

HOUSE BILL 1850

By Carter

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 8, relative to first responders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-8-108, is amended by deleting subsection (e) and substituting instead the following:

(1) Notwithstanding the requirement of this section that drivers of authorized emergency vehicles exercise due regard for the safety of all persons, neither the state or any city or county within the state, nor their officers or employees, shall be liable for any injury proximately or indirectly caused to an actual or suspected violator of a law who is fleeing pursuit by law enforcement personnel.

(2) The fact that law enforcement personnel pursue an actual or suspected violator of a law who flees from pursuit shall not render the law enforcement personnel, or the employers of the law enforcement personnel, liable to a third party for injuries alleged to be caused by the fleeing party unless the conduct of the law enforcement personnel in initiating or continuing pursuit of the fleeing party was in reckless disregard of existing law enforcement policies and procedures established by the employer of the law enforcement personnel, and that reckless disregard was a proximate cause of the injuries to the third party.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.