

CHAPTER 546

(Senate Bill 731)

AN ACT concerning

Volunteer Fire and Rescue Companies - Immunity

~~FOR--the--purpose--of--providing--that--certain--volunteer--fire companies--are--immune--from--liability--in--the--same--manner--as--a local--government--agency--for--any--act--or--omission--in--the course--of--performing--its--duties--under--certain--circumstances.~~
 FOR the purpose of providing that fire and rescue companies and their personnel are immune from civil liability for any act or omission during the course of performing their duties, except for any willful or grossly negligent act; waiving immunity in certain cases; providing for limits on liability in cases where immunity is waived; and generally relating to civil liability of fire and rescue companies and their personnel.

BY adding to

Article - Courts and Judicial Proceedings
 Section 5-309.1
 Annotated Code of Maryland
 (1980 Replacement Volume and 1982 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

5-309.1.

~~A--VOLUNTEER--FIRE--COMPANY--IS--IMMUNE--FROM--LIABILITY--IN--THE SAME--MANNER--AS--A--LOCAL--GOVERNMENT--AGENCY--FOR--ANY--ACT--OR--OMISSION IN--THE--COURSE--OF--PERFORMING--ITS--DUTIES--IF--~~

~~THE--ACT--OR--OMISSION--IS--NOT--ONE--OF--GROSS--NEGLIGENCE--~~

(A) NOTWITHSTANDING NOTWITHSTANDING ANY OTHER PROVISION OF LAW, EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, A FIRE COMPANY OR RESCUE COMPANY, AND THE PERSONNEL OF A FIRE COMPANY OR RESCUE COMPANY, ARE IMMUNE FROM CIVIL LIABILITY FOR ANY ACT OR OMISSION IN THE COURSE OF PERFORMING THEIR DUTIES.

(B) (1) THE IMMUNITY GRANTED BY THIS SECTION IS WAIVED WITH RESPECT TO ACTIONS TO RECOVER DAMAGES FOR THE NEGLIGENT OPERATION OF A MOTOR VEHICLE TO THE FOLLOWING EXTENT: