

MAINE STATE LEGISLATURE

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(New Title)
New Draft of: H. P. 331, L. D. 403

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 1910

H. P. 1648

House of Representatives, May 30, 1975

Reported by Majority from the Committee on Judiciary and printed under
Joint Rules No. 18.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT to Provide Immunity to Persons who Voluntarily Render
Emergency Care or Rescue Assistance.**

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 14 MRSA § 164, as enacted by PL 1969, c. 565, is repealed and the following enacted in place thereof:

§ 164. Immunity from civil liability

Notwithstanding any inconsistent provisions of any public or private and special law, any person who voluntarily, without the expectation of monetary or other compensation, renders first aid, emergency treatment or rescue assistance to a person who is unconscious, ill, injured or in need of rescue assistance, shall not be liable for damages for injuries alleged to have been sustained by such person nor for damages for the death of such person alleged to have occurred by reason of an act or omission in the rendering of such first aid, emergency treatment or rescue assistance, unless it is established that such injuries or such death were caused willfully, wantonly or recklessly or by gross negligence on the part of such person. This section shall not apply if such first aid or emergency treatment or assistance is rendered on the premises of a hospital or clinic.

Sec. 2. 32 MRSA § 76, as enacted by PL 1971, c. 544, § 113, is repealed.

Sec. 3. 32 MRSA § 2108, as enacted by PL 1971, c. 371, is repealed.

Sec. 4. 32 MRSA § 3291, as enacted by PL 1971, c. 591, § 1, is repealed.

STATEMENT OF FACT

The purpose of this bill is to provide immunity from civil liability to all persons who voluntarily render first aid, emergency treatment or rescue assistance to persons in need of it and to repeal the present provisions of the statutes which provide such immunity to the more limited groups of ski patrols, licensed ambulance personnel, physicians and nurses.