



# ***LEGISLATIVE HISTORY CHECKLIST***

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**LAWS OF:** 1998

**CHAPTER:**101

**NJSA:** 2A:62A-1.2

"Immunity from liability -- fire fighters"

**BILL NO:** S970

**SPONSOR(S):** Vitale and Matheussen

**DATE INTRODUCED:** April 2, 1998

**COMMITTEE:**

***ASSEMBLY:*** ~~~~

***SENATE:*** Law and Public Safety

**AMENDED DURING PASSAGE:**No

**DATE OF PASSAGE:**

***ASSEMBLY:*** June 29, 1998

***SENATE:*** May 28, 1998

**DATE OF APPROVAL:** September 9, 1998

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## **THE FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL:** Original

**S970**

**SPONSORS STATEMENT:** *Yes* (Begins on page 2 of original bill)

**COMMITTEE STATEMENT:**

***ASSEMBLY:****No*

**SENATE:***Yes*

**FLOOR AMENDMENT STATEMENTS:** *No*

**LEGISLATIVE FISCAL ESTIMATE:** *No*

**A2270**

**SPONSORS STATEMENT:** *Yes* (Begins on page 2 of original bill)

(Bill and Sponsors Statement identical to S970)

**COMMITTEE STATEMENT:**

**ASSEMBLY:** *No*

**SENATE:** *No*

**FLOOR AMENDMENT STATEMENTS:** *No*

**LEGISLATIVE FISCAL ESTIMATE:** *No*

**VETO MESSAGE:** *No*

**GOVERNOR'S PRESS RELEASE ON SIGNING:** *No*

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**THE FOLLOWING WERE PRINTED:**

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ext. 102 or [refdesk@njstatelib.org](mailto:refdesk@njstatelib.org)*

**REPORTS:** *No*

**HEARINGS:** *No*

**NEWSPAPER ARTICLES:** *No*

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# SENATE, No. 970

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED APRIL 2, 1998

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator JOHN J. MATHEUSSEN**

**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

**Senators Bassano, Adler, Girgenti, Bryant, Baer, Furnari, Turner,  
Assemblymen Steele, Talarico and Assemblywoman Pou**

**SYNOPSIS**

Provides immunity from liability for paid and volunteer firefighters in certain instances.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/30/1998)**

1 AN ACT concerning immunity from liability for civil damage for  
2 firefighters under certain circumstances and supplementing  
3 P.L.1963, c.140 (C.2A:62A-1 et seq.).  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. A municipal, county or State firefighter, whether volunteer or  
9 paid, shall not be liable for any civil damages as a result of any acts or  
10 omissions undertaken in good faith in rendering care at the scene of an  
11 accident or emergency to any victim thereof, or in transporting any  
12 such victim to a hospital or other facility where treatment or care is to  
13 be rendered; provided, however, that nothing in this section shall  
14 exonerate a firefighter for gross negligence.  
15

16 2. This act shall take effect immediately.  
17  
18

19 STATEMENT  
20

21 This bill supplements the "Good Samaritan Act," P.L.1963, c.140  
22 (C.2A:62A-1 et seq.) to clarify that the immunity from liability for civil  
23 damages afforded under that act extends to include municipal, county  
24 and State firefighters, both paid or volunteer, who render emergency  
25 assistance at the scene of an accident.

26 Under common law, while a person is under no obligation to  
27 provide emergency assistance at the scene of an accident, a person  
28 who chooses to do so may be held civilly liable if he or she is found to  
29 have acted in a negligent manner. To encourage individuals to render  
30 assistance at accident scenes, New Jersey and many other states have  
31 adopted "Good Samaritan" acts to provide civil immunity for  
32 individuals who in good faith render emergency care at the scene of an  
33 accident or in an emergency.

34 In its present form, New Jersey's "Good Samaritan Act" provides  
35 immunity to (1) any individual, including health care professionals; (2)  
36 the members of volunteer first aid, rescue and ambulance squads and  
37 (3) municipal, county and State law enforcement officers, who in good  
38 faith render emergency care at the scene of an accident or in an  
39 emergency or who, in the case of volunteer members of first aid,  
40 rescue and ambulance squads, transport the victims of an accident or  
41 emergency to a hospital or other facility for treatment.

42 This bill would add municipal, county and State firefighters, both  
43 paid and volunteer, to those specifically afforded immunity under the  
44 "Good Samaritan Act."

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### SENATE, No. 970

# STATE OF NEW JERSEY

DATED: MAY 21, 1998

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 970.

This bill supplements the "Good Samaritan Act," P.L.1963, c.140 (C.2A:62A-1 et seq.) to clarify that the immunity from liability for civil damages afforded under that act extends to include municipal, county and State firefighters, both paid and volunteer, who render emergency assistance at the scene of an accident.

Under common law, while a person is under no obligation to provide emergency assistance at the scene of an accident, a person who chooses to do so may be held civilly liable if he or she is found to have acted in a negligent manner. To encourage individuals to render assistance at accident scenes, New Jersey and many other states have adopted "Good Samaritan" acts to provide civil immunity for individuals who in good faith render emergency care at the scene of an accident or in an emergency.

In its present form, New Jersey's "Good Samaritan Act" provides immunity to (1) any individual, including health care professionals; (2) the members of volunteer first aid, rescue and ambulance squads and (3) municipal, county and State law enforcement officers, who in good faith render emergency care at the scene of an accident or in an emergency or who, in the case of volunteer members of first aid, rescue and ambulance squads, transport the victims of an accident or emergency to a hospital or other facility for treatment.

This bill would add municipal, county and State firefighters, both paid and volunteer, to those specifically afforded immunity under the "Good Samaritan Act."

# ASSEMBLY, No. 2270

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED JUNE 22, 1998

**Sponsored by:**

**Assemblyman ALFRED E. STEELE**

**District 35 (Passaic)**

**Assemblyman GUY F. TALARICO**

**District 38 (Bergen)**

**Co-Sponsored by:**

**Assemblywoman Pou**

**SYNOPSIS**

Provides immunity from liability for paid and volunteer firefighters in certain instances.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/30/1998)**

1 AN ACT concerning immunity from liability for civil damage for  
2 firefighters under certain circumstances and supplementing  
3 P.L.1963, c.140 (C.2A:62A-1 et seq.).  
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36 the members of volunteer first aid, rescue and ambulance squads and  
37 (3) municipal, county and State law enforcement officers, who in good  
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42 This bill would add municipal, county and State firefighters, both  
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