

LEGAL UPDATES

PUBLISHED: MAY 14, 2026

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Supreme Court Clears Path for Negligent-Hiring Claims Against Transportation Brokers

***Montgomery v. Caribe Transport II, LLC* | Decided May 14, 2026**

In a unanimous decision issued today, the United States Supreme Court ruled that state-law negligent-hiring claims against transportation brokers are not preempted by the Federal Aviation Administration Authorization Act (FAAAA). The ruling in *Montgomery v. Caribe Transport II, LLC* resolved a circuit split and presents a significant development for the trucking industry, injured parties, and the nearly 28,000 brokers who arrange transportation for roughly one-third of all freight shipped in the United States.

Background

Petitioner Shawn Montgomery suffered severe injuries, including the amputation of his leg, when a truck driven by a carrier hired by broker C.H. Robinson Worldwide struck his tractor-trailer on an Illinois highway. Montgomery alleged that C.H. Robinson negligently hired the carrier despite knowing of its poor federal safety rating. The district court and the Seventh Circuit held that the FAAAA preempted the claim. The Supreme Court reversed.

The Holding

Writing for a unanimous Court in a brief opinion of just eight pages, Justice Barrett concluded that the FAAAA’s safety exception—which preserves state authority to regulate safety “with respect to motor vehicles”—saves negligent-hiring claims against brokers from preemption. Because such claims directly concern the motor vehicles used to transport goods, they fall squarely within

the exception's plain text. The Court rejected C.H. Robinson's structural and surplusage arguments as unpersuasive.

Justice Kavanaugh, joined by Justice Alito, filed a concurrence arguing that the case was closer than the majority opinion might suggest, but ultimately agreeing that Congress did not intend to immunize brokers from all tort liability while leaving carriers exposed.

What This Means

Brokers can now be sued in state court for negligently selecting unsafe carriers. The decision does not, however, mean automatic liability. Brokers who conduct reasonable due diligence in carrier selection should be well-positioned to defend against such claims. Importantly, as Justice Kavanaugh noted in his concurrence, "the proximate-cause requirement in typical state tort law should help protect brokers from excessive liability." In other words, a plaintiff must still demonstrate that the broker's failure to select a safe carrier caused the accident—a meaningful hurdle that should temper concerns about open-ended exposure.

Nevertheless, with limited FMCSA requirements regarding carrier selection, a patchwork of future state regulations will almost certainly emerge for brokers to navigate.

Because state tort law remains unpredictable and varied, brokers will face increased costs from conducting more substantial inquiries into trucking companies, as well as higher litigation and insurance expenses.

Contact Us

If you have questions regarding the implications ruling in *Montgomery v. Caribe Transport II, LLC*, please contact Julie Maurer, Aaron Schepler, Joe Baratta, or your Husch Blackwell attorney.