

TITLE 7: CIVIL PROCEDURE
DIVISION 2: ACTIONS AND SPECIAL PROCEEDINGS

§ 2806. Statutory Liability Limitations: Emergency Services; Public Entities and Emergency Rescue Personnel.

Neither a public entity nor emergency rescue personnel shall be liable for any injury caused by an action taken by the emergency rescue personnel acting within the scope of their employment to provide emergency services, unless the action taken was performed in a bad faith or in a grossly negligent manner.

(a) For purposes of this section, it shall be presumed that the action taken when providing emergency services was performed in good faith and without gross negligence. This presumption shall be one affecting the burden of proof.

(b) For purposes of this section, “emergency rescue personnel” means any person who is a firefighter, police officer or other law enforcement officer, EMT, Advanced EMT, or paramedic, of the federal government, the CNMI government, or local government, or other public or municipal corporation or political subdivision of this the CNMI, whether such person is a volunteer or partly paid or fully paid, while he is or she is actually engaged in providing emergency services as defined in this section.

(c) For purposes of this section, “emergency services” includes, but is not limited to, first aid and medical services, rescue procedures and transportation, or other related activities necessary to insure the health or safety of a person in imminent peril.

Source: PL 10-52, § 4(E); subsection (b) amended by global amendment by PL 18-73 § 7(a) (Jan. 25, 2015), modified.

Commission Comment: In subsection (b), the word “policy” has been changed to “police” to correct a typographical error. The Commission corrected the capitalization of the word “paramedic” in subsection (b) pursuant to [1 CMC § 3806\(f\)](#).