

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 520
HOUSE BILL 1092

AN ACT TO PROVIDE A GOOD SAMARITAN STATUTE FOR RURAL FIRE DEPARTMENTS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 69 of the General Statutes is amended by adding a new section to read:

"§ 69-39.1. Liability limited. – (a) For the purpose of this section, a rural fire department means a bona fide fire department incorporated as a nonprofit corporation which under schedules filed with or approved by the Commissioner of Insurance, is classified as not less than class '9' in accordance with rating methods, schedules, classifications, underwriting rules, bylaws, or regulations effective or applied with respect to the establishment of rates or premiums used or charged pursuant to Article 12B or Article 13C of Chapter 58 of the General Statutes and which operates fire apparatus of the value of five thousand dollars (\$5,000) or more.

(b) A rural fire department or a fireman who belongs to the department shall not be liable for damages to persons or property alleged to have been sustained and alleged to have occurred by reason of an act or omission, either of the rural fire department or of the fireman at the scene of a reported fire, when that act or omission relates to the suppression of the reported fire by the department or the fireman unless it is established that the damage occurred because of gross negligence, wanton conduct or intentional wrongdoing of the rural fire department or the fireman."

Sec. 2. The caption of Article 5 of Chapter 69 of the General Statutes is rewritten to read: "Authority and Liability of Firemen."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 14th day of June, 1983.