

**Subject** Local government: St. Paul Union Depot liability and indemnification

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## Summary

Under federal law, the maximum aggregate allowable damage awards to rail passengers, against all defendants, for all claims (including punitive damages), arising from a single accident or incident is capped at an inflation-adjusted amount that is currently \$322,864,228. *See* 49 U.S.C.A. § 28103. This same federal law authorizes a provider of rail passenger transportation to enter into contracts that allocate financial responsibility for claims to other parties. *See id.* This bill arises from contractual provisions allocating potential financial liability among rail carriers and Ramsey County.

The bill requires that, so long as Ramsey County and the Ramsey County Regional Railroad Authority maintain insurance to cover no less than \$50,000,000 in liability for rail-related incidents occurring at St. Paul's Union Depot, the Metropolitan Council will indemnify them for any excess liability up to the federal maximum. The bill also specifies that insurance procured by Ramsey County and the Ramsey County Regional Railroad Authority does not constitute a waiver of liability limitations under the state's municipal tort claims act.