

**24-1238 MONTGOMERY V. CARIBE TRANSPORT II, LLC**

DECISION BELOW: 124 F.4th 1053

LOWER COURT CASE NUMBER: 24-1192

**QUESTION PRESENTED:**

The common law permits a cause of action for negligent selection. For example, a person injured in a truck crash has a cause of action against someone that negligently selected the truck driver to transport property.

A federal statute expressly preempts state laws "related to a price, route, or service of any motor carrier ... or any motor private carrier, broker, or freight forwarder with respect to the transportation of property." 49 U.S.C. § 14501(c)(1). The statute has a safety exception, providing that the statute "shall not restrict the safety regulatory authority of a State with respect to motor vehicles." *Id.* § 14501(c)(2)(A).

The question presented is:

Does § 14501(c) preempt a state common-law claim against a broker for negligently selecting a motor carrier or driver?

CERT. GRANTED 10/3/2025