
Judiciary Committee

HB 1120

Title: An act relating to providing immunity for school bus drivers.

Brief Description: Providing immunity for school bus drivers.

Sponsors: Representatives Wilcox, Reykdal, G. Hunt, Haler, Ortiz-Self and Muri.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Grants immunity from civil or criminal liability to school bus drivers who take actions to save another person.

Hearing Date: 1/20/15

Staff: Brent Campbell (786-7152).

Background:

Authorized School Bus Drivers.

The State Superintendent of Public Instruction lists a number of requirements that must be met in order for a person to be an authorized school bus driver. One of these requirements is that a person must have a valid driver's license or commercial driver's license issued by the Department of Licensing. The appropriate driver's license depends on the type of vehicle the driver is operating.

Current Protections to Those Who Render Aid.

Current law grants protection to certain individuals who attempt to aid another person. For example, any person who renders emergency care at the scene of an emergency or who participates in transporting an injured person shall not be liable for civil damages resulting from any act or omission in the rendering of such care. However, rendering emergency care during the course of regular employment and receiving compensation or expecting to receive compensation for rendering such care excludes a person from this protection.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A person may also be protected from liability if they act in defense of self, others, or property; it is not unlawful to use reasonable force upon or toward another person when lawfully preventing or attempting to prevent injury to a person.

Use of reasonable force is also allowed by a carrier of passengers when removing a passenger from a stopped vehicle when that passenger refuses to obey a lawful and reasonable regulation prescribed for the conduct of passengers.

Summary of Bill:

School bus drivers with valid commercial driver's licenses are immune from civil or criminal liability for acts that:

- the driver reasonably believes are necessary;
- are taken in good faith and without gross negligence;
- are taken during the course of his or her duties; and
- are taken when coming to the aid of another person that the driver reasonably believes is in imminent danger of bodily injury or death.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.