

January 7, 2026

**Testimony of Patricia Quinn
Northern New England Passenger Rail Authority
Before the 132nd Legislature, Joint Standing Committee on Judiciary**

In Opposition to the Proposed Amendment of LD 1761

An Act to Prohibit the Transfer of Liability Relating to a Party's Own Negligence or Liability in Contracts

Senator Carney, Representative Kuhn, and distinguished members of the Joint Standing Committee on Judiciary, my name is Patricia Quinn and I am the Executive Director of the Northern New England Passenger Rail Authority (NNEPRA). NNEPRA is opposed to the proposed amendment of LD 1761.

As background, the Amtrak Downeaster passenger rail service makes five round-trips between Brunswick and Boston each day serving twelve station communities. More than a half million riders travel on the Downeaster each year. NNEPRA holds a service agreement with Amtrak to operate the Downeaster service. In Maine, Amtrak operates the Downeaster service on tracks owned by CSX Transportation (CSXT) and the Maine Department of Transportation (MaineDOT). NNEPRA holds lease agreements with its railroad partners for property to support Downeaster station facilities and agreements with municipalities to maintain those facilities. NNEPRA is responsible for the costs (net revenue) associated with the operation of the service, which are paid with a combination of state and federal funds.

As written, this amendment could negatively affect landowner agreements related to third-party access, which could have significant negative impacts on the Amtrak Downeaster. Many of the agreements necessary to operate the Downeaster include blanket indemnification and liability transfer provisions. Eliminating these provisions would complicate the many relationships and agreements necessary to provide this important public transportation service, jeopardizing Amtrak's ability to operate as well as the availability of station facilities. It would most certainly result in the need for increased insurance protections which, if even available, would come at a significant cost to NNEPRA and our funding partners, without any benefit to the taxpayers or traveling public.