

Liability: Emergency Transportation

ORS 30.807

An individual who provides emergency transportation to a person in need of immediate medical care from a place where emergency medical care is not regularly available will not be held legally responsible. They can be held legally responsible if acting with extreme carelessness or intent to cause harm or if the transported person refused such assistance.

Liability for emergency transportation assistance

(1) No person shall maintain an action for damages for injury, death or loss that results from acts or omissions in rendering emergency transportation assistance unless it is alleged and proved by the complaining party that the person rendering emergency transportation assistance was grossly negligent. The provisions of this section apply only to a person who provides emergency transportation assistance without compensation.

(2) As used in this section, "emergency transportation assistance" means transportation provided to an injured or ill person who is in need of immediate medical care:

- (a) Under emergency circumstances that suggest that the giving of assistance is the only alternative to serious physical aftereffect or death;
- (b) From a place where emergency medical care is not regularly available;
- (c) In the absence of a personal refusal of such assistance by the injured or ill person or the responsible relative of the person; and
- (d) Which may include directions on the transportation provided through means of radio or telecommunications by a medically trained person who practices in a hospital, as defined in ORS 442.015 and who is not at the location of the injured or ill person.