**Summary of SC98169, *Mary J. Moore v. Bi-State Development Agency d/b/a Metro***
Appeal from the St. Louis circuit court, Judge Christopher E. McGraugh
Argued and submitted May 26, 2020; opinion issued September 15, 2020

**Attorneys:** Moore was represented by Michael Gross of the Michael Gross Law Office in St. Louis, (314) 863-5887, and Todd R. Nissenholtz of Coffman Townsley LLP in St. Louis, (314) 621-2005. Metro was represented by Donald L. O'Keefe, James D. Ribaudo and Timothy McAleenan Jr. of Gausnell, O'Keefe & Thomas LLC in St. Louis, (314) 257-9800; and Bharat Varadachari and Katherine Jacobi of HeplerBroom LLC in St. Louis, (314) 241-6160.

The Missouri Organization of Defense Lawyers, which filed a brief as a friend of the Court, was represented by James R. Layton of Tueth Keeny Cooper Mohan & Jackstadt PC in St. Louis, (314) 880-3600.

*This summary is not part of the opinion of the Court. It has been prepared by communications counsel for the convenience of the reader. It neither has been reviewed nor approved by the Supreme Court and should not be quoted or cited.*

**Overview:** A woman injured in a bus accident appeals the circuit court's reduction in the damages the jury awarded her. In a unanimous decision written by Chief Justice George W. Draper III, the Supreme Court of Missouri affirms the judgment. The statutes' plain language is clear, and there is no conflict between a statute providing a damages cap and another requiring an agency to comply with certain federal regulations to purchase minimum liability coverage.

**Facts:** In April 2013, Mary Moore was driving a school bus that was hit by a bus operated by a Bi-State Development Agency (Metro) driver in St. Louis. Moore brought a personal injury lawsuit against Metro. Following a trial, the jury returned a verdict in Moore's favor, awarding her $1.878 million in damages. Metro filed a motion for remittitur (court reduction in the jury's damages award) under section 537.610, RSMo, which it argued capped its liability for damages. Moore opposed the motion, arguing section 70.429, RSMo, required Metro to comply with certain federal regulations to satisfy all judgments of $5 million or less caused by negligent operation of its buses. The circuit court granted remittitur and reduced the damages award to the statutory maximum amount, plus interest. Moore appeals.

**AFFIRMED.**

**Court en banc holds:** The statutes' plain language is clear, and there is no conflict between sections 537.610 and 70.439. Although Metro's sovereign immunity is waived for the negligent operation of its bus, section 537.610.2 caps the amount of damages it can be required to pay an injured party in a single incident. And while section 70.429 requires Metro to comply with federal regulations requiring it to carry a minimum level of financial responsibility, a public entity may comply with or exceed section 70.429's financial responsibility requirement without modifying section 537.610's damages cap. Absent ambiguous language or a conflict, there is no need to resort to canons of statutory construction. Metro's compliance with federal safety rules and regulations to purchase liability coverage in excess of the per-incident damages cap in section 537.610 does not squander its liability protection provided in section 537.610.2.