

HOUSE BILL NO. HB0115

Lifesaving measures-immunity.

Sponsored by: Representative(s) Brown, Barlow, Blake,
Burlingame, Crank, Sweeney and Zwonitzer and
Senator(s) Rothfuss and Von Flatern

A BILL

for

1 AN ACT relating to civil and criminal liability; providing
2 immunity from civil liability and criminal prosecution for
3 entering a vehicle to render emergency assistance; providing
4 an exception; and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 6-1-205 is created to read:

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10 **6-1-205. Immunity for entering a locked passenger**
11 **vehicle to render emergency assistance.**

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13 (a) As used in this section:

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15 (i) "Animal" means a dog or cat;

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2 (ii) "Passenger vehicle" means as defined in W.S.
3 31-5-1401(a)(ii).

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5 (b) A person who enters or attempts to enter a passenger
6 vehicle to remove a person or animal left unattended in the
7 passenger vehicle is immune from civil liability and criminal
8 prosecution if:

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10 (i) The person has a good faith and reasonable
11 belief that entry into the passenger vehicle is necessary
12 because the person or animal inside the passenger vehicle is
13 in imminent danger of death or suffering serious bodily
14 injury;

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16 (ii) Before attempting to enter the passenger
17 vehicle the person determines that the person or animal inside
18 cannot exit the passenger vehicle without assistance;

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20 (iii) The person attempts, if reasonable under the
21 circumstances, to locate the owner or operator of the
22 passenger vehicle before attempting to enter the passenger
23 vehicle;

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2 (iv) The person contacts law enforcement or
3 emergency response personnel before attempting to enter the
4 passenger vehicle. Notwithstanding, if prior contact of law
5 enforcement or emergency response personnel is not reasonable
6 under the circumstances, a person shall make contact within
7 a reasonable time thereafter. Under this section, a person
8 shall not interfere with, hinder or fail to obey a lawful
9 order given by law enforcement or emergency response
10 personnel;

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12 (v) The person uses reasonable means to enter the
13 passenger vehicle and remove the person or animal; and

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15 (vi) The person remains with the rescued person or
16 animal in a safe location and in reasonable proximity to the
17 passenger vehicle until law enforcement or emergency response
18 personnel or the owner or operator of the passenger vehicle
19 arrives.

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21 (c) The immunity granted under this section shall not
22 apply to any person causing damage to a passenger vehicle or

1 injury to a person or animal as a result of gross negligence
2 or willful or wanton misconduct.

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4 **Section 2.** W.S. 1-1-120(a) is amended to read:

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6 **1-1-120. Persons rendering emergency assistance exempt**
7 **from civil liability.**

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9 (a) Any person licensed as a physician and surgeon
10 under the laws of the state of Wyoming, or any other person,
11 who in good faith renders emergency care or assistance without
12 compensation at the place of an emergency or accident,
13 including as provided in W.S. 6-1-205, is not liable for any
14 civil damages for acts or omissions in good faith.

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16 **Section 3.** This act is effective July 1, 2019.

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(END)