

CO-SPONSORSHIP MEMORANDUM

TO: All Legislators

FROM: Representative Rick Gundrum, Representative Jon Spiros, and Senator Cory Tomczyk

DATE: Wednesday, October 18, 2023

RE: Co-sponsorship of LRB - 3116/1 and LRB - 4847/1 - relating to: limiting the recovery of noneconomic damages from a commercial motor vehicle carrier

DEADLINE: Wednesday, October 25, 2023

Over the last several years, there has been an alarming increase nationwide in nuclear lawsuits and verdicts against trucking companies. A nuclear verdict is generally an exceptionally high jury award that surpasses what should be a reasonable or rational amount. While trucking companies work diligently to operate safely on our roads, aggressive litigation and inflated settlements risk driving up insurance rates, redirect resources away from improving a business' workforce, and can prolong the purchase of new equipment. The rise in nuclear lawsuits ultimately exacerbates current supply chain issues, which leads to a weakened economy.

To address these concerns, we are introducing LRB-3116/1 and LRB-4847/1 to create a reasonable cap on noneconomic damages of no greater than \$1 million. Noneconomic damages include compensation for pain or suffering. They are different from more direct damages, such as medical expenses for treatment. We believe this legislation strikes an ideal balance between those who file lawsuits and the trucking industry.

If you are interested in co-sponsoring this legislation, please reply to this e-mail or contact Representative Gundrum's office at 9158 or Senator Tomczyk's office at 6-2502 by Wednesday, October 25 at 5:00 PM. Co-sponsors will be added to both the Assembly and Senate versions of the bill unless specified otherwise.

Analysis by the Legislative Reference Bureau

This bill limits the total amount of noneconomic damages, such as pain and suffering, that a person may recover from a commercial motor vehicle carrier for injury, death, or other loss

resulting from an act or omission by an employee of the commercial motor vehicle carrier while acting within the scope of employment to \$1,000,000.