

Good Samaritan Law: Volunteer

N.D. Cent. Code, 39-08-04.1

A volunteer who, in good faith and without compensation, provides emergency care or services at the scene of an accident, disaster, or while en route to a health care facility, will not be held legally responsible. They can be held legally responsible for being intoxicated or if acting with extreme carelessness or intent to cause harm.

Generally, Good Samaritan laws only offer protection for those individuals who provide care during spontaneous emergencies unrelated to volunteer deployment.

Emergency care or services rendered ? Liability

Any person who is an unpaid volunteer, who in good faith, renders emergency care or services at or near the scene of an accident, disaster, or other emergency, or en route to a treatment facility, is not liable to the recipient of the emergency care or services for any damages resulting from the rendering of that care or services.

This section does not relieve a person from liability for damages resulting from the intoxication, willful misconduct,

or gross negligence of the person rendering the emergency care or services. Further, liability is not relieved if the emergency care was rendered for remuneration or with the expectation of remuneration.