

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

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(END)