

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 660
HOUSE BILL 831

AN ACT TO PROVIDE FOR EXEMPTIONS FROM CIVIL LIABILITY FOR CERTAIN PERSONS RENDERING ASSISTANCE AT ACCIDENTS INVOLVING LIQUEFIED PETROLEUM GAS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 119 is amended by adding a new section to read:

"§ 119-54. Liquefied petroleum gas accidents; liability limitations. — Any person who provides assistance upon request of any police agency, fire department, rescue or emergency squad, or any governmental agency in the event of an accident or other emergency involving the use, handling, transportation, transmission or storage of liquefied petroleum gas, when the reasonably apparent circumstances require prompt decisions and actions, shall not be liable for any civil damages resulting from any act of commission or omission on his part in the course of his rendering such assistance unless such acts or omissions amount to wilful or wanton negligence or intentional wrongdoing. Nothing in this section shall be deemed or construed to relieve any person from liability for civil damages (a) where the accident or emergency referred to above involved his own facilities or equipment or (b) resulting from any act of commission or omission on his part in the course of providing care or assistance in the normal and ordinary course of conducting his own business or profession, nor shall this section be construed to relieve from liability for civil damages any other tortfeasor not referred to herein. When the assistance takes the form of rendering first aid or emergency health care treatment, questions of liability shall be governed by G.S. 90-21.14."

Sec. 2. This act shall become effective October 1, 1981.

In the General Assembly read three times and ratified, this the 23rd day of June, 1981.