
March 4, 2026

The Honorable J. Sandy Bartlett
Chair, Judiciary Committee
100 Taylor House Office Building
Annapolis, MD 21401

RE: Letter of Concern – House Bill 476 – Civil Actions – Noneconomic Damages – Personal Injury and Wrongful Death

Dear Chair Bartlett and Committee Members:

The Maryland Department of Transportation (MDOT) respectfully submits the following letter of concern on House Bill 476 and offers the following information for the Committee's consideration.

HB 476 removes the cap on non-economic 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 caps noneconomic damages, allowing plaintiffs to recover significant amounts while protecting MTA from unlimited exposure.

Removal of the non-economic damages cap will likely lead to significantly higher awards and settlements against MTA and could reduce predictability in litigating and settling MTA cases. HB 476 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 House Bill 476.

Respectfully submitted,

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