

RCW 4.24.311 Immunity from liability for certain care or assistance at scene of emergency or disaster. (1) Any person who, without compensation or the expectation of compensation, renders nonmedical care or assistance at the scene of an emergency or disaster shall not be liable for civil damages resulting from any act or omission in the rendering of such care or assistance other than acts or omissions constituting gross negligence or willful or wanton misconduct. Any person rendering such care or assistance during the course of regular employment and receiving compensation or expecting to receive compensation for rendering such care or assistance is excluded from the protection of this section.

(2) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Compensation" has its ordinary meaning but does not include: Nominal payments, reimbursement for expenses, or pension benefits; payments made to volunteer part-time and volunteer on-call personnel of fire departments, fire districts, ambulance districts, police departments, or any emergency response organization; or any payment to a person employed as a transit operator who is paid for his or her regular work, which work does not routinely include providing emergency transportation.

(b) "Emergency or disaster" means an event or set of circumstances that:

(i) Demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrence; or

(ii) Reaches such a dimension or degree of destructiveness as to warrant the governor declaring a state of emergency pursuant to RCW 43.06.010.

(c) "Nonmedical care or assistance" includes response and rescue operations as well as the provision of such necessities and amenities as food, supplies, shelter, transportation, and child care.

(3) (a) This section does not apply to emergency workers registered in accordance with chapter 38.52 RCW or to the related volunteer organizations to which they may belong.

(b) The immunity granted by this section is in addition to any common law or statutory immunity enjoyed by such person, and nothing in this section abrogates or modifies in any way such common law or statutory immunity. [2021 c 66 § 1.]