenger, human driver, or other individual riding in, hailing, or involved in a crash or collision with a fully autonomous vehicle subject to the provisions of this chapter operated in the Commonwealth.

Maryland Association for Justice urges a FAVORABLE WITH AMENDMENTS Report on SB909 / HB1295.

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